

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

L-3 COMMUNICATIONS SECURITY
AND DETECTION SYSTEMS
CORPORATION DELAWARE,

Plaintiff,

v.

AMERICAN SCIENCE &
ENGINEERING, INC.,

Defendant.

CIVIL ACTION NO. 04-10339-
RWZ

RESPONSE TO MOTION TO STRIKE

L-3 had requested leave of Court to file a Reply Memorandum in support of its Motion for Sanctions. AS&E has now filed a motion to strike the Reply Brief. The sole ground for AS&E's motion to strike is that the request had not included a Local Rule 7.1(A)(2) certification that counsel had conferred.

The motion should be dismissed as pedantic and unnecessary. On page 3 of its Memorandum, AS&E itself candidly admits that it in such a conference "would surely have assented to L-3's filing of its reply." Since there appears to be no substantive objection, the Reply Brief should be considered.

Respectfully submitted,

L-3 COMMUNICATIONS SECURITY AND
DETECTION SYSTEMS CORPORATION
DELAWARE

Dated: January 11, 2005

/s/James J. Foster

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