# IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

MIRROR WORLDS, LLC,	§
	§ Civil Action No. 6:08-CV-88-LED
Plaintiff,	§
	§
V.	§ JURY TRIAL DEMANDED
	§
APPLE INC.,	§
	§
Defendant.	§
	§

## JOINT MOTION TO AMEND DISCOVERY AND DOCKET CONTROL ORDERS

On June 2, 2009, the Court ordered the parties to "submit agreed proposed amended Discovery and Docket Control Orders integrating the '101 patent." The parties have met and conferred regarding amendments of the Discovery and Docket Control Orders in order to integrate the '101 patent. The proposed amendments set forth herein put the '101 patent onto the same schedule as the Mirror Worlds patents by September 2, 2009, the current date for the Patent Local Rule 4-1 exchange. The parties agree that all deadlines not mentioned below should remain unchanged, and should apply equally to both Mirror Worlds' and Apple's claims of patent infringement.

Proposed Amendment To Discovery Order: The parties jointly propose providing for an additional 20 interrogatories and an additional 20 requests for admission relating to Apple's patent infringement counterclaim.

Proposed Amendments To Docket Control Order:

June 3, 2009 (completed)	Comply with P.R. 3-1 and P.R. 3-2 for '101 patent - Disclosure of Asserted Claims and
	Infringement Contentions due for '101 patent.
	Thereafter, it is necessary to obtain leave of
	Court to add and/or amend infringement
	contentions, pursuant to Patent Rule 3-6
August 26, 2009.	Comply with P.R. 3-3 and 3-4 for '101
	patent - Invalidity Contentions due for '101
	patent. Thereafter, it is necessary to obtain
	leave of court to add and/or amend invalidity
	contentions, pursuant to Patent Rule 3-6.
No. of trial days	EXPECTED LENGTH OF TRIAL - 10 days.
	Mirror Worlds, LLC and Mirror Worlds
	Technologies, Inc. propose changing the
	Expected Length of Trial to 8 days. <sup>1</sup>

<sup>&</sup>lt;sup>1</sup> In addition, Mirror Worlds, LLC and Mirror Worlds Technologies, Inc. are considering and reserve the right to request separate trials on Mirror Worlds, LLC's patent infringement claims and Apple Inc.'s patent infringement counterclaim.

Dated: June 12, 2009

#### Respectfully submitted,

### /s/ Richard An

Otis Carroll

Texas Bar No. 03895700

Lead Attorney

Deborah Race

Texas Bar No. 16448700

IRELAND, CARROLL & KELLY, P.C.

6101 S. Broadway, Suite 500

Tyler, Texas 75703

903-561-1600 (Telephone)

903-581-1071 (Facsimile)

fedserv@icklaw.com

#### Of counsel:

Joseph Diamante (*Pro Hac Vice*)
Kenneth Stein (*Pro Hac Vice*)
Richard An (*Pro Hac Vice*)
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane
New York, NY 10038
212-806-5400 (Telephone)
212-806-6006 (Facsimile)
jdiamante@stroock.com
kstein@stroock.com
ran@stroock.com

Attorneys for Plaintiff MIRROR WORLDS, LLC

### /s/ Stefani C. Smith

Matthew Powers
Lead Attorney
Steven S. Cherensky
Sonal N. Mehta (*Pro Hac Vice*)
Stefani C. Smith (*Pro Hac Vice*)
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
650-802-3000 (Telephone)
650-802-3100 (Facsimile)
matthew.powers@weil.com
steven.cherensky@weil.com
sonal.mehta@weil.com
stefani.smith@weil.com

Eric M. Albritton Texas State Bar No. 00790215 ALBRITTON LAW FIRM P.O. Box 2649 Longview, Texas 75606 (903) 757-8449 (Telephone) (903) 758-7397 (Facsimile) ema@emafirm.com

Attorneys for Defendant APPLE INC.

# **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) on this 12th day of June, 2009. As of this date, all counsel of record that have consented to electronic service 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/ Stefani C. Smith
Stefani C. Smith