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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

SI03, INC.,)	
)	MISC. CASE NO. 07-6311-EJL
Plaintiff,)	
v.)	(Civil Case No. 07 C 3266
)	Northern District of Illinois)
BODYBUILDING.COM, LLC,)	
)	PLAINTIFF’S MOTION TO COMPEL
Defendant.)	
)	

COMES NOW Plaintiff, SI03, Inc. (“SI03”), by and through its counsel of record, and, pursuant to Federal Rule of Civil Procedure 37 and Local Rule 7.1, submits this Motion to Compel. In its Motion to Compel, SI03 respectfully requests that the Court order Bodybuilding.com, LLC to respond fully to the subpoena served upon it by SI03 in August 2007 and produce the documents requested in the subpoena, as more fully described in SI03’s Memorandum in Support of Motion to Compel. To date, Bodybuilding.com, LLC has refused to provide this very relevant discovery, leaving SI03 with no choice but to file the Motion.

SI03's Motion is supported by the Affidavit of Charles Lee Mudd Jr. (Exhibit B), the Affidavit of Greg Davis (Exhibit C), and a supplemental Affidavit of Greg Davis (Exhibit E), as well as pleadings on file with the Court in Civil Case No. 07 C 3266, Northern District of Illinois (Exhibits A and D), and its Memorandum in Support of Motion to Compel.

DATED this 22nd day of October, 2007

TROUT ♦ JONES ♦ GLEDHILL ♦ FUHRMAN, P.A.

By: /s/ Christopher P. Graham
CHRISTOPHER P. GRAHAM
Attorneys for Movant SI03, Inc.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 2007, I submitted the foregoing to the Clerk of the Court for service on CM/ECF Registered Participants as reflected on the Notice of Electronic Filing, including but not limited to, the following:

Thomas G. Walker Cosho Humphrey, LLP 800 Park Blvd., Ste. 790 P.O. Box 9518 Boise, ID 83707-9518	<i>twalker@cosholaw.com</i>
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Additionally, a copy of the foregoing was served on the following parties by first class mail, postage prepaid, addressed to:

M. Kelly Tillery
Pepper Hamilton LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799

/s/ Christopher P. Graham
CHRISTOPHER P. GRAHAM