

**IN THE UNITED STATES DISTRICT COURT
FOR THE 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.

**APPLE INC'S NOTICE OF WITHDRAWAL OF OPPOSED
MOTIONS *IN LIMINE* NOS. 10, 11, 13, 17 (DOC. NO. 323)**

In order to reduce the number of issues before the Court, Apple Inc. ("Apple") hereby notifies the Court of its withdrawal of the following opposed Motions *in Limine*:

- No. 10: Hearsay Evidence With No Applicable Exception;
- No. 11: Current Economic Status Or Profitability Of Apple Or Relative Financial Strength (e.g., "David And Goliath");
- No. 13: New Theories Of Liability, New Claims for Damages, And Factual Contentions Never Disclosed During Discovery; and
- No. 17: Mirror Worlds' Expert Testimony That Is Contrary To The Court's *Markman* Order, Including Dr. Levy's Use Of His Own Construction Of "Timestamp To Identify" And "Stream."

(Doc. No. 323.)

Apple notified counsel for Mirror Worlds, LLC and Mirror Worlds Technologies, Inc. of its intent to withdraw these Motions *in Limine* on September 25, 2010. Although Apple no longer requests an *in limine* order on these topics, Apple respectfully reserves its right to raise objections during trial.

Dated: September 26, 2010

Respectfully submitted,

/s/ Jeffrey G. Randall

Jeffrey G. Randall

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COUNSEL FOR APPLE INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on this 26th day of September, 2010. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Jeffrey G. Randall
Jeffrey G. Randall