

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

Eolas Technologies Incorporated,	§	
	§	
Plaintiff,	§	Civil Action No. 6:09-cv-446
	§	
v.	§	
	§	
Adobe Systems Inc., et al.	§	JURY TRIAL
	§	
Defendants.	§	
	§	

**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR
ORACLE AMERICA, INC. TO COMPLETE CERTAIN DISCOVERY**

Defendant Oracle America, Inc. (“OAI”), formerly known as Sun Microsystems, Inc., 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 deadline for the parties to conclude document production was set for September 29, 2010 (Docket No. 381). Before the September 29, 2010 deadline, counsel for OAI alerted counsel for Eolas Technologies, Inc. (“Eolas”) that although the majority of its document production would be produced by September 29, 2010, logistical challenges would prevent a complete production by that date. The parties have conferred and agreed that the deadlines for completion of OAI’s document production should be extended to October 29, 2010.

Although OAI has been diligently searching for responsive documents, and has produced and made available for inspection almost four million pages of documents already, this extension is necessary because the integration of Sun Microsystems, Inc. (“Sun”) into Oracle has caused unexpected logistical difficulties. Specifically, network routing changes due to the integration of Sun and Oracle’s networks increased the delay in retrieving data on media by a factor of five. Attempts to address this delay resulted in the need to reconfigure and relocate the eDiscovery

infrastructure from a former Sun location to an Oracle facility. This presented unanticipated logistical challenges. Additional time has been required to work out compatibility issues related to the varied use of Windows and Unix environments in Sun and Oracle. This led to compatibility issues relating to the tools required to encrypt and copy the data to be provided to Eolas.

Accordingly, OAI respectfully requests that the Court grant this unopposed Motion and extend the specified document production deadline for OAI up to and including October 29, 2010.

Dated: October 14, 2010

Respectfully submitted,

By: /s/ Eric H. Findlay
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**Attorneys for Defendant
ORACLE AMERICA, 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 FOR EXTENSION OF TIME FOR ORACLE AMERICA, INC. TO COMPLETE CERTAIN DISCOVERY**, *via* the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 14th day of October 2010.

/s/ Eric H. Findlay _____
Eric H. Findlay