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

EOLAS TECHNOLOGIES, INC.	§	
Plaintiff,	8 §	
v.	8 §	Civil Action No. 6:09-CV-446 LED
ADOBE SYSTEMS, INC., ET AL.,	8 8 8	JURY TRIAL DEMANDED
Defendants.	\$ \$	

UNOPPOSED MOTION OF AMAZON.COM, INC., EBAY INC., AND YAHOO! INC FOR EXTENSION OF TIME TO COMPLETE CERTAIN DISCOVERY

Defendants Amazon.com, Inc., eBay Inc. and Yahoo! Inc. (collectively "Defendants") respectfully move 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 6, 2010.

Defendants have been producing documents to Plaintiff on a rolling basis and will continue to produce documents to Plaintiff on a rolling basis. As part of Defendants' production, Defendants are using search logic recently negotiated with Plaintiff to comb through material collected from a large number of custodians and to identify documents for production.

Defendants have been producing this material on a rolling basis as quickly as reasonably possible, will continue to do so, and have reached an understanding with Eolas that—given the number of accused products and the resultant scope of Defendants' production—additional time is required to complete the production. The parties have met and conferred, and agreed that Defendants 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, Defendants respectfully move the Court for an Order extending the deadline for Defendants 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 6, 2010.

Dated: September 29, 2010 Respectfully submitted,

/s/ Christian J. Hurt
Douglas Lumish
doug.lumish@weil.com
Jared Bobrow (pro hac vice)
jared.bobrow@weil.com
Joseph H. Lee (pro hac vice)
joseph.lee@weil.com
Parker C. Ankrum (pro hac vice)
parker.ankrum@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987) christian.hurt@weil.com WEIL, GOTSHAL & MANGES LLP 700 Louisiana, Suite 1600 Houston, TX 77002 Telephone: (713) 546-5000

Facsimile: (713) 224-9511

Otis Carroll (Bar No. 3895700) Deborah Race (Bar No. 11648700) IRELAND, CARROLL & KELLEY, P.C. 6101 South Broadway, Suite 500 Tyler, Texas 75703 Telephone: (903) 561-1600

Facsimile: (903) 581-1600 Facsimile: (903) 581-1071 Email: fedserv@icklaw.com

Attorneys for Defendants and Counterclaimants Amazon.com, Inc., eBay Inc., and Yahoo! Inc.

CERTIFICATE OF CONFERENCE

On September 28, 2010, the undersigned counsel of record for Defendants Amazon.com, Inc., eBay Inc. and Yahoo! Inc. (collectively "Defendants") hereby certify that counsel for Defendants conferred with counsel for Plaintiff Eolas Technologies, Incorporated and have satisfied the "meet and confer" requirements of Local Rule CV-7(h) and that the counsel of record for Eolas Technologies Incorporated are not opposed to the relief sought in this Motion.

/s/ Christian J. Hurt
Christian J. Hurt

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic mail 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 29th day of September, 2010. Any other counsel of record will be served via First Class U.S. Mail on this same date.

/s/ Pauline Justice
Pauline Justice