

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

Eolas Technologies Incorporated,	§	
	§	
Plaintiff	§	
v.	§	
	§	
Adobe Systems Inc., Amazon.com, Inc.	§	
Apple Inc., Argosy Publishing, Inc.,	§	
Blockbuster Inc., CDW Corp.,	§	Civil Action No. 6:09-cv-00446-LED
Citigroup Inc., eBay Inc., Frito-Lay, Inc.,	§	
The Go Daddy Group, Inc., Google Inc.,	§	
J.C. Penney Company, Inc., JPMorgan	§	
Chase & Co., New Frontier Media, Inc.,	§	
Office Depot, Inc., Perot Systems Corp.,	§	
Playboy Enterprises International, Inc.,	§	
Rent-A-Center, Inc., Staples, Inc., Sun	§	
Microsystems Inc., Texas Instruments Inc.,	§	
Yahoo! Inc., and YouTube, LLC,	§	
	§	
Defendants.	§	

UNOPPOSED MOTION FOR EXTENSION OF TIME FOR J.C. PENNEY CORPORATION, INC. TO COMPLETE CERTAIN DISCOVERY

Defendant J.C. Penney Corporation, Inc. (“J.C. Penney”) hereby moves the Court for an extension of time to complete certain discovery. The parties have conferred regarding the relief requested herein and this motion is unopposed.

The deadlines for the parties to conclude document production and exchange privilege logs are currently set for September 29, 2010 and October 16, 2010, respectively (Docket No. 381). The parties have conferred and agreed that the deadlines for completion of J.C. Penney’s document production and service of a privilege log, if any, should be extended to October 29, 2010 and November 15, 2010, respectively. Although J.C. Penney has been diligently searching for responsive documents, this

extension is necessary because J.C. Penney is unable to complete its production of documents on September 29, 2010 due to the unforeseen circumstances of substituting new in-house counsel that was recently hired as patent litigation counsel but was unfamiliar with the case. J.C. Penney has recently substituted new in-house counsel for the prior in-house counsel that was counsel of record in this action. *See* Docket Nos. 382 and 384. Accordingly, J.C. Penney respectfully requests that the Court grant this unopposed Motion and extend the specified document production and privilege log deadlines for J.C. Penney up to and including October 29, 2010 and November 15, 2010, respectively.

Dated: September 16, 2010

Respectfully submitted,

/s/ Jeffrey F. Yee

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**ATTORNEYS FOR DEFENDANT
J.C. PENNEY CORPORATION, INC.**

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 September 16, 2010. Any other counsel of record will be served by first class mail on this same date.

/s/ Jeffrey F Yee
Jeffrey F. Yee