

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

Eolas Technologies Incorporated,

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Plaintiff,

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Civil Action No. 6:09-cv-446

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vs.

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Adobe Systems Inc., Amazon.com, Inc.,
Apple 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

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JURY TRIAL

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Defendants.

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**PLAINTIFFS' UNOPPOSED MOTION TO WITHDRAW PLAINTIFFS' MOTION TO
COMPEL DISCOVERY FROM STAPLES, INC. [DKT. NO. 1090]**

On November 4, 2011, Plaintiffs The Regents of the University of California and Eolas Technologies Inc. ("Plaintiffs") filed their Motion to Compel Discovery from Staples, Inc. [Dkt. No. 1090]. Plaintiffs seek to withdraw their Motion to Compel because the parties arrived at an agreement regarding discovery, and Defendant Staples, Inc. has provided discovery in accordance with the parties' agreement. Staples, Inc. does not oppose this Motion to Withdraw.

Plaintiffs, thus, respectfully request that the Court order Plaintiffs' Motion to Compel Discovery from Staples, Inc. [Dkt. No. 1090] withdrawn.

Dated: December 27, 2011.

McKool Smith, P.C.

/s/ Mike McKool

Mike McKool

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**ATTORNEYS FOR PLAINTIFFS
THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA AND EOLAS
TECHNOLOGIES INCORPORATED**

CERTIFICATE OF CONFERENCE

Counsel for Plaintiffs have conferred with counsel for Staples, Inc. regarding the relief requested in this Motion. Counsel for Staples, Inc. indicates that it does not oppose the relief requested herein.

/s/ Gretchen K. Curran
Gretchen K. Curran

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A) on December 27, 2011.

/s/ Gretchen K. Curran
Gretchen K. Curran