

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

Eolas Technologies Incorporated,	)	
	)	
Plaintiff,	)	Case No. 6:09-cv-446
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
Adobe Systems Inc., Amazon.com, Inc., Apple	)	The Honorable Leonard Davis
Inc., Argosy Publishing, Inc., Blockbuster Inc.,	)	United States District Judge
CDW Corp., 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 OF OFFICE DEPOT, INC.  
FOR EXTENSION OF TIME TO COMPLETE CERTAIN DISCOVERY**

Defendant Office Depot, Inc. (õOffice Depotö) respectfully moves the Court to extend its deadline for rolling document production from September 29, 2010 (Dkt. 381) until October 13, 2010.

Office Depot has been producing documents to Plaintiff on a rolling basis including productions on May 3, 2010, August 27, 2010, and an expected production on September 29, 2010, and Office Depot will continue to produce documents to Plaintiff on a rolling basis. Due to transition of this case to a different in-house attorney at Office Depot, Office Depot has requested an additional two weeks to complete its productions. The parties have met and conferred, and agreed that Office Depot should endeavor to complete its rolling document productions by October 13, 2010. As such, this motion is unopposed.

This motion is not made for delay, and should not impact any other deadlines applicable to this litigation.

Accordingly, Office Depot respectfully moves the Court for an Order extending the deadline for Defendant Office Depot to complete its rolling document production pursuant to Paragraph 2(b) of the *Joint Agreed Discovery Order* (Dkt. 247) until October 13, 2010.

Dated: September 28, 2010

Respectfully submitted,

By: /s/ J. Thad Heartfield

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Attorneys for Defendant Office Depot, Inc.

**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who 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 this the 28th day of September, 2010. Any other counsel of record will be served by first class mail.

\_\_\_\_\_  
/s/ J. Thad Heartfield  
J. Thad Heartfield