

# **EXHIBIT 2**

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

**EOLAS TECHNOLOGIES, INC.**

*Plaintiff,*

v.

**ADOBE SYSTEMS INC., ET AL.,**

*Defendants.*

**Civil Action No. 6:09-CV-446 LED**

**JURY TRIAL DEMANDED**

**DEFENDANT ADOBE'S FIRST AMENDED TRIAL WITNESS LIST**

Defendant Adobe Systems, Inc. ("Adobe"), pursuant to the Court's Docket Control Order entered in this case, files this First Amended Trial Witness List for identification of trial witnesses. The designations of witnesses who "will be called to testify at trial," "may be called to testify at trial who are currently under contract with Adobe," "may be called by deposition or live, depending on their willingness to come to trial and the issues at trial," and "may [be] call[ed] adverse if at trial or within subpoena range of the court or otherwise required to attend the trial" are based on information currently available to Adobe and may change based on events between the time of this filing and the time at which these witnesses may be called. Adobe further reserves the right to call any other witness deposed by Eolas, identified on Eolas's witness list, identified on any other defendant's witness list, or necessitated by the Court's claim constructions. Adobe further reserves the right to call any witnesses necessary to authenticate materials Adobe relies upon at trial where the authenticity, date of the materials, or content of the materials are disputed by Eolas. Adobe also reserves the right to object on any ground to the admissibility of the trial testimony of the witnesses on any party's witness list and further reserves its right to move for the exclusion of such testimony.

At this time, Adobe identifies the following witnesses for trial:

**A. Witnesses Who Will Be Called To Testify At Trial**

1. Blaire Hansen
2. Bob Wulff
3. Brian Napper
4. Kevin Lynch
5. Nick Godici<sup>1</sup>
6. Richard Phillips

**B. Witnesses Who May be Called to Testify At Trial Who Are Currently Under Contract With Adobe**

1. Dan Sadowski
2. Doug Benson
3. Ed Rowe
4. Eric Robeson
5. Joe Nemeth
6. Lisa Flosznik
7. Paul Betlem
8. Rick Brown
9. Sheila Dahlgren

**C. Witnesses Who May Be Called By Deposition Or Live, Depending On Their Willingness To Come To Trial And The Issues At Trial**

1. Anup Murarka
2. Apple, Inc.
3. Bill Janssen

---

<sup>1</sup> Will not be called at jury trial unless the Court decides that inequitable conduct will be tried to the jury.

4. Chris McRae
5. Dale Dougherty
6. Dave Raggett
7. Eric Bina
8. Jonathan Gay
9. Karl Jacob
10. Los Alamos National Laboratory and/or employees of the same, including John Bass  
and Andy White
11. Mike Sundermeyer
12. Mozilla Foundation
13. Patrick Heynen
14. Pei Wei
15. Robert Tatsumi
16. Scott Silvey
17. Tim Berners-Lee
18. Regents of the University of California
19. Any witnesses of any other party paired with Adobe for trial

**D. Witnesses Adobe May Call Adverse If At Trial, Or Within Subpoena Range Of The Court, Or Otherwise Required To Attend The Trial.**

1. Charles E. Krueger
2. Cheong Ang
3. David Martin
4. Jim Stetson
5. Mark Swords
6. Michael Doyle
7. Any other Eolas or Regents of the University of California employees, including  
Ms. Hernandez and Ms. Gackle, Custodian of Records for each of the Libraries of the

University of California and any other witnesses for the Regents of the University of California who are and have been offered to testify regarding issues in this case.

8. Any witness of any other party paired with Adobe for trial.