

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

TIME 10:00 (OPEN)	DATE 1/31/05
JUDGE David Folsom	REPORTER Libby Crawford
COMPRESSION LABS	§
V.	§
	§ CIVIL ACTION NO. 2:04CV294
	§ 2:04CV158
	§ 2:04CV159
ACER	§ MOTION HEARING

ATTORNEYS FOR PLAINTIFF: Eric Buether; Carl Roth; Michael Smith;

ATTORNEYS FOR DEFENDANT: Eric Albritton; Lance Lee; Danny Williams; Jennifer Doan; David Hansen; David Weaver;

LAW CLERK: Peter Corcoran and Trip Fussell

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD:

9:27 ct opens; 9:30 Williams/ add ct, oral argument on 2:04cv158, 2:04cv159, and 2:04cv294 cases; 9:55 Buether/ responds; 10:12 Williams/ reply; 10:17 Hansen/ add ct re: Yahoo and Sun (2:04-cv-294) dismissal and transfers; 10:29 Smith/ responds; 10:31 ct/ what does that leave us with; 10:31 Lee/ would like to discuss scheduling issues; 10:32 ct/ 10 minute break; 10:32 recess; 10:48 ICC with Hansen, Williams, Lee, Buether, and Weaver; Buether/ has withdrawn bifurcation issue; ct/ Special Master or Technical Advisor; Buether/ responds; ct/ will not decide that until after MDL; 10:51 ct/ 400 hrs for deposition; Weaver/ 4/6th tutorial and 4/7th markman; 10:52 ct/ schedule for next 60 days and early April is pushing it for Markman hrg; Weaver/ would like to pencil in something; ct/ will give 2 hrs 45 mins ea side for Markman hrg; ct/ sets tutorials for 4/27th 10:00 am 1.5 hrs each side and 4/28th 9:00 am Markman hrg 2 hrs 45 mins; 10:57 Lee/ experts issue; ct/ will not limit at this time but be reasonable; 11:10 recess; 11:12 ct resumes; ct/ plfs not pursuing bifurcation claim; 4/27th for tutorial 1 ½ hrs ea side; 4/28th at 9:00 am Markman hrg 2 hrs 45 mins each side; Weaver/ will submit a revised scheduling order; Buether/ housekeeping; protective order in 158 and one proposed in other 2 cases; ct/ can that protective order be extended to all the cases; Roth/ that protective order was negotiated; Buether/ add ct; ct/ add ptys re: consolidation for discovery purposes and if ptys feel consolidation is needed for trial then notify ct as soon as possible; ct/ can Protective order from 158 be extended to all cases; Weaver/ at a substantive level they are the same; ct/ if some modifications needed we can address those at the appropriate time; 11:18 recess;

DAVID J. MALAND, CLERK

BY: Mel Martin

Courtroom Deputy

TIME: 11:18 (ADJOURN)