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

VERTICAL COMPUTER SYSTEMS, INC.,

Plaintiff,

Civil Action No. 2:10-CV-490

Jury Trial Demanded

v.

INTERWOVEN, INC., LG ELECTRONICS MOBILECOMM U.S.A., INC., LG ELECTRONICS, INC., SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

DEFENDANT INTERWOVEN, INC.'S REQUEST FOR JUDICIAL NOTICE

Defendant Interwoven, Inc. ("Interwoven"), in support for its motion to dismiss, stay or transfer [Docket No. 19], asks the court to take judicial notice under Fed. R. Evid. 201 of the following document attached hereto as **Exhibit A**:

 Order Denying: (1) Plaintiff's Motion to Enjoin; and (2) Denying Defendant's Motion to Transfer or Dismiss, No. C 10-4645-RS (N.D. Cal. Jan. 24, 2011) (Seeborg, J.) (maintaining patent infringement action in the Northern District of California).

Dated: January 27, 2011

Respectfully submitted,

By: <u>/s/ Bijal V. Vakil</u> Bijal V. Vakil

> ROBERT CHRISTOPHER BUNT (State Bar No. 00787165) rcbunt@pbatyler.com PARKER, BUNT & AINSWORTH, P.C. 100 E. Ferguson, Suite 1114 Tyler, Texas 75702 Telephone: 903.531.3535 Facsimile: 903.533.9687

BIJAL V. VAKIL (Cal. Bar No. 192878) (admitted to practice in Eastern District of Texas) bvakil@whitecase.com SHAMITA D. ETIENNE-CUMMINGS setienne@whitecase.com WHITE & CASE LLP 5 Palo Alto Square, 9th Floor 3000 El Camino Real Palo Alto, CA 94306 Telephone: 650.213.0300 Facsimile: 650.213.8158

ATTORNEYS FOR DEFENDANT INTERWOVEN, INC.

CERTICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 27th day of January 2011. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Bijal V. Vakil Bijal V. Vakil