

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

EOLAS TECHNOLOGIES
INCORPORATED,

PLAINTIFF,

v.

ADOBE SYSTEMS INC., et al.,

DEFENDANTS.

§ Civil Action No. 6:09-CV-446-LED
§
§
§
§ JURY TRIAL DEMANDED
§
§
§
§
§
§

**GOOGLE, INC. AND YOUTUBE, LLC’S NOTICE OF JOINDER OF DEFENDANTS’
DAUBERT MOTION REGARDING PORTIONS OF THE EXPERT TESTIMONY OF
DAVID MARTIN (D.I. 1151)**

Defendants Google Inc. and YouTube LLC (collectively, “Google”) hereby join Defendants’ December 12, 2011 *Daubert* Motion Regarding Portions Of The Expert Testimony Of David Martin (D.I. 1151). For the same reasons expressed in Defendants’ Motion, Google believes that Defendants’ Motion should be granted, and that Dr. Martin’s testimony regarding the “location” issues identified in Defendants’ Motion should be excluded as irrelevant and unreliable under Fed. R. Evid. 702, and that the parts of Dr. Martin’s expert reports that deal with these issues should also be stricken from the record.

Respectfully submitted,

Dated: January 3, 2012

By: /s/ Brandon H. Story, with permission
by Michael E. Jones

Douglas E. Lumish (pro hac vice)

dlumish@kasowitz.com

Jeffrey G. Homrig (pro hac vice)

jhomrig@kasowitz.com

Jonathan K. Waldrop (pro hac vice)

jwaldrop@kasowitz.com

Joseph H. Lee (pro hac vice)

jlee@kasowitz.com

Parker C. Ankrum (pro hac vice)

pankrum@kasowitz.com

James R. Batchelder (pro hac vice)

james.batchelder@ropesgray.com

Sasha G. Rao (pro hac vice)

sasha.rao@ropesgray.com

Mark D. Rowland

mark.rowland@ropesgray.com

Brandon Stroy (pro hac vice)

brandon.stroy@ropesgray.com

Lauren Robinson (pro hac vice)

lauren.robinson@ropesgray.com

Rebecca R. Hermes (pro hac vice)

rebecca.wight@ropesgray.com

Han Xu (pro hac vice)

han.xu@ropesgray.com

ROPES & GRAY LLP

1900 University Avenue, 6th Floor

East Palo Alto, California 94303-2284

Telephone: (650) 617-4000

Facsimile: (650) 617-4090

Michael E. Jones (Bar No. 10929400)

mikejones@potterminton.com

Allen F. Gardner (Bar No. 24043679)

allengardner@potterminton.com

POTTER MINTON

A Professional Corporation

110 N. College, Suite 500

Tyler, TX 75702

Telephone: (903) 597-8311

Facsimile: (903) 593-0846

**ATTORNEYS FOR DEFENDANTS
GOOGLE, INC. AND YOUTUBE, LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies 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 3rd day of January, 2012. All other counsel of record will be served via facsimile or first class mail.

/s/ Michael E. Jones
