

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

ESN, LLC,

Plaintiff,

v.

CISCO SYSTEMS, INC. and
CISCO-LINKSYS LLC,

Defendants.

CIVIL ACTION NO. 5:08-CV-20

JURY TRIAL DEMANDED

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE A MOTION FOR A
PROTECTIVE ORDER**

Defendants Cisco-Systems, Inc. and Cisco Systems, LLC respectfully move this Court for an extension of time to submit a motion for a protective order and state as follows:

A Scheduling Conference in this case was held on April 22, 2008. The Court set a deadline of May 22, 2008 by which the parties were to submit to the Court an agreed Protective Order or, failing agreement, their respective proposals for a Protective Order in this case.

The parties have met and conferred on numerous occasions regarding a Protective Order in this case and have agreed that the interest of justice would be served by an extension of the hereinbefore described deadline to and including May 28, 2008. This extension will not require an extension of any other deadlines set by the Court. This motion is not sought solely for the purpose of delay but so that justice may be done. The parties further request that, in the event

that they are unable to reach agreement on a Protective Order, they each be permitted to submit their respective arguments. A proposed order accompanies this motion.

Dated: May 22, 2008

Respectfully submitted,

By: _____ /s/ Kevin A. Smith

MCKOOL SMITH P.C.
SAM BAXTER
Texas Bar No. 01938000
sbaxter@mckoolsmith.com
104 E. Houston St., Suite 300
P.O. Box 0
Marshall, Texas 75670
Telephone : (903) 923-9000
Facsimile : (903) 923-9099

GARRET W. CHAMBERS
Texas State Bar No. 00792160
gchambers@mckoolsmith.com
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone : (214) 978-4000
Facsimile : (214) 978-4044

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

CHARLES K. VERHOEVEN
LEAD COUNSEL
Cal. Bar No. 170151
charlesverhoeven@quinnemanuel.com
KATHERINE H. BENNETT
katherinebennett@quinnemanuel.com
Cal Bar. No. 250175
KEVIN A. SMITH
Cal. Bar No. 250814
kevinsmith@quinnemanuel.com
50 California St., 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875.6600
Facsimile: (415) 875.6700

VICTORIA F. MAROULIS
Cal. Bar No. 202603 (admitted in E.D. Tex.)
victoriamaroulis@quinnemanuel.com
SAYURI K. SHARPER
Cal. Bar No. 232331
sayurisharper@quinnemanuel.com
555 Twin Dolphin Dr., Suite 560
Redwood Shores, California 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Attorneys for Defendants
Cisco Systems, Inc. and Cisco-Linksys, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to 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 May 22, 2008. Any other counsel of record will be served by facsimile transmission and first class mail.

By: /s/ Kevin A. Smith