

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

**EOLAS TECHNOLOGIES, INC. AND THE
REGENTS OF THE UNIVERSITY OF
CALIFORNIA,**

Plaintiffs,

v.

ADOBE SYSTEMS INC., ET AL.,

Defendants.

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

JURY TRIAL DEMANDED

**UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE FINDINGS OF FACT AND
CONCLUSIONS OF LAW FOR BENCH ISSUES**

Adobe Systems Incorporated (“Adobe”) moves to extend the deadline to file the findings of fact and conclusions of law for bench trial issues from Thursday, January 19, 2012 to Monday, January 23, 2012 and clarification that the issues are for liability not remedies. All Defendants agree to this Motion. Plaintiff does not oppose this motion. For good cause, Adobe shows:

1. The case management conference on January 19, 2012 will take up issues regarding the trial(s) organization and certain other matters that will impact the parameters of the jury trial. The findings of fact and conclusions of law will be more focused once the Court discusses these issues with the parties.

2. The press of preparations for the hearing and all deadlines makes it extremely difficult for Defendants to complete all projects on the deadlines previously expected, and some additional time has been added to several deadlines.

3. The case management order is silent on which topics are covered by this deadline. The parties have come to the mutual understanding that the findings of fact and conclusions of law due at this time are for substantive issues related to liability and defenses to liability (e.g., laches, etc.) Findings of fact and conclusions of law for remedies should be set for a time when liability has been resolved (e.g., exceptional case, injunction, enhanced damages, etc.)

Adobe respectfully requests that the January 19, 2012 deadline for filing findings of fact and conclusions of law be reset to January 23, 2012, and that the Court confirm the parties' understanding that these are to address issues of liability (defenses) not remedies.

Dated: January 18, 2012

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ David J. Healey

David J. Healey

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Counsel for Defendant

ADOBE SYSTEMS INCORPORATED

CERTIFICATE OF CONFERENCE

I certify that I conferred with Mr. John Campbell for Eolas and Eolas does not oppose this motion. I certify all defendants have agreed to this motion.

/s/ David J. Healey

David J. Healey

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on January 18, 2012 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ David J. Healey

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