

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA – OMAHA**

IN THE MATTER OF THE APPLICATION OF)	
FIELDTURF INC. and FIELDTURF)	CASE NO. 8:04CV00483
INTERNATIONAL, INC., PETITIONERS, FOR)	
THE PERPETUATION OF CERTAIN)	MOTION TO FILE
EVIDENCE TESTIMONY)	VERIFIED PETITION
_____)	

COMES NOW the Petitioners, FieldTurf Inc. and FieldTurf International, Inc. (collectively “FieldTurf”), and pursuant to Rule 15(a) of the Federal Rules of Civil Procedure move this Court for leave to file a verified Petition attached hereto as Exhibit A.

As stated in Rule 15(a), such “leave shall be freely given when justice so requires.” In this matter, FieldTurf inadvertently filed the Petition without having it verified. To correct this unintentional oversight, FieldTurf attaches as Exhibit A a verified Petition that is verified by Mr. John Gilman, CEO of FieldTurf. In the verified Petition, only a statement of verification and a proposed order have been added to what was contained within the originally filed Petition. Accordingly, FieldTurf respectfully requests leave of Court be granted to file the verified Petition.

FIELDTURF INC and FIELDTURF
INTERNATION INC., Petitioners

By: /s/ Jody L. Factor
Jody L. Factor
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Attorney for Petitioners

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and forgoing was served via CM/ECF and sent to Thomas F. Hoarty, Jr., Byam & Hoarty, 8990 West Dodge Road, Suite 317, Omaha, NE 68114, counsel for the Respondent, on October 22, 2004.

/s/ Jody L. Factor
Jody L. Factor