

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

BEDROCK COMPUTER
TECHNOLOGIES L.L.C.,

Plaintiff,

v.

SOFTLAYER TECHNOLOGIES,
INC. *et al.*,

Defendants.

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No. 6:09-CV-269-LED-JDL
JURY TRIAL DEMANDED

AGREED MOTION TO SUBSTITUTE MEDIATOR

Plaintiff Bedrock Computer Technologies L.L.C. (“Bedrock”) and Defendant Yahoo! Inc. (“Yahoo”) respectfully move the Court to substitute Heshia Abrams as mediator for Former Magistrate Judge Robert Faulkner in the above-referenced matter.

Yahoo’s counsel also represents The Gap, Inc. in *Red Hat, Inc. v Bedrock*, Civil Action No. 6:09-cv-549. This Court, in its Order (dkt # 29) permitted the parties to the *Red Hat* action to use either Robert Faulkner or Heshia Abrams as mediator.

Because Yahoo and Gap are represented by the same counsel, and because it is more efficient and economical, Defendants Yahoo and Gap would prefer to mediate on one day with the same mediator. Given the number of parties in the *Bedrock* and *Red Hat* actions, and given Judge Faulkner’s busy schedule, the parties have had difficulty scheduling a mediation with Judge Faulkner. Accordingly, Bedrock and Yahoo request the Court to allow them to mediate with Heshia Abrams.

Respectfully submitted,

/s/ Robert Christopher Bunt

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ATTORNEY FOR DEFENDANT

YAHOO! INC.

CERTIFICATE OF SERVICE

I hereby certify that the following counsel of record, who are deemed to have consented to electronic service are being served this 24th day of January, 2011, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Robert Christopher Bunt

ROBERT CHRISTOPHER BUNT