

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

ESN, LLC,	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 5:08-CV-20-DF
	§	
v.	§	<b>JURY TRIAL DEMANDED</b>
	§	
CISCO-SYSTEMS, INC. and	§	
CISCO-LINKSYS, LLC,	§	
	§	
Defendants.	§	

**MOTION FOR ENTRY OF STIPULATION REGARDING DISCOVERY**

Plaintiff ESN, LLC (“ESN”) and Defendants Cisco-Systems, Inc. and Cisco-Linksys, LLC (collectively “Cisco”) hereby request that the Court enter the following stipulation and agreement between the parties:

The parties will not seek to discover, and shall not discover, the following communications and materials: (1) drafts of expert reports, draft affidavits, draft declarations or drafts of written testimony; (2) written or oral communications of counsel for the respective parties not relied upon by an expert in forming the opinions in the final report, affidavits, declarations, written testimony or other written materials; and (3) notes of discussions between the testifying expert and counsel for the respective parties regarding a draft or final expert report, affidavit, declaration or written testimony. With the exception of only the foregoing, the parties shall be entitled to discover all documents and information considered by the testifying expert (whether relied upon or not) in forming the opinions.

Dated: August 7, 2009

Respectfully submitted,

/s/ Charles K. Verhoeven, with permission by  
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/s/ Peter J. McAndrews, with permission by  
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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 7, 2009. Any other counsel of record will be served by first class mail on this same date.

*/s/ Michael E. Jones*  
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