

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

EOLAS TECHNOLOGIES)	Civil Action No. 6:09-cv-446
INCORPORATED,)	
)	Hon. Leonard E. Davis
Plaintiff,)	
)	JURY TRIAL
v.)	
)	
ADOBE SYSTEMS INC. ET AL.)	
)	
Defendants.)	
)	

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

Defendant Staples, Inc. (“Staples”) respectfully moves the Court to extend Staples’ deadline for rolling document production from October 29, 2010 (Dkt. No. 475) to November 30, 2010, and its deadline to produce a privilege log from November 17, 2010 (Dkt. No. 462) to November 30, 2010.

Before the October 29, 2010 deadline, counsel for Staples alerted counsel for Plaintiff Eolas Technologies, Inc. (“Eolas”) that logistical challenges would prevent a complete production by that date. Specifically, as a result of Eolas’ Amended Infringement Contentions against Staples, Staples has been required to search for and produce additional documents beyond what was originally required. Staples has also encountered unforeseen delays in its collection of electronic documents, due in part to the implementation of a new e-discovery application. Staples has already produced documents to Eolas, including what it currently believes to be the bulk of its responsive documents, and will continue to produce documents on a rolling basis. The parties have conferred and agreed that Staples’ deadlines for both the completion of document production and the production of a privilege log should be extended to November 30, 2010. As such, this

motion is unopposed.

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

Accordingly, Staples respectfully requests that the Court grant this unopposed Motion and extend the specified document production and privilege log deadlines to November 30, 2010.

Date: October 29, 2010

Respectfully submitted,

/s/ Michael E. Richardson

Michael E. Richardson, TX Bar No. 24002838
BECK REDDEN & SECREST
1221 McKinney, Suite 4500
Houston, TX 77010
Telephone: (713) 951-6284
Facsimile: (713) 951-3720
mrichardson@brsfirm.com

Mark G. Matuschak, admitted *pro hac vice*
Donald R. Steinberg, admitted *pro hac vice*
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000
Facsimile: (617) 526-5000
mark.matuschak@wilmerhale.com
donald.steinberg@wilmerhale.com

Kate Hutchins, admitted *pro hac vice*
WILMER CUTLER PICKERING
HALE AND DORR LLP
399 Park Avenue
New York, NY 10011
Telephone: (212) 230-8800
Facsimile: (212) 230-8888
kate.hutchins@wilmerhale.com

Daniel V. Williams, admitted *pro hac vice*
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue NW
Washington, DC 20006
Telephone: (202) 663-6000
Facsimile: (202) 663-6363
daniel.williams@wilmerhale.com

**ATTORNEYS FOR DEFENDANT
STAPLES, INC.**

CERTIFICATE OF CONFERENCE

I, Meaghan Davant, counsel for Staples, Inc. certify that I conferred with Matt Rappaport, counsel for Eolas, on this 29th day of October 2010, by telephone at approximately 12:00 p.m. (EDT). Mr. Rappaport confirmed that Eolas does not oppose this motion.

/s/ Meaghan Davant
Meaghan Davant

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 October 2010.

/s/ Michael E. Richardson
Michael E. Richardson