

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

BEDROCK TECHNOLOGIES

Plaintiff

vs

GOOGLE, INC.

Defendant.

§
§
§
§
§
§
§
§
§
§

**CASE NO. 6:09-CV-269
PATENT CASE**

ORDER REGARDING EXHIBITS

The Court enters this order *sua sponte*. Due to the voluminous exhibits expected to be tendered during the trial of this case, the Court **ORDERS** the following:

- A. **ON FIRST DAY OF TRIAL**, each party is required to have on hand the following:
- (1) **One (1) copy of their respective original exhibits.** Each exhibit shall be properly labeled with the following information: Identified as either Plaintiff's or Defendant's Exhibit, the Exhibit Number and the Case Number. In addition, exhibits shall be placed in properly marked manilla folders and contained in a box with handles. (Do not tender to the Court until instructed).
 - (2) **Three (3) hard copies of their exhibit list and witness list.** These lists shall be tendered to the Courtroom Administrator at the beginning of trial.
- B. **EXHIBIT LISTS DURING TRIAL:**
- (1) On the first day of trial, each party should be prepared to offer en masse, exhibits NOT objected to by opposing party and tender to the Court a list of said exhibits. Parties are directed to entitle the list, "Plaintiff's / Defendant's

Exhibits **Offered** on Monday, April 11, 2011." This list will be marked as Plaintiff's / Defendant's Exhibit List 1.

- (2) On the second day of trial and daily thereafter, parties shall offer any additional exhibits not objected to by opposing party and tender to the Court a list of said exhibits. Parties are directed to entitle the list, "Plaintiff's / Defendant's Exhibits **Offered** on Tuesday, April 12, 2011). In addition to the "offered" list, parties shall tender to the Court a list entitled, "Plaintiff's / Defendant's Exhibits **Admitted** Monday, April 11, 2011." Said list should contain all exhibits that were on Plaintiff's Exhibit List 1 from the previous day, as well as any additional exhibits that were admitted Monday, April 11th. For example, a demonstrative exhibit, an exhibit that was objected to that the Court ruled be admitted, etc.
- (3) On the last day of trial, the parties shall tender to the Court a cumulative list entitled, "Plaintiff's / Defendant's Final List of All Admitted Exhibits."
- (4) The Court urges the parties to meet and confer on a daily basis during trial regarding admission of exhibits, so as not to delay the trial proceedings.

C. **At the conclusion of the evidentiary phase of trial**, each party is to gather only those exhibits admitted during trial and tender those to the Courtroom Administrator. The Courtroom Administrator shall verify the exhibits and tender them to the jury for their deliberations.

D. **At the conclusion of trial**, all boxes of exhibits shall be returned to the respective parties and the parties are instructed to remove these exhibits from the courtroom.

E. SUBMISSION OF FINAL LISTS AND EXHIBITS: Within ten business days of the conclusion of trial, each party shall submit to the Court (to Chambers):

- (1) A hard copy of Final Exhibit List of Exhibits Admitted During Trial, listing only the exhibits admitted at trial and making a notation of any sealed exhibit. In addition parties shall provide the Court a disk containing this document in WordPerfect or Word format. For Example: Plaintiff will tender a list entitled, "Plaintiff's Final Exhibit List of Exhibits Admitted During Trial."
- (2) A disk or disks containing their respective admitted trial exhibits in PDF format, with the exception of sealed exhibits. If the Court ordered any exhibits sealed during trial, the Sealed Exhibits shall be copied on a separate disk. If tangible or over-sized exhibits were admitted, such exhibits shall be substituted with a photograph to be converted to a PDF file and shall be included in the Court's disk of admitted exhibits.
- (3) A disk or disks containing the transcripts of Video Depositions played during trial, along with a copy of the actual video deposition.

F. FILING AND STORAGE OF EXHIBITS: After receipt of final exhibit lists and exhibits, the Courtroom Administrator shall file and docket the parties' respective lists, and the disk or disks containing the exhibits in PDF format shall be stored in the Clerk's Office, Tyler Division.

G. QUESTIONS REGARDING EXHIBITS: All questions regarding exhibits, lists, and procedures shall be directed to Rosa Ferguson, Court Administrator via email: rosa_ferguson@txed.uscourts.gov

So ORDERED and SIGNED this 7th day of April, 2011.

A handwritten signature in black ink, appearing to read "Leonard Davis". The signature is written in a cursive style with a large, prominent loop for the letter 'D'. The signature is positioned above a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE