

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

Eolas Technologies Incorporated,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 6:09-cv-446
)	Judge Leonard E. Davis
Adobe Systems Inc., et al.,)	
)	
Defendants.)	
)	
)	JURY TRIAL DEMANDED
)	
)	

**JOINT AGREED MOTION TO EXTEND DEADLINES FOR REBUTTAL TRIAL
WITNESS LISTS AND REBUTTAL EXPERT REPORTS**

Plaintiff, Eolas Technologies, Inc., and defendants Adobe Systems, Inc., Amazon.com, Inc., CDW LLC, Citigroup Inc., The Go Daddy Group, Inc., Google, Inc., J.C. Penney Corp., Inc., Staples, Inc., Yahoo! Inc., and YouTube LLC (collectively “Defendants”) respectfully move to extend the deadlines set forth below, and would state as follows:

I. On August 2, 2011 the Court entered an order granting the parties’ agreed motion to extend the deadline to exchange trial witness lists to August 12, 2011 (Dkt. No. 812). Through an oversight, that proposed order failed to also move date for rebuttal trial witness lists to a corresponding later date; this deadline remains August 8, 2011 per the Court’s Docket Control Order (Dkt. No. 670). The parties therefore respectfully request that the Court grant Plaintiff Eolas and the Defendants additional time, through and including August 22, 2011.

II. The parties have met and conferred regarding the deadlines for rebuttal expert reports on infringement, validity, and inequitable conduct issues. The parties respectfully request that the Court extend the deadline to serve those infringement, validity, and inequitable conduct rebuttal expert reports currently due August 17, 2011 by two days, through and including August 19, 2011. This motion does not seek to move the deadline for rebuttal reports on damages or any reports not currently due on August 17, 2011.

III. The parties have met and conferred and this Motion is agreed. This motion is not made for delay, and should not impact any other deadline applicable to this case. Accordingly, the parties respectfully move the Court for an Order setting the deadlines as set forth below:

<u>Event</u>	<u>Existing Deadline</u>	<u>New Deadline Requested by this Motion</u>
Exchange rebuttal trial witness lists	August 8, 2011	August 22, 2011
Defendants serve rebuttal expert reports on non-damages issues presently due August 17, 2011	August 17, 2011	August 19, 2011
Plaintiff serves rebuttal expert reports on non-damages issues	August 17, 2011	August 19, 2011

Dated: August 14, 2011

Respectfully submitted,

By: /s/ Scott A. Sanderson

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing **JOINT AGREED MOTION TO EXTEND DEADLINES FOR REBUTTAL TRIAL WITNESS LISTS AND REBUTTAL EXPERT REPORTS** was served via ECF on all counsel of record on this the 14th day of August, 2011.

/s/ Scott Sanderson
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