

**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

**DEFENDANTS AOL AND MYSPACE’S MOTION TO EXPEDITE THE BRIEFING  
SCHEDULE REGARDING ITS EMERGENCY MOTION FOR A SEPARATE TRIAL  
PURSUANT TO MAGISTRATE JUDGE LOVE’S TRIAL PLAN ORDER**

Defendants AOL Inc. (“AOL”) and MySpace Inc. (“MySpace”) respectfully file this Motion to Expedite the Briefing Schedule Regarding its Motion for a Separate Trial Pursuant to Magistrate Judge Love’s Trial Plan Order (“Motion for a Separate Trial”). Plaintiff Bedrock Computer Technologies, LLC (“Bedrock”) opposes this Motion.

AOL and MySpace request an expedited ruling on the Motion for a Separate Trial for the reasons set forth in that Motion. An expedited briefing schedule is also warranted to provide the Court and the Parties with a trial plan so that the Parties may appropriately prepare for the upcoming trial. The outcome of that Motion has the potential to affect not only AOL, MySpace, and Bedrock, but also the other five Defendants in this case. Furthermore, this Motion has been timely filed because Bedrock only made its trial election pursuant to Magistrate Judge Love’s Trial Plan Order on March, 10, 2011 (Dkt. No. 563). Therefore, AOL requests that the Court order the following expedited briefing schedule concerning AOL and MySpace’s Motion for a Separate Trial:

March 16, 2011: Bedrock's Response  
March 18, 2011: AOL and MySpace's Reply, as needed  
March 21, 2011: Bedrock's Surreply, as needed

For the foregoing reasons, the Court should grant AOL and MySpace's Motion to Expedite the Briefing Schedule.

Respectfully submitted, this the 11<sup>th</sup> day of March, 2011.

/s/ Deron Dacus

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*Attorneys for Defendants AOL Inc. and  
MySpace, Inc.*

### **CERTIFICATE OF CONFERENCE**

Counsel for AOL and MySpace conferred via electronic mail and on the telephone with counsel for Bedrock concerning this Motion to Expedite the Briefing Schedule. Bedrock opposes this Motion.

*/s/ Deron Dacus*  
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Deron R. Dacus

### **CERTIFICATE OF SERVICE**

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 11th day of March, 2011. Any other counsel of record will be served by first class mail.

*/s/ Deron Dacus*  
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Deron R. Dacus