

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

EOLAS TECHNOLOGIES, INC.	§	Civil Action No. 6:09-CV-446-LED
	§	
PLAINTIFF,	§	
	§	
	§	
	§	
v.	§	JURY TRIAL DEMANDED
	§	
ADOBE SYSTEMS INC., et al.,	§	
	§	
DEFENDANTS.	§	
	§	

**GOOGLE, INC. AND YOUTUBE, LLC'S UNOPPOSED MOTION FOR LEAVE TO
FILE SUPPLEMENTAL BRIEFING IN SUPPORT OF THEIR MOTION TO EXCLUDE
THE EXPERT REPORTS AND OPINIONS OF ROY WEINSTEIN [#905]**

NOW COMES Defendants Google, Inc. and YouTube, LLC (“Google”) and files this Unopposed Motion for Leave to File Supplemental Briefing In Support of their Motion to Exclude the Expert Reports and Opinions of Roy Weinstein [#905] and would show the Court as follows:

1. On August 19, 2011, Google filed their Motion to Exclude the Expert Reports and Opinions of Roy Weinstein which is docketed as #905. The parties’ briefing to this motion including response, reply and surreply were subsequently filed on October 5, 2011, October 17, 2011, and October 27, 2011, respectively.
2. The deposition of Roy Weinstein occurred on January 4, 5, and 6, 2012. Based on information provided and discussed at Mr. Weinstein’s recent deposition, Google

- respectfully requests leave to supplement its briefing regarding its Motion to Exclude the Expert Reports and Opinions of Roy Weinstein [#905].
3. Google respectfully requests that they be allowed to file their supplemental briefing by midnight on Saturday, January 14, 2012. Google also requests that Plaintiff be allowed to file a supplemental response by midnight on Saturday, January 21, 2012. Both Google's supplemental brief and Plaintiff's response would be limited to 10 pages.
 4. Plaintiff is unopposed to the relief sought in this motion.

Dated: January 14, 2012

Respectfully submitted,

By: /s/ Michael E. Jones
Douglas E. Lumish
dlumish@kasowitz.com
Jeffrey G. Homrig
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
KASOWITZ BENSON TORRES &
FRIEDMAN LLP
333 Twin Dolphin Dr., Suite 200
Redwood Shores, CA 94065
Telephone: (650) 453-5170
Facsimile: (650) 453-5171

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 January 14, 2012.

/s/ Michael E. Jones