

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

TYLER DIVISION

DATE: January 19, 2011

JUDGE
LEONARD DAVIS

REPORTER: Shea Sloan

LAW CLERKS: Allan Bullwinkel

EOLAS TECHNOLOGIES INCORPORATED	CIVIL ACTION NO: 6:09-CV-446
V	MOTIONS HEARING
ADOBE SYSTEMS INCORPORATED	
ATTORNEYS FOR PLAINTIFFS	ATTORNEY FOR DEFENDANT
SEE SIGN-IN SHEETS	

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 1:30 pm

ADJOURN: 2:15 pm

TIME:	MINUTES:
1:30 pm	Case called. PARTIES ANNOUNCED READY. (SEE SIGN-IN SHEETS)
	Court addressed the parties on motions and status of the case.
	Mr. Cawley addressed the court on separate trials.
	Court in recess.
	Hearing resumed.
	Ms. Doan addressed the court on separate trials. Ms. Doan advised that Citigroup settling.
	Mr. Loumish addressed the court on separate trials.
	Court inquired as to trial with Adobe. Court advised parties on logical grouping. Court advised parties on common issues. Court leaning toward three groups: Google/YouTube, Amazon/Yahoo, and all remaining defendants. Court inquired as to being bound as to validity findings of first trial. Court and parties discussed.
	Ms. Doan responded. Mr. Jones responded. Mr. Cawley responded.

DAVID J. MALAND, CLERK

FILED: 01.19.2011

BY: *Amy Strother*, Courtroom Deputy

TIME:	MINUTES:
	Mr. Cawley addressed the Court on the grouping they proposed. Ms. Doan responded. Mr. Scherkenbach responded. Mr. Loumish responded.
	Court add parties on YouTube, Google, and Amazon going together. Mr. Loumish responded. Ms. Doan responded. Mr. Cawley responded.
	Plaintiff willing to have separate trials on invalidity alone and have it first. Mr. Scherkenbach responded and maintains objection.
	Court advised that invalidity trial will be first then proceed in three groups: Google/Yahoo, Amazon/Yahoo, and all remaining defendants.
	Plaintiff will file designation on the order by Friday.
	Mr. Cawley advised on mediations and settlements. If the number of defendants reduced then asked trials be reduced.
	Court and parties discussed time on invalidity trial. Mr. Cawley responded. Ms. Doan responded. Court will take under advisement
	Court and parties discussed timing on other trials. Mr. Cawley responded. Mr. Loumish responded. Ms. Doan responded.
	Court advised on trial schedule. Jury selection and trial 2/6/12 and proceed with invalidity trial on all defendants. Start next trial on 2/13/12 to 2/15/12 and continue on 2/21/12 and finish. Mr. Cawley addressed Court on pretrial for next Tuesday.
	Court addressed parties on motions: dockets numbers 1133, 1134, 1158, 1171, 1219, and 1226.. All denied as moot in light of the Court's ruling on trial plan.
	Mr. Reines presented motion, Defendant's Motion to Limit the Number of Asserted Claims for Trial (#1159). Mr. Budwin responded. Court denied motion.
	Court addressed parties on motions, Plaintiff's Unopposed Motion to Increase the Court's Limit of Designated Exhibits for Trial (#1169) and Defendant's Motion for Leave to Designate Additional Exhibits (#1176). Court granted Plaintiff's Unopposed Motion to Increase the Court's Limit of Designated Exhibits for Trial (#1169). Ms. Doan responded on to Defendant's Motion for Leave to Designate Additional Exhibits (#1176). Court denied Defendant's Motion for Leave to Designate Additional Exhibits (#1176) as moot.
	Court addressed the parties on Defendant's Motion for Leave for Additional Time to Serve Certain Pre-Trial Documents (#1242). Mr. Jones advised parties have worked out and Court denied motion (#1242) as moot. Court denied Defendant's Motion for Jury Trial on Inequitable Conduct (#1218).
	Ms. Doan presented Opposed Motion for Leave to Serve Discovery on Apple, Inc., Patrick Heynen, and Los Alamos National Laboratory (#1118). Mr. Campbell responded. Ms. Doan responded. Mr. Campbell further responded. Court denied motion.
	Mr. Budwin addressed the Court on Defendants filing motions without meet and confer between parties. Ms. Doan responded. Court advised parties to meet and confer with the mediators to get case resolved.
2:15 pm	There being nothing further. Court adjourned.

