

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

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,
SCOTTRADE, INC.,
SOUTHWEST AIRLINES CO.,
PRICELINE.COM, INC.,
ZAGAT SURVEY, LLC, &
COMCAST CORPORATION,

Defendants.

Case No. 6:09-cv-367-LED

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

APPLE INC.,
AMERICAN AIRLINES, INC.,
DELL, INC.,
HYATT CORPORATION,
MARRIOTT INTERNATIONAL, INC., &
BARNES & NOBLE, INC.,

Defendants.

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

**DEFENDANT AMERICAN AIRLINES, INC.’S UNOPPOSED MOTION
FOR LEAVE TO AMEND INVALIDITY CONTENTIONS**

Defendant American Airlines, Inc. (“American”) moves the Court for leave to amend its invalidity contentions pursuant to P.R. 3-3 and supplement its corresponding document production pursuant to P.R. 3-4(b). Plaintiff EMG Technology, LLC (“EMG”) does not oppose American’s request.

On April 23, 2010, counsel for American and EMG met and conferred regarding American’s amendments to its invalidity contentions pursuant to P.R. 3-3 and corresponding document production pursuant to P.R. 3-4(b). EMG and American agree that American should be allowed to amend its invalidity contentions because it recently discovered prior art that was not in its original contentions, and because the other defendants will soon be submitting contentions containing additional prior art. EMG and American also agree that American’s amended invalidity contentions should be served in conjunction with the other defendants’ P.R. 3-3 contentions and P.R. 3-4(b) document production.

Accordingly, American respectfully requests that the Court grant it leave to amend its P.R. 3-3 contentions and supplement its P.R. 3-4(b) document production by the date when the other defendants must comply with P.R. 3-3 and 3-4(b), which is currently May 4, 2010.

Dated: April 23, 2010

Respectfully submitted,

By: /s/ Russell J. Genet by permission ELD
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Counsel for Defendants
AMERICAN AIRLINES, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3), on this 23rd day of April, 2010.

/s/ Russell J. Genet by permission ELD

Russell J. Genet