

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

EOLAS TECHNOLOGIES INCORPORATED,

Plaintiff,

v.

ADOBE SYSTEMS INC., ET AL,

Defendants.

CASE NO. 6:09-cv-446

Hon. Leonard E. Davis

JURY

**UNOPPOSED MOTION OF NEW FRONTIER MEDIA, INC.  
FOR EXTENSION OF TIME TO COMPLETE CERTAIN DISCOVERY**

Defendant New Frontier Media, Inc. (“NFM”) respectfully moves the Court to extend (i) their deadline for rolling document production from September 29, 2010 (Dkt. 381) until October 20, 2010, and (ii) their deadline for the exchange of privilege logs from October 16, 2010 (Dkt. 381) until November 16, 2010.

NFM has been producing documents to Plaintiff on a rolling basis and NFM will continue to produce documents to Plaintiff on a rolling basis. As part of NFM’s production, it is using search logic to comb through material collected from a large number of custodians and to identify documents for production. NFM is producing this material on a rolling basis as quickly as reasonably possible, will continue to do so, and has reached an understanding with Eolas that – given the number of accused NFM products and the resultant scope of NFM’s production –

additional time is required to complete NFM's production. The parties have met and conferred, and agreed that NFM should endeavor to complete its rolling document production by October 20, 2010 and exchange privilege logs by November 16, 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, NFM respectfully moves the Court for an Order extending the deadline for Defendant New Frontier Media, Inc. to complete their rolling document productions pursuant to Paragraph 2(b) of the *Joint Agreed Discovery Order* (Dkt. 247) until October 20, 2010 and to exchange their privilege logs pursuant to the *Docket Control Order* (Dkt. 249) until November 16, 2010.

Dated: September 28, 2010

Respectfully submitted,

/s/ Michael Simons

Michael Simons

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**ATTORNEY FOR DEFENDANT  
NEW FRONTIER MEDIA, INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of this **UNOPPOSED MOTION OF NEW FRONTIER MEDIA, INC. FOR EXTENSION OF TIME TO COMPLETE CERTAIN DISCOVERY** 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 via First Class U.S. Mail on this same date.

*/s/ Michael Simons*

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Michael Simons