

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Eolas Technologies Incorporated,

Plaintiff,

vs.

Adobe Systems Inc.; Amazon.com, Inc.; Apple
Inc.; CDW Corp.; Citigroup Inc.; eBay Inc.;
Frito-Lay, Inc.; The Go Daddy Group, Inc.;
Google Inc.; J.C. Penney Corporation, Inc.;
Office Depot, Inc.; Staples, Inc.; Yahoo! Inc.;
and YouTube, LLC,

Defendants.

No. 6:09-cv-00446-LED (filed Oct. 6, 2009)

Adobe Systems Inc.; Amazon.com, Inc.; Apple
Inc.; CDW LLC; eBay Inc.; Frito-Lay, Inc.; The
Go Daddy Group, Inc.; Google Inc.; J.C. Penney
Corporation, Inc.; Office Depot, Inc.; Staples,
Inc.; Yahoo! Inc.; and YouTube, LLC,

Counterclaimants,

vs.

Eolas Technologies Incorporated,

Counterdefendant.

**JOINT UNOPPOSED MOTION TO EXTEND DEADLINES FOR EXPERT REPORTS
ON DAMAGES ISSUES AS BETWEEN EOLAS AND EBAY**

This Motion is made jointly and is unopposed. On August 2, 2011, the Court entered the parties' agreement on expert report deadlines as between Eolas and eBay [Docket No. 813]. Subsequently, Eolas Technologies, Inc. ("Eolas") and eBay, Inc. ("eBay") discussed modifying the deadlines for expert reports exchanged between Eolas and eBay on damages issues. The parties propose modifying the deadlines for expert reports exchanged between Eolas and eBay on damages issues as set forth below:

<u>Event</u>	<u>Existing Deadline</u>	<u>New Deadline Requested by this Motion</u>
Parties with burden of proof designate expert witnesses on damages issues.	August 5, 2011 [Docket No. 813]	August 8, 2011 (Eolas' submissions to eBay only)
Parties designate rebuttal expert witnesses on damages issues.	September 2, 2011 [Docket No. 813]	September 5, 2011 (eBay's submissions to Eolas only)

This motion is not made for delay, and should not impact any other deadline applicable to this litigation, including the trial setting. Specifically, this motion does not seek to modify the dates for any parties' submission of expert reports on damages issues other than between Eolas and eBay. Accordingly, the parties respectfully move the Court for an Order setting the deadlines provided above.

DATED: August 5, 2011

By: /s/ Mike McKool

Mike McKool (Bar No. 13732100)
<mmckool@mckoolsmith.com>
Douglas Cawley (Bar No. 04035500)
<dcawley@mckoolsmith.com>
Rosemary T. Snider (Bar No. 18796500)
<rsnider@mckoolsmith.com>
J.R. Johnson (Bar No. 24070000)
<jjohnson@mckoolsmith.com>
MCKOOL SMITH, P.C.
300 Crescent Court, Suite 1500
Dallas, TX 75201
Telephone: (214) 978-4000
Facsimile: (214) 978-4044
Sam F. Baxter (Bar No. 01938000)
<sbaxter@mckoolsmith.com>
MCKOOL SMITH, P.C.
104 E. Houston St., Ste. 300
P.O. Box O
Marshall, TX 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099
Kevin L. Burgess (Bar No. 24006927)
<kburgess@mckoolsmith.com>
John B. Campbell (Bar No. 24036314)
<jcampbell@mckoolsmith.com>
Josh W. Budwin (Bar No. 24050347)
<jbudwin@mckoolsmith.com>
Matt Rappaport (Bar No. 24070472)
<mrappaport@mckoolsmith.com>
Lindsay K. Martin (Bar No. 24049544)
<lmartin@mckoolsmith.com>
MCKOOL SMITH, P.C.
300 West Sixth Street, Suite 1700
Austin, TX 78701
Telephone: (512) 692-8700
Facsimile: (512) 692-8744

*Attorneys for Plaintiff and
Counterdefendant Eolas Technologies, Inc.*

By: /s/ Jared Bobrow

Edward Reines
<edward.reines@weil.com>
Jared B. Bobrow
<jared.bobrow@weil.com>
Douglas W. McClellan
<doug.mcclellan@weil.com>
Sonal N. Mehta
<sonal.mehta@weil.com>
Andrew L. Perito
<andrew.perito@weil.com>
Aaron Y. Huang
<aaron.huang@weil.com>
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100
Jennifer H. Doan
jdoan@haltomdoan.com
Joshua R. Thane
jthane@haltomdoan.com
HALTOM & DOAN
6500 Summerhill Road, Suite 100
Texarkana, TX 75503
Telephone: (903) 255-1000
Facsimile: (903) 255-0800

*Attorneys for Defendant and
Counterclaimant eBay, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 5, 2011.

/s/ Aaron Y. Huang_____