

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

Compression Labs, Incorporated,	)	
	)	
<i>Plaintiff,</i>	)	
v.	)	C.A. No. 2:04-CV-159-DF
	)	
Dell Inc., <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**MOTION OF JENKENS & GILCHRIST, P.C. FOR LEAVE TO WITHDRAW FROM  
REPRESENTATION OF COMPRESSION LABS, INCORPORATED**

Jenkins & Gilchrist, P.C., by its lawyers who have appeared on behalf of Compression Labs, Inc. (“CLI”) in the above-captioned case, hereby move this Court, pursuant to Local Rule CV-11(d), for leave to withdraw from the representation of CLI in this lawsuit.

1. Lead trial counsel, Stephen G. Rudisill of Jenkins & Gilchrist, P.C., has previously filed an appearance as one of CLI’s attorneys of record.

2. In addition, John C. Gatz, Gary E. Hood, Justin D. Swindells, Russell J. Genet, Margo Wolf O’Donnell, Brian N. Anderson, Cynthia K. Thompson, L. Steven Leshin, Merlyn D. Sampels, Scott C. Ryan, R. David Donoghue, and Daniel V. Flatten, all of Jenkins & Gilchrist, P.C., have also filed appearances on behalf of CLI.

3. The reason behind this request to withdraw is apparent from the most recent 10-K SEC filing of Forgent Networks, Inc. (“Forgent”), the parent company of CLI, in which Forgent stated: “On October 27, 2004, Forgent formally terminated its counsel and is currently in discussions with the law firm regarding the termination. Forgent has engaged new counsel to advise it in connection with its Patent Licensing Program and is working with both counsel to

ensure a timely and efficient transition in legal services.” Relevant pages from Forgent’s most recent Form 10-K are attached as Exhibit 1.

4. Jenkens & Gilchrist, P.C., through its lawyers who appeared on behalf of CLI in this action, have taken reasonable steps to avoid foreseeable prejudice to the rights of CLI.

5. Forgent and CLI’s new counsel includes G. Michael Gruber and Eric W. Buether, both of the law firm of Godwin Gruber, LLP.

6. Because CLI has already engaged new counsel, the withdrawal of Jenkens & Gilchrist, P.C. and its lawyers from the representation of CLI in this action should not affect the schedule for pleading, discovery, or other activities in this lawsuit.

WHEREFORE, Jenkens & Gilchrist, P.C., by its lawyers who have filed an appearance in this matter, respectfully requests that the Court grant its motion for leave to withdraw from representation of CLI in this case.

Respectfully submitted,

Dated: November 4, 2004

By:/s/ Stephen G. Rudisill by permission S. Calvin Capshaw

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**CERTIFICATE OF CONFERENCE**

On November 4, 2004, Counsel for CLI attempted to orally confer with counsel for Defendants in a good faith attempt to resolve the matter of this Motion without court intervention. Counsel for CLI has spoken or exchanged voicemail messages with various counsel for Defendants. Counsel for Defendants Dell and IBM have indicated that they do not oppose the withdrawal of Jenkins & Gilchrist. At the time of the filing of this Motion, none of the remaining counsel for Defendants have been able to indicate whether or not they oppose this motion.

/s/ Stephen G. Rudisill by permission S. Calvin Capshaw

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to the electronic service are being served with a copy of **MOTION OF JENKENS & GILCHRIST, P.C. FOR LEAVE TO WITHDRAW FROM REPRESENTATION OF COMPRESSION LABS, INCORPORATED** via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and/or first class mail this 4th day of November, 2004.

/s/ Stephen G. Rudisill by permission S. Calvin Capshaw