

CLOSED, JURY

U.S. District Court
Eastern District of Virginia – (Alexandria)
CIVIL DOCKET FOR CASE #: 1:10-cv-01288-LMB –JFA

Pragmatus AV, LLC v. Facebook, Inc. et al
Assigned to: District Judge Leonie M. Brinkema
Referred to: Magistrate Judge John F. Anderson
Cause: 35:271 Patent Infringement

Date Filed: 11/15/2010
Date Terminated: 01/27/2011
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

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Date Filed	#	Docket Text
11/15/2010	<u>1</u>	COMPLAINT for Patent Infringement against Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., YouTube, LLC (Filing fee \$ 350.00 receipt number 14683017666), filed by Pragmatius AV, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Receipt, # <u>5</u> Civil Cover Sheet)(stas) (Entered: 11/17/2010)
11/15/2010	<u>2</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by Pragmatius AV, LLC. (stas) (Entered: 11/17/2010)
11/15/2010	<u>3</u>	Summons Issued and given to pltf's atty for service by SPS as to defts., Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., YouTube, LLC. (stas) (Entered: 11/17/2010)
11/17/2010	<u>4</u>	Report on the filing or determination of an action regarding patent and/or trademark(s) 7,730,132; 7,822,813; and 7,831,663. (stas) (Entered: 11/17/2010)
11/19/2010	<u>5</u>	SUMMONS Returned Executed as to Facebook, Inc.; Facebook, Inc. served on 11/17/2010, answer due 12/8/2010. (stas) (Entered: 11/22/2010)
12/02/2010	<u>6</u>	Certificate of Compliance from the Secretary of the Commonwealth as to LinkedIn Corporation; LinkedIn Corporation served on 12/2/2010, answer due 12/23/2010. (stas) (Entered: 12/02/2010)
12/02/2010	<u>7</u>	Certificate of Compliance from the Secretary of the Commonwealth as to YouTube, LLC; YouTube, LLC served on 12/2/2010, answer due 12/23/2010. (stas) (Entered: 12/02/2010)
12/02/2010	<u>8</u>	Certificate of Compliance from the Secretary of the Commonwealth as to Photobucket.com, Inc.; Photobucket.com, Inc. served on 12/2/2010, answer due 12/23/2010. (stas) (Entered: 12/02/2010)
12/16/2010	<u>9</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <u>5</u> Summons Returned Executed <i>Facebook, Inc.</i> by Pragmatius AV, LLC. (Attachments: # <u>1</u> Proposed Order)(Wasserman, Mark) (Entered: 12/16/2010)
12/16/2010	<u>10</u>	ORDER that the deadline for Facebook to move, answer, or otherwise respond to Pragmatius's Complaint for Patent Infringement be extended to December 22, 2010. Facebook, Inc. answer due 12/22/2010. Signed by District Judge Leonie M. Brinkema on 12/16/2010. (stas) (Entered: 12/17/2010)
12/22/2010	<u>11</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <u>6</u> Certificate of Compliance <i>as to LinkedIn Corporation</i> by Pragmatius AV, LLC. (Attachments: # <u>1</u> Proposed Order)(Sheldon, Matthew) (Entered: 12/22/2010)
12/22/2010	<u>12</u>	Consent MOTION for Extension of Time to File Answer re <u>8</u> Certificate of Compliance, <u>1</u> Complaint, <i>as to Photobucket.com, Inc.</i> by Pragmatius AV, LLC. (Attachments: # <u>1</u> Proposed Order)(Sheldon, Matthew) (Entered: 12/22/2010)
12/22/2010	<u>13</u>	Consent MOTION for Extension of Time to File Answer re <u>7</u> Certificate of Compliance, <u>1</u> Complaint, <i>as to YouTube, LLC</i> by Pragmatius AV, LLC. (Attachments: # <u>1</u> Proposed Order)(Sheldon, Matthew) (Entered: 12/22/2010)
12/22/2010	<u>14</u>	NOTICE of Appearance by Scott Allen Cole on behalf of Facebook, Inc. (Cole, Scott) (Entered: 12/22/2010)
12/22/2010	<u>15</u>	MOTION to Dismiss <i>or in the Alternative, for a More Definite Statement</i> by Facebook, Inc.. (Attachments: # <u>1</u> Proposed Order)(Cole, Scott) (Entered: 12/22/2010)
12/22/2010	<u>16</u>	Memorandum in Support re <u>15</u> MOTION to Dismiss <i>or in the Alternative, for a More Definite Statement</i> filed by Facebook, Inc.. (Attachments: # <u>1</u> Declaration of Scott A. Cole, # <u>2</u> Exhibit A to the Cole Declaration)(Cole, Scott) (Entered: 12/22/2010)

12/22/2010	<u>17</u>	Notice of Hearing Date set for 01/14/2011 re <u>15</u> MOTION to Dismiss <i>or in the Alternative, for a More Definite Statement</i> (Cole, Scott) (Entered: 12/22/2010)
12/22/2010	<u>18</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by Facebook, Inc.. (Cole, Scott) (Entered: 12/22/2010)
12/22/2010	<u>19</u>	ORDER granting <u>13</u> Motion for Extension of Time to Answer. The deadline for YouTube, LLC to move, answer, or otherwise respond to Pragmatius's Complaint for Patent Infringement be extended to January 7, 2011. SO ORDERED. Signed by Magistrate Judge John F. Anderson on 12/22/2010. (tche) (Entered: 12/23/2010)
12/22/2010	<u>20</u>	ORDER granting <u>11</u> Motion for Extension of Time to Answer. The deadline for LinkedIn to move, answer or otherwise respond to Pragmatius's Complaint for Patent Infringement be extended to January 7, 2011. SO ORDERED. Signed by Magistrate Judge John F. Anderson on 12/22/2010. (tche) (Entered: 12/23/2010)
12/22/2010	<u>21</u>	ORDER granting <u>12</u> Motion for Extension of Time to Answer. ORDERED that the Agreed Motion for Extension of Time to Respond to Plaintiffs' Complaint is GRANTED. Accordingly, Defendant Photobucket.com, Inc. shall file its response to the Complaint by January 7, 2011. Signed by Magistrate Judge John F. Anderson on 12/22/2010. (tche) (Entered: 12/23/2010)
12/23/2010	<u>1</u>	Set eset Deadlines as to <u>15</u> MOTION to Dismiss <i>or in the Alternative, for a More Definite Statement</i> . Motion Hearing set for 1/14/2011 at 10:00 AM before District Judge Leonie M. Brinkema. (clar,) (Entered: 12/23/2010)
01/05/2011	<u>22</u>	NOTICE of Appearance by Brent Ryan Gary on behalf of Pragmatius AV, LLC (Gary, Brent) (Entered: 01/05/2011)
01/05/2011	<u>23</u>	MEMORANDUM in Opposition to <u>15</u> MOTION to Dismiss <i>or in the Alternative, for a More Definite Statement</i> filed by Pragmatius AV, LLC. (Wasserman, Mark) Modified on 1/6/2011 to correct docket text (stas). (Entered: 01/05/2011)
01/06/2011	<u>1</u>	Notice of Correction re: <u>23</u> RESPONSE in Opposition re 15 MOTION to Dismiss or in the Alternative, for a More Definite Statement filed by Pragmatius AV, LLC. The filing user selected the wrong event. Response in Opposition to Motion was selected, and Memorandum in Opposition should have been selected. The docket has been corrected.(stas) (Entered: 01/06/2011)
01/06/2011	<u>24</u>	NOTICE of Appearance by Veronica Susana Ascarrunz on behalf of YouTube, LLC (Ascarrunz, Veronica) (Entered: 01/06/2011)
01/06/2011	<u>25</u>	MOTION to Dismiss <i>or in the Alternative, for a more Definite Statement</i> by YouTube, LLC. (Attachments: # <u>1</u> Proposed Order)(Ascarrunz, Veronica) (Entered: 01/06/2011)
01/06/2011	<u>26</u>	Memorandum in Support re <u>25</u> MOTION to Dismiss <i>or in the Alternative, for a more Definite Statement</i> filed by YouTube, LLC. (Ascarrunz, Veronica) (Entered: 01/06/2011)
01/06/2011	<u>27</u>	Request for Hearing by YouTube, LLC re <u>25</u> MOTION to Dismiss <i>or in the Alternative, for a more Definite Statement</i> (Ascarrunz, Veronica) (Entered: 01/06/2011)
01/06/2011	<u>28</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by YouTube, LLC. (Ascarrunz, Veronica) (Entered: 01/06/2011)
01/06/2011	<u>29</u>	NOTICE of Appearance by David Evan Finkelson on behalf of LinkedIn Corporation (Finkelson, David) (Entered: 01/06/2011)
01/06/2011	<u>30</u>	MOTION to Dismiss by LinkedIn Corporation. (Finkelson, David) (Entered: 01/06/2011)
01/06/2011	<u>31</u>	Memorandum in Support re <u>30</u> MOTION to Dismiss filed by LinkedIn Corporation. (Finkelson,

		David) (Entered: 01/06/2011)
01/06/2011	<u>32</u>	Notice of Hearing Date set for January 21, 2011 re <u>30</u> MOTION to Dismiss (Finkelson, David) (Entered: 01/06/2011)
01/06/2011	<u>33</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by LinkedIn Corporation. (Finkelson, David) (Entered: 01/06/2011)
01/06/2011	<u>32</u>	Set Deadline as to <u>25</u> MOTION to Dismiss <i>or in the Alternative, for a more Definite Statement</i> . Motion Hearing set for 1/21/2011 at 10:00 AM before District Judge Leonie M. Brinkema. (stas) (Entered: 01/07/2011)
01/06/2011	<u>30</u>	Set Deadline as to <u>30</u> MOTION to Dismiss. Motion Hearing set for 1/21/2011 at 10:00 AM before District Judge Leonie M. Brinkema. (stas) (Entered: 01/07/2011)
01/07/2011	<u>34</u>	MOTION to Dismiss <i>Complaint Under 12(B)(6) or in the Alternative for a More Definite Statement</i> by Photobucket.com, Inc.. (Attachments: # <u>1</u> Proposed Order)(Walker, Kimberly) (Entered: 01/07/2011)
01/07/2011	<u>35</u>	Memorandum in Support re <u>34</u> MOTION to Dismiss <i>Complaint Under 12(B)(6) or in the Alternative for a More Definite Statement</i> filed by Photobucket.com, Inc.. (Walker, Kimberly) (Entered: 01/07/2011)
01/07/2011	<u>36</u>	Notice of Hearing Date re <u>34</u> MOTION to Dismiss <i>Complaint Under 12(B)(6) or in the Alternative for a More Definite Statement</i> (Walker, Kimberly) (Entered: 01/07/2011)
01/07/2011	<u>37</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by Photobucket.com, Inc.. (Walker, Kimberly) (Entered: 01/07/2011)
01/07/2011	<u>38</u>	Joint MOTION to Transfer Case <i>Pursuant to 28 U.S.C. § 1404(a)</i> by Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., YouTube, LLC. (Attachments: # <u>1</u> Proposed Order)(Cole, Scott) (Entered: 01/07/2011)
01/07/2011	<u>39</u>	Memorandum in Support re <u>38</u> Joint MOTION to Transfer Case <i>Pursuant to 28 U.S.C. § 1404(a)</i> filed by Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., YouTube, LLC. (Attachments: # <u>1</u> Facebook Declaration, # <u>2</u> LinkedIn Declaration, # <u>3</u> YouTube Declaration, # <u>4</u> Photobucket Declaration, # <u>5</u> Declaration of Scott A. Cole, # <u>6</u> Exhibit 1 to the Cole Declaration, # <u>7</u> Exhibit 2 to the Cole Declaration, # <u>8</u> Exhibit 3 to the Cole Declaration, # <u>9</u> Exhibit 4 to the Cole Declaration, # <u>10</u> Exhibit 5 to the Cole Declaration, # <u>11</u> Exhibit 6 to the Cole Declaration, # <u>12</u> Exhibit 7 to the Cole Declaration, # <u>13</u> Exhibit 8 to the Cole Declaration, # <u>14</u> Exhibit 9 to the Cole Declaration, # <u>15</u> Exhibit 10 to the Cole Declaration, # <u>16</u> Exhibit 11 to the Cole Declaration, # <u>17</u> Exhibit 12 to the Cole Declaration, # <u>18</u> Exhibit 13 to the Cole Declaration, # <u>19</u> Exhibit 14 to the Cole Declaration)(Cole, Scott) (Entered: 01/07/2011)
01/07/2011	<u>40</u>	Notice of Hearing Date set for 1/28/2011 re <u>38</u> Joint MOTION to Transfer Case <i>Pursuant to 28 U.S.C. § 1404(a)</i> (Cole, Scott) (Entered: 01/07/2011)
01/10/2011	<u>34</u>	Set Deadlines as to <u>34</u> MOTION to Dismiss <i>Complaint Under 12(B)(6) or in the Alternative for a More Definite Statement</i> . Motion Hearing set for 1/21/2011 at 10:00 AM before District Judge Leonie M. Brinkema. (clar,) (Entered: 01/10/2011)
01/10/2011	<u>38</u>	Set Deadlines as to <u>38</u> Joint MOTION to Transfer Case <i>Pursuant to 28 U.S.C. § 1404(a)</i> . Motion Hearing set for 1/28/2011 at 10:00 AM before District Judge Leonie M. Brinkema. (clar,) (Entered: 01/10/2011)
01/10/2011	<u>41</u>	ORDER that the January 14, 2011 and January 21, 2011 hearings on defts' motions to dismiss be and are rescheduled to Friday, January 28, 2011 at 10:00 AM before District Judge Leonie M. Brinkema so that all motions may be heard at the same time. The Clerk is directed to remove the

		hearings from the January 14, 2011 and January 21, 2011 dockets. (See order for details). Signed by District Judge Leonie M. Brinkema on 1/10/2011. (stas) (Entered: 01/10/2011)
01/10/2011	<u>42</u>	ORDER GRANTING Pro hac vice of Larry L. Shatzer; Filing fee \$ 50, receipt number 14683018688. Signed by District Judge Liam O'Grady on 1/10/2011. (Attachments: # <u>1</u> Receipt)(tche) (Entered: 01/11/2011)
01/11/2011	<u>43</u>	ORDER granting application of Robin Lynn Brewer to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018742. Signed by District Judge Leonie M. Brinkema on 1/11/2011. (Attachments: # <u>1</u> Receipt)(stas) (Entered: 01/11/2011)
01/11/2011	<u>44</u>	ORDER granting application of Stefani Elise Shanberg to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018742. Signed by District Judge Leonie M. Brinkema on 1/11/2011. (Attachments: # <u>1</u> Receipt)(stas) (Entered: 01/11/2011)
01/11/2011	<u>45</u>	ORDER granting application of Daralyn Jean Durie to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018745. Signed by District Judge Leonie M. Brinkema on 1/11/2011. (Attachments: # <u>1</u> Receipt, # <u>2</u> Cover Letter)(stas) (Entered: 01/11/2011)
01/11/2011	<u>46</u>	ORDER granting application of Clement Seth Roberts to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018745. Signed by District Judge Leonie M. Brinkema on 1/11/2011. (Attachments: # <u>1</u> Receipt, # <u>2</u> Cover Letter)(stas) (Entered: 01/11/2011)
01/11/2011	<u>47</u>	REPLY to Response to Motion re <u>15</u> MOTION to Dismiss <i>or in the Alternative, for a More Definite Statement</i> filed by Facebook, Inc.. (Cole, Scott) (Entered: 01/11/2011)
01/11/2011	<u>48</u>	NOTICE of Appearance by David Marion Foster on behalf of Photobucket.com, Inc. (Foster, David) (Entered: 01/11/2011)
01/12/2011	<u>49</u>	NOTICE of Appearance by Justin Patrick Daniel Wilcox on behalf of Facebook, Inc. (Wilcox, Justin) (Entered: 01/12/2011)
01/12/2011	<u>50</u>	ORDER granting application of Heidi Lyn Keefe to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018704. Signed by District Judge Leonie M. Brinkema on 1/12/2011. (Attachments: # <u>1</u> Receipt)(stas) (Entered: 01/13/2011)
01/12/2011	<u>51</u>	ORDER granting application of Dan Duncan Davison to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018783. Signed by District Judge Leonie M. Brinkema on 1/12/2011. (Attachments: # <u>1</u> Receipt)(stas) (Additional attachment(s) added on 1/13/2011: # <u>2</u> Cover Letter) (stas,). (Entered: 01/13/2011)
01/12/2011	<u>52</u>	ORDER granting application of Miriam Latorre Quinn to appear pro hac vice; Filing fee \$ 50.00, receipt number 14683018783. Signed by District Judge Leonie M. Brinkema on 1/12/2011. (Attachments: # <u>1</u> Receipt, # <u>2</u> Cover Letter)(stas) (Entered: 01/13/2011)
01/12/2011	<u>53</u>	SCHEDULING ORDER: Initial Pretrial Conference set for 2/2/2011 at 11:00 AM before Magistrate Judge John F. Anderson. Discovery due by 5/13/2011. Final Pretrial Conference set for 5/19/2011 at 10:00 AM before District Judge Leonie M. Brinkema. Signed by District Judge Leonie M. Brinkema on 1/12/2011. (Attachments: # <u>1</u> Pretrial Notice, # <u>2</u> Alexandria Magistrate Judge Consent Form)(stas) (Entered: 01/13/2011)
01/20/2011	<u>54</u>	Memorandum in Opposition re <u>25</u> MOTION to Dismiss <i>or in the Alternative, for a more Definite Statement</i> , <u>30</u> MOTION to Dismiss, <u>34</u> MOTION to Dismiss <i>Complaint Under 12(B)(6) or in the Alternative for a More Definite Statement Pragmatu's Memorandum in Opposition to YouTube, LLC's, LinkedIn Corporation's, and Photobucket.com, Inc.'s Rule 12(b)(6) Motions to Dismiss or, in the Alternative, for a More Definite Statement</i> filed by Pragmatu AV, LLC. (Attachments: # <u>1</u> Exhibit A)(Wasserman, Mark) (Entered: 01/20/2011)

01/21/2011	<u>55</u>	Memorandum in Opposition re <u>38</u> Joint MOTION to Transfer Case Pursuant to 28 U.S.C. § 1404(a) Pragmatius' Memorandum in Opposition to Defendants' Joint Motion to Transfer Venue Pursuant to 28 U.S.C. section 1404(a) filed by Pragmatius AV, LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Wasserman, Mark) (Entered: 01/21/2011)
01/25/2011	<u>56</u>	REPLY to Response to Motion re <u>38</u> Joint MOTION to Transfer Case Pursuant to 28 U.S.C. § 1404(a) filed by Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., YouTube, LLC. (Attachments: # <u>1</u> Supplemental Declaration of Scott Cole, # <u>2</u> Exhibit 15, # <u>3</u> Exhibit 16)(Wilcox, Justin) (Entered: 01/25/2011)
01/26/2011	<u>57</u>	REPLY to Response to Motion re <u>25</u> MOTION to Dismiss <i>or in the Alternative, for a more Definite Statement</i> filed by YouTube, LLC. (Ascarrunz, Veronica) (Entered: 01/26/2011)
01/26/2011	<u>58</u>	Discovery Plan by Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., Pragmatius AV, LLC, YouTube, LLC.(Finkelson, David) (Entered: 01/26/2011)
01/27/2011	<u>i</u>	Per LMB Chambers motions set for 1/28/2011 will be decided on papers. (stas) (Entered: 01/27/2011)
01/27/2011	<u>59</u>	MEMORANDUM OPINION re: <u>38</u> Joint MOTION to Transfer Case Pursuant to 28 U.S.C. § 1404(a) by Facebook, Inc., LinkedIn Corporation, Photobucket.com, Inc., YouTube, LLC. Signed by District Judge Leonie M. Brinkema on 1/27/2011. (stas) (Entered: 01/28/2011)
01/27/2011	<u>60</u>	ORDER For the reasons stated in the accompanying Memorandum Opinion, Defendants' <u>38</u> Joint Motion to Transfer Venue Pursuant to 28 U.S.C. 1404(a) [Dkt. No. 38] is GRANTED, and it is hereby ORDERED that this civil action be TRANSFERRED to the United States District Court for the Northern District of California. Signed by District Judge Leonie M. Brinkema on 1/27/2011. (stas) (Entered: 01/28/2011)