

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

E-NUMERATE SOLUTIONS, INC. and
E-NUMERATE, LLC,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

No. 19-859 C

Judge Ryan T. Holte

**UNOPPOSED MOTION TO FILE SECOND AMENDED COMPLAINT
PURSUANT TO COURT OF FEDERAL CLAIMS RULE 15(a)(2)**

Plaintiffs e-Numerate Solutions, Inc. and e-Numerate, LLC (collectively “e-Numerate”) hereby file this unopposed motion to file the hereto attached Second Amended Complaint. In support of this motion, e-Numerate states as follows:

WHEREAS the Amended Complaint asserts infringement of seven (7) United States Patents;

WHEREAS e-Numerate wishes to assert United States Patent 10,423,708 against the United States and third parties to this litigation;

WHEREAS e-Numerate wishes to amend the present counts to assert infringement of previously asserted patents against both additional government agencies and third parties;

WHEREAS there is no Scheduling Order in this matter setting forth a date by which amendments to the pleadings should be made;

WHEREAS CFC Rule 15(a)(2) specifies that the Court should freely give leave to amend when justice so requires; and

WHEREAS e-Numerate conferred with the Government about this request and the Government does not oppose the relief sought.

WHEREFORE e-Numerate respectfully requests that the Court grant e-Numerate permission to file the hereto attached Second Amended Complaint.

Respectfully submitted,

Dated: April 23, 2021

O'KELLY & ERNST, LLC

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