

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

EMG TECHNOLOGY, LLC,
Plaintiff,

v.

APPLE INC.,
AMERICAN AIRLINES, INC.,
BLOOMBERG, L.P.,
UNITED PARCEL SERVICE, INC.,
DELL, INC.

Defendants.

Case No. 6:08-cv-447-LED

JURY TRIAL DEMANDED

**ORDER GRANTING AGREED MOTION TO MODIFY THE
DOCKET CONTROL AND DISCOVERY ORDERS**

CAME ON TO BE CONSIDERED Plaintiff EMG's and Defendants Apple Inc.'s and American Airlines, Inc.'s Agreed Motion to Modify the Docket Control and Discovery Orders. After consideration, the Court finds that the motion is meritorious and should be GRANTED. It is therefore ORDERED that the Agreed Motion to Modify the Docket Control and Discovery Orders is hereby in all things GRANTED and that:

- A. the Docket Control Order is modified so that the date by which defendants Apple and American must comply with P.R. 3-3 and P.R. 3-4 is extended from November 11, 2009 to December 11, 2009;
- B. the Discovery Order is modified so that the dates by which (1) plaintiff EMG must produce documents to Apple and American under paragraph 2.B. of the Discovery Order, (2) defendants Apple and American must begin rolling document production under paragraph 2.C.i. of the Discovery Order, and (3) plaintiff EMG and defendants Apple and American must produce to each other a complete computation of any category of

damages under paragraph 2.D. of the Discovery Order are extended from November 16, 2009 to December 16, 2009; and

- C. the Discovery Order is modified so that the dates by which (1) defendants Apple and American shall complete their production of documents, data compilations and tangible things in their respective possession, custody, or control that are relevant to their respective pleaded claims or defenses (except for email and source code) under paragraph 2.C.iii. of the Discovery Order, and (2) plaintiff EMG and defendants Apple and American exchange privilege logs with each other under paragraph 5. of the Discovery Order are extended from January 15, 2010 to February 19, 2010.

So ORDERED and SIGNED this 12th day of November, 2009.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**