

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MIRROR WORLDS, LLC,

Plaintiff,

v.

APPLE, INC.,

Defendant.

Civil Action No. 6:08-CV-88 LED

JURY TRIAL DEMANDED

APPLE, INC.,

Counterclaim Plaintiff,

v.

MIRROR WORLDS, LLC, MIRROR
WORLDS, TECHNOLOGIES, INC.,

Counterclaim Defendants.

**PROPOSED ORDER DENYING
DEFENDANT / COUNTERCLAIM PLAINTIFF APPLE INC.'S MOTION TO STRIKE
THE SURPRISE EXPERT REPORTS OF JOHN LEVY, PH.D. ON THE PURPORTED
INVALIDITY AND NON-INFRINGEMENT OF U.S. PATENT NO. 6,613,101**

ON THIS DAY, the Court having considered Defendant / Counterclaim Plaintiff Apple Inc.'s Motion to Strike the Surprise Expert Reports of John Levy, Ph.D. on the Purported Invalidity and Non-Infringement of U.S. Patent No. 6,613,101, after review of the moving papers in support of the subject motion, the opposition papers, and the reply and sur-reply papers, and oral argument, if any, and for good cause shown:

IT IS ORDERED that Defendant / Counterclaim Plaintiff Apple Inc.'s Motion to Strike the Surprise Expert Reports of John Levy, Ph.D. on the Purported Invalidity and Non-Infringement of U.S. Patent No. 6,613,101 is **DENIED**.