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

BEDROCK COMPUTER	§
TECHNOLOGIES LLC,	§
	§
Plaintiff,	§
	§
v.	§
	§
SOFTLAYER TECHNOLOGIES, INC.,	§
et al.	§
	§
Defendants.	§
	§

CASE NO. 6:09-cv-269-LED

Jury Trial Demanded

JOINT MOTION FOR LEAVE TO DEPOSE ALEXEY KUZNETSOV

Defendants Softlayer Technologies, Inc. and Amazon.com, Inc. and Plaintiff Bedrock Computer Technologies LLC (hereinafter the õPartiesö) hereby request permission to depose Mr. Alexey Kuznetsov after the January 10, 2011 deadline for the completion of fact discovery for the reasons set forth below.

1. On December 2, 2010, this Court entered an Amended Docket Control Order setting January 10, 2011 as the deadline to complete all fact discovery. On December 17, 2010, Defendants served a Declaration of Alexey Kuznetsov. On December 21, 2010, Plaintiff inquired when Mr. Kuznetsov may be available for deposition.

2. Due to Mr. Kuznetsovøs vacation schedule, the Parties did not learn of Mr. Kuznetsovøs availability until December 30, 2010. On December 30, 2010, Mr. Kuznetsov confirmed his availability for deposition in Russia on January 12, 2011 which is the day he returns from vacation. Given that the Russian Consulateøs Office is closed in observance of

national holidays from January 1, 2011 to January 11, 2011, some of the attendees for the deposition have not been able to secure the appropriate visas for entry into Russia.

3. The Parties believe that Mr. Kuznetsov has information relevant to this litigation, and are working to secure a deposition date from Mr. Kuznetsov that will allow for all of the attendees to secure the appropriate travel credentials.

4. Pursuant to the December 2, 2010 Amended Docket Control Order, the Parties do not believe that granting this Motion for Leave to Depose Alexey Kuznetsov will impact any deadline in this case.

5. These Defendants and Plaintiff respectfully request this Court to grant leave for the Parties to take the deposition of Mr. Kuznetsov after January 10, 2011.

Dated: January 10, 2010

Respectfully submitted,

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<u>CERTIFICATE OF SERVICE</u>

The undersigned certifies that, on January 10, 2011, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A).

<u>/s/ J. Thad Heartfield</u> J. Thad Heartfield