

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

LUXPRO CORPORATION, a Taiwanese)
corporation,)

Plaintiff,)

v.)

APPLE, INC. f/k/a Apple Computer,)
Inc.,)

Defendant.)

Civil Action No. 4:08-CV-04092-HFB

**SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF
APPLE INC.'S MOTION FOR TRANSFER**

Pursuant to Rule 201 of the Federal Rules of Evidence, Apple Inc. hereby requests that the Court take judicial notice of (1) the complaint in *Apple, Inc. v. Atico International USA, Inc., et al.*, Case No. 08-cv-00283-GMS, United States District Court for the District of Delaware, and (2) the complaint in *Texas MP3 Technologies, Ltd. v. Samsung Electronics Co., et al.*, Case No. 2-07CV-052, United States District Court for the Eastern District of Texas, which are cited in Apple’s Reply in support of its Motion to Transfer. The lawsuits in which these complaints were filed are referenced by Luxpro in its Opposition to Apple’s Motion to Transfer. True and correct copies of the complaints are attached as Exhibits 1 and 2.

Federal Rule of Evidence 201 allows a court to take judicial notice of adjudicative facts “not subject to reasonable dispute in that [they are] . . . capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” The contents of court files in other lawsuits are matters of which a court may take judicial notice. Fed. R. Evid. 201(d); *Taino Lines, Inc. v. M/V Constance Pan Atlantic*, 982 F.2d 20, 22 n.8 (1st Cir. 1992) (taking judicial notice of bankruptcy court proceedings); *United States ex rel. Kinney*

v. *Stoltz*, Civil No. 01-1287 (RHK/JMM), 2002 U.S. Dist. LEXIS 6178 at *12 (D. Minn. Apr. 5, 2002) (stating that the court could “clearly” take notice of the court file in a separate lawsuit).

Thus, this Court may take judicial notice of the complaints.

Respectfully submitted,

/s/Kevin A. Crass

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CERTIFICATE OF SERVICE

I, Kevin A. Crass, hereby certify that on April 6, 2009, the foregoing was electronically filed with the Clerk which shall send notification of such filing to the following:

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