

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

Eolas Technologies Incorporated,	§	
	§	
Plaintiff,	§	Civil Action No. 6:09-CV-00446-LED
	§	
vs.	§	
	§	
Adobe Systems Inc., et al.,	§	JURY TRIAL
	§	
Defendants.	§	

**PLAINTIFFS' UNOPPOSED MOTION FOR EXPEDITED BRIEFING ON
PLAINTIFFS' MOTION FOR LEAVE TO SUPPLEMENT THEIR P.R. 3-1
INFRINGEMENT CONTENTIONS WITH RESPECT TO *HAPPINESS.LAYS.COM***

On October 24, 2011, The Regents of the University of California and Eolas Technologies Incorporated (collectively "Plaintiffs") filed their Motion for Leave to Supplement Their P.R. 3-1 Infringement Contentions with Respect to Frito-Lay's *Happiness.lays.com* webpage. (Dkt. No. 1050). Plaintiffs request that the Court issue an expedited briefing schedule on this motion and address the motion on an expedited basis.

Because the issues are straight-forward and have been pending between the parties for some time, and because the parties will benefit from knowing the result of Plaintiffs' motion to supplement their infringement contentions, Plaintiffs request that the Court set an expedited briefing schedule for Plaintiffs' Motion to Supplement Their P.R. 3-1 Infringement Contentions, as set forth below:

Defendant's opposition brief due:	Friday, November 4, 2011.
Plaintiffs' reply brief due:	Wednesday, November 9, 2011.
Defendant's sur-reply brief due:	Monday, November 14, 2011.

Frito-Lay has indicated that it does not oppose this briefing schedule.

WHEREFORE, Plaintiffs therefore request the Court grant the expedited briefing schedule as outlined above and in the attached Order.

Dated: October 24, 2011.

MCKOOL SMITH, P.C.

/s/ Mike McKool

Mike McKool

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AND THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA**

CERTIFICATE OF CONFERENCE

On October 20, 2011, John Campbell, Tom Fasone, and Holly Engelmann, counsel for Plaintiffs conducted a personal conference by telephone with Jeffrey Yee, Jeff Joyner and Doug McSwane, counsel for Frito-Lay. Counsel for Frito-Lay stated that they do not oppose the relief sought in this motion.

/s/ Thomas Fasone III
Thomas Fasone III

CERTIFICATE OF SERVICE

I hereby certify that counsel of record are being served with a copy of this document via electronic mail on this day, October 24, 2011.

/s/ Thomas Fasone III
Thomas Fasone III