

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH ASSOCIATION, INC., AMERICAN PSYCHOLOGICAL ASSOCIATION, INC., and NATIONAL COUNCIL ON MEASUREMENT IN EDUCATION, INC.,	)	
	)	
Plaintiffs/Counterclaim-Defendants,	)	Civil Action No. 1:14-cv-00857-TSC-DAR
	)	
v.	)	<b>PLAINTIFFS' MOTION ON CONSENT FOR LEAVE TO FILE CORRECTED DECLARATIONS, WITH POINTS AND AUTHORITIES IN SUPPORT THEREOF</b>
	)	
PUBLIC.RESOURCE.ORG, INC.,	)	
	)	
Defendant/Counterclaim-Plaintiff.	)	

Plaintiffs, American Educational Research Association, Inc. (“AERA”), American Psychological Association, Inc. (“APA”), and National Council on Measurement in Education, Inc. (“NCME”) (collectively, “Plaintiffs”), move this Court, with the consent of Defendant/Counterclaimant Public.Resource.Org, Inc. (“Defendant”), for leave to file corrected Declarations of Marianne Ernesto, Wayne Camara, and Felice Levine (Dkt. Nos. 60-49, 60-76, and 60-78) filed in Support of Plaintiffs’ Motion for Summary Judgment and a Permanent Injunction (Dkt. No. 60).

**POINTS & AUTHORITIES  
IN SUPPORT OF MOTION**

In support of this motion, Plaintiffs state as follows:

1. On December 21, 2015, Plaintiffs filed Declarations of Marianne Ernesto, Wayne Camara, and Felice Levine (Dkt. Nos. 60-49, 60-76, and 60-78) in Support of Plaintiffs’ Motion for Summary Judgment and a Permanent Injunction (Dkt. No. 60).

2. Recently, Plaintiffs discovered that each Declaration is inadvertently missing a statement that it was made under the penalty of perjury, pursuant to 28 U.S.C. § 1746..

3. Plaintiffs wish to correct these errors by submitting corrected Declarations.

4. The proposed corrected Declarations are attached to this motion as Exhibits 1, 2 and 3, and include the following statement: “I declare under the penalty of perjury that the foregoing is true and correct.”

5. No substantive changes have been made to the Declarations.

6. Plaintiffs have discussed the proposed corrected Declarations with Matthew Becker, counsel for Defendant. Mr. Becker indicated that Defendant does not object to Plaintiffs’ filing the amended corrective Declarations.

WHEREFORE, Plaintiffs request that the Court enter an Order granting them leave to file the attached corrected Declarations.

Respectfully submitted,

QUARLES & BRADY LLP

Dated: February 12, 2016

By: /s/ Jonathan Hudis  
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*Counsel for Plaintiffs American Educational  
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Psychological Association, Inc., and  
National Council on Measurement in  
Education, Inc.*