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

**Eolas Technologies Incorporated**, \$\text{c}\$ Civil Action No. 6:09-CV-00446-LED Plaintiff. VS. Adobe Systems Inc., Amazon.com, Inc., **JURY TRIAL** Apple Inc., Argosy Publishing, Inc., Blockbuster Inc., CDW Corp., Citigroup Inc., eBay Inc., Frito-Lay, Inc., The Go Daddy Group, Inc., Google Inc., J.C. Penney Company, Inc., JPMorgan Chase & Co., New Frontier Media, Inc., Office Depot, Inc., Perot Systems Corp., Playboy Enterprises International, Inc., Rent-A-Center, Inc., Staples, Inc., Sun Microsystems Inc., Texas Instruments Inc., Yahoo! Inc., and YouTube, LLC Defendants.

### EOLAS' UNOPPOSED MOTION FOR EXPEDITED BRIEFING ON EOLAS' MOTION TO COMPEL DISCOVERY FROM ADOBE SYSTEMS INC. REGARDING INVESTMENT/LICENSING AGREEMENTS WITH INTELLECTUAL VENTURES ENTITIES

On June 20, 2011, Plaintiff Eolas Technologies Incorporated ("Eolas") filed its Motion to Compel Discovery from Adobe Regarding Investment/Licensing Agreements with Intellectual Ventures Entities. Eolas requests that the Court issue an expedited briefing schedule on this motion and address the motion on an expedited basis so that the matter may be heard at the Court's earliest convenience.<sup>1</sup>

Eolas requests that the Court set an expedited briefing schedule. Eolas proposes the following expedited briefing schedule.

Defendant's opposition brief due: Friday, June 24, 2011.

<sup>&</sup>lt;sup>1</sup> Counsel for Adobe, David Healey, has advised counsel for Eolas that he is unavailable for the hearing on June 29, 2011, but that Adobe would not oppose expedited resolution of this issue.

Eolas' reply brief due: Monday, June 27, 2011.

WHEREFORE, Eolas therefore requests the Court grant the expedited briefing schedule as outlined above and in the attached Order.

DATED: June 20, 2011 Respectfully submitted,

#### McKOOL SMITH P.C.

By: /s/ *Mike McKool* 

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ATTORNEYS FOR PLAINTIFF **EOLAS TECHNOLOGIES INC.** 

# **CERTIFICATE OF CONFERENCE**

Counsel for Plaintiff conferred with Counsel for Defendant regarding the relief requested in this motion on June 16, 2011. Counsel for Adobe, David Healey, has advised counsel for Eolas that he is unavailable for the hearing on June 29, 2011, but that Adobe would not oppose an expedited briefing schedule.

/s/ Josh W. Budwin\_\_\_\_
Josh W. Budwin

# **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic services on June 20, 2011. Local Rule CV-5(a))3)(A).

/s/ Rosemary Snider
Rosemary Snider