

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

Eolas Technologies Incorporated	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	Civil Action No. 6:09-cv-00446-LED
Adobe Systems Inc. et al.,	§	
	§	
Defendants.	§	
	§	
	§	

DEFENDANT STAPLES, INC.’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE MOTION TO STRIKE AS TO DAVID MARTIN’S EXPERT REPORT

Defendant Staples, Inc. (“Staples”) files this Unopposed Motion for Extension of Time to File a Motion to Strike as to David Martin’s Expert Report. In support of which, Staples would show as follows:

1. The deadline for filing *Daubert* motions is August 19, 2011.
2. Plaintiff Eolas Technologies Incorporated (“Plaintiff”) has served an expert report, written by David Martin (“Martin Report”), regarding Staples’ alleged infringement of the patents-in-suit.
3. A dispute exists between Eolas and Staples as to whether all of the infringement allegations offered in the Martin Report were adequately disclosed in Eolas’ infringement contentions.
4. Eolas and Staples have not been able to arrange a LR 7 meet-and-confer on this issue until Monday, August 22, 2011. If the parties are not able to resolve their dispute, Staples will move to strike portions of the Martin Report that Staples contends were not adequately disclosed in Eolas’ infringement contentions.

5. Staples requests that the Court extend the deadline by which such a motion to strike must be filed until Tuesday, August 23, 2011 so that Eolas and Staples can first conduct their meet-and-confer.

6. Eolas does not oppose this motion for extension of time.

WHEREFORE, Staples requests that the deadline for Staples to file a motion to strike as to the expert report of David Martin be extended until Tuesday, August 23, 2011; and for all such other relief to which it may show itself justly entitled.

Date: August 19, 2011

Respectfully submitted,

/s/ Michael E. Richardson

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**ATTORNEYS FOR DEFENDANT
STAPLES, INC.**

CERTIFICATE OF CONFERENCE

The undersigned certifies that Counsel for Staples has conferred with Counsel for Eolas regarding the foregoing motion, and Eolas is unopposed to the relief requested herein.

/s/ Michael E. Richardson
Michael E. Richardson

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 service on this 19th day of August, 2011.

/s/ Michael Richardson
Michael Richardson