

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

TYLER DIVISION

DATE: June 29, 2011

JUDGE
LEONARD DAVIS

REPORTER: Shea Sloan

LAW CLERKS: Nicole Mitchell

EOLAS TECHNOLOGIES INCORPORATED	CIVIL ACTION NO: 6:09-CV-446
V	MOTIONS HEARING
ADOBE SYSTEMS INCORPORATED	
ATTORNEYS FOR PLAINTIFFS	ATTORNEY FOR DEFENDANT
SEE SIGN-IN SHEETS	

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 2:05 pm

ADJOURN: 3:30 PM

TIME:	MINUTES:
2:05 pm	Case called. Plaintiff announced ready. See Sign-In Sheets.
	Mr. Parker presented a status report on settlements.
	Court addressed the parties on trial setting and Markman opinion.
	Defendants announced ready. See Sign-In Sheets.
	Court addressed the parties on discovery.
	Court will hear Eolas Motion to Supplement first - Document #634.
	Mr. Budwin presented Eolas's Motion for Leave to Supplement its Infringement Contentions (Doc #634) .
	Mr. Batchelder responded. Mr. Budwin responded. Court will deny as moot as agreed by the parties.
	Court will move on to 659

DAVID J. MALAND, CLERK

FILED: 6.29.2011

BY: *Rosa L. Ferguson*, Courtroom Deputy

TIME:	MINUTES:
	Mr. Campbell presented Eolas' Motion to Compel Discovery from JC Penney Regarding Web Analytics (Docket #659).
	Mr. Buether responded. Mr. Campbell replied. Court inquired as to the protection needed. Mr. Buether responded. Court set out to make a time and place to make data review. Court will give limited access. Court inquired as to Staples and Cit Group. Ms. Hutchins for Staples and will work with plaintiff. Mr. Hardin addressed the Court on web IP addresses and is confidential. Mr. Campbell does not have a need to look at the IP addresses.
	Court will deny as moot Docket No. 659, 675 and 689. Mr. Campbell addressed the Court on extension of time on expert reports. Court asked parties to work together.
	Court will move on to Eolas' Motion to Compel Designation of Rule 30(b)(6) Witnesses, docket no. 667.
	Mr. McKool presented Eolas' Motion to Compel Designation of Rule 30(b)(6) Witnesses (Docket No. 667).
	Mr. Reines responded. Mr. McKool responded. Court will grant Motion and Court will entertain Motion for Attorney's fees if they are requested. Court will attempt to work out. Mr. Reines responded.
	Court will move on to Docket No. 714.
	Mr. Budwin presented Eolas' Motion to Compel Production of Source Code from Ebay, Inc and Amazon.com, Docket No. 714.
	Mr. Reines responded. Court inquired when the template code can be produced. Mr. Reines responded 10 days. Court inquired as to the Module code. Mr. Reines responded. Mr. Budwin responded. Mr. Budwin asked for 3 weeks after the date. Court and parties discussed timing of production. By parties agreement, Docket 714 is denied as moot.
	Court will move on to Docket No. 728.
	Mr. Campbell presented Eolas' Motion to Compel Discovery from Ebay Regarding the Ebay/Mercexchange license and Documents from Deposition of Ajay Gopal, Docket No. 728.
	Mr. Reines responded. Motion is granted. Court and parties discussed the fact books. Court grants motion, but extremely confidential.
	Ms. Doan addressed the Court on the number of claims and asked to shorten the number of claims.
	Mr. Campbell responded and will work in getting down. Mr. Budwin responded as to prior art references.
	Court encouraged both sides to narrow the case.
3:30 pm	there being nothing further, Court adjourned for the day.