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., Amazon.com, Inc., **JURY TRIAL** Apple Inc., Argosy Publishing, Inc., Blockbuster Inc., CDW Corp., § § § Citigroup Inc., eBay Inc., Frito-Lay, Inc., The Go Daddy Group, Inc., Google Inc., § J.C. Penney Company, Inc., JPMorgan Chase & Co., New Frontier Media, Inc., § § Office Depot, Inc., Perot Systems Corp., § Playboy Enterprises International, Inc., § Rent-A-Center, Inc., Staples, Inc., Sun Microsystems Inc., Texas Instruments Inc., § § § Yahoo! Inc., and YouTube, LLC § **Defendants.**

PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE A CORRECTED COMPLAINT

On August 18, 2011, Plaintiffs Eolas Technologies Incorporated and The Regents of the University of California (collectively "Plaintiffs") filed their Third Amended Complaint For Patent Infringement (Dkt. No. 891) ("Complaint"). As a result of a clerical error, paragraph 26 of the Complaint inadvertently repeated paragraph 8 of the Complaint. Plaintiffs therefore move for leave to file a corrected complaint to correct this error (and not make any other changes to its complaint). The paragraph to be corrected relates only to defendant Go Daddy. Accordingly, all parties agree that only defendant Go Daddy (and no other defendant) will be required to answer the corrected complaint. Defendants do not oppose this motion. For the reasons stated above, Plaintiffs respectfully request the Court grant this unopposed motion.

Dated: October 28, 2011

MCKOOL SMITH, P.C.

/s/ Matt Rappaport

Mike McKool

Lead Attorney

Texas State Bar No. 13732100

mmckool@mckoolsmith.com

Douglas Cawley

Texas State Bar No. 04035500

dcawley@mckoolsmith.com

Holly Engelmann

Texas State Bar No. 24040865

hengelmann@mckoolsmith.com

J.R. Johnson

Texas State Bar No. 24070000

jjohnson@mckoolsmith.com

McKool Smith, P.C.

300 Crescent Court, Suite 1500

500 Crescent Court, Suite 150

Dallas, Texas 75201

Telephone: (214) 978-4000 Telecopier: (214) 978-4044

Kevin L. Burgess

Texas State Bar No. 24006927

kburgess@mckoolsmith.com

Josh W. Budwin

Texas State Bar No. 24050347

jbudwin@mckoolsmith.com

Gretchen K. Curran

Texas State Bar No. 24055979

gcurran@mckoolsmith.com

Matthew B. Rappaport

Texas State Bar No. 24070472

mrappaport@mckoolsmith.com

McKool Smith, P.C.

300 West Sixth Street, Suite 1700

Austin, Texas 78701

Telephone: (512) 692-8700 Telecopier: (512) 692-8744

Robert M. Parker
Texas State Bar No. 15498000
rmparker@pbatyler.com
Robert Christopher Bunt
Texas Bar No. 00787165
rcbunt@pbatyler.com
Andrew T. Gorham
Texas State Bar No. 24012715
tgorham@pbatyler.com
PARKER, BUNT & AINSWORTH, P.C.
100 E. Ferguson, Suite 1114
Tyler, Texas 75702
(903) 531-3535

ATTORNEYS FOR PLAINTIFF EOLAS TECHNOLOGIES INC. AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

(903) 533-9687- Facsimile

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system on October 28, 2011.

/s/ Matt Rappaport
Matt Rappaport