

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

EOLAS TECHNOLOGIES
INCORPORATED,

PLAINTIFF,

v.

ADOBE SYSTEMS INC., et al.,

DEFENDANTS.

§ Civil Action No. 6:09-CV-446-LED

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JURY TRIAL DEMANDED

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JOINT STIPULATION OF NO PRE-SUIT DAMAGES

IT IS HEREBY STIPULATED by and between Plaintiff Eolas Technologies, Inc. and Defendants Adobe Systems Inc., Amazon.com, Inc., CDW Corp., Citigroup Inc., The Go Daddy Group, Inc., Google Inc., J.C. Penney Company, Inc., Staples, Inc., Yahoo! Inc., and YouTube, LLC (collectively "Defendants") through their respective counsel, as follows:

1. Plaintiff Eolas Technologies, Inc. hereby withdraws with prejudice any claim in this action for pre-suit damages as to Defendants, pursuant to the damages-limiting provisions of 35 U.S.C. section 287.
2. Google, Inc. and YouTube, LLC hereby withdraw with prejudice their July 22, 2011 notice of 30(b)(6) deposition, attached hereto as Exhibit A.

Respectfully submitted,

Dated: August 17, 2011

Dated: August 17, 2011

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By: /s/ James R. Batchelder (with permission)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies 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 this 17th day of August 2011. All other counsel of record will be served via facsimile or first class mail.

/s/ Karen A. Gotelli

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