

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

**EOLAS TECHNOLOGIES, INC.**

*Plaintiff,*

v.

**ADOBE SYSTEMS, INC., ET AL.,**

*Defendants.*

**Civil Action No. 6:09-CV-446 LED**

**JURY TRIAL DEMANDED**

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO SUBMIT JOINT NOTICE  
OF STATUS AS ORDERED BY THE COURT ON DECEMBER 21**

Defendants respectfully move to extend the time to submit the joint notice of status with respect to narrowing the number of claims (Dkt. # 536) and terms in dispute to January 11, 2011.

Eolas has offered, and as many counsel for as many of the twenty plus defendants who are available, have agreed to confer multiple times over the week of December 27, 2010 to try and reduce the number of claims and terms and grouping defendants for further proceedings and trial in a sensible way, and have already reduced the number of terms before the Court.<sup>1</sup> With over 23,000 pages of infringement contentions served against numerous websites and technology combinations in multiple groups of largely unrelated defendants, this task has been formidable.

Even if Defendants' many counsel and Eolas could negotiate a compromise for submission to the Court in the time the Court has allotted, the holidays are an impediment to obtaining consent from counsels' clients in this circumstance. Indeed, some defendants (e.g.

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<sup>1</sup> While Eolas does not oppose the requested extension, Eolas wanted to Court to know that it was available to meet and confer prior to December 30.

Adobe and Apple) are on “shut down” during this period, and others have client representatives who are away on vacation.

**CONCLUSION**

Defendants respectfully request that the Court extend the time for the requested report and compliance with its December 21, 2010 Order until Tuesday, January 11, 2011.

DATED: December 27, 2010, 2010

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## **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 27th day of December 2010. Any other counsel of record will be served via First Class U.S. Mail on this same date.

/s/ David J. Healey

David J. Healey

## **CERTIFICATE OF CONFERENCE**

Under signed counsel for Adobe Systems Incorporated conferred and exchanged e-mails with counsel for Eolas Technologies, Inc. (Sam Baxter and Josh Budwin) on December 23 and 27, 2010 with respect to extending the time to submit the joint notice of status with respect to narrowing the number of claims and terms in dispute. Counsel for Eolas indicated it would not oppose this motion.

/s/ David J. Healey

David J. Healey