

**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 STAPLES INC. FOR EXTENSION OF TIME
TO COMPLETE CERTAIN DISCOVERY**

Defendant Staples, Inc. respectfully move the Court to extend (i) Staples' deadline for rolling document production from September 29, 2010 (Dkt. 381) until October 20, 2010, and (ii) Staples' deadline for the exchange of privilege logs from October 16, 2010 (Dkt. 381) until November 6, 2010.

Staples has been producing documents to Plaintiff on a rolling basis and will continue to produce documents to Plaintiff on a rolling basis. As a result of Plaintiff's Amended Infringement Contentions against Staples, Staples is required to search for and produce additional documents beyond what was originally required. Eolas and Staples have reached an understanding that an extension of time to produce documents is required for Staples to collect and produce documents, and Staples will continue to produce documents on a rolling basis

during that time. The parties have met and conferred, and agree that Staples should endeavor to complete its rolling document production by October 20, 2010 and exchange privilege logs by November 6, 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, Staples respectfully moves the Court for an Order extending the deadline for Defendant Staples to complete its 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 6, 2010.

Date: September 29, 2010

Respectfully submitted,

/s/ Michael E. Richardson

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(TX Bar No. 24002838)
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**ATTORNEYS FOR DEFENDANT
STAPLES INC.**

CERTIFICATE OF CONFERENCE

I, Alexandra McTague, counsel for Staples, Inc. certify that I conferred with Josh Budwin, counsel for Eolas, on this 28th day of September 2010, by telephone at approximately 9:45 a.m. (EDT), and again by email. Mr. Budwin confirmed that Eolas does not oppose this motion.

/s/ Alexandra McTague
Alexandra McTague

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 STAPLES 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 29th day of September 2010.

/s/ Michael E. Richardson
Michael E. Richardson