

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

<b>Eolas Technologies Incorporated,</b>	§	
	§	
<b>Plaintiff,</b>	§	<b>Civil Action No. 6:09-CV-00446-LED</b>
	§	
<b>vs.</b>	§	
	§	
<b>Adobe Systems Inc., Amazon.com, Inc.,</b>	§	<b>JURY TRIAL</b>
<b>Apple Inc., Argosy Publishing, Inc.,</b>	§	
<b>Blockbuster Inc., CDW Corp.,</b>	§	
<b>Citigroup Inc., eBay Inc., Frito-Lay, Inc.,</b>	§	
<b>The Go Daddy Group, Inc., Google Inc.,</b>	§	
<b>J.C. Penney Company, Inc., JPMorgan</b>	§	
<b>Chase &amp; Co., New Frontier Media, Inc.,</b>	§	
<b>Office Depot, Inc., Perot Systems Corp.,</b>	§	
<b>Playboy Enterprises International, Inc.,</b>	§	
<b>Rent-A-Center, Inc., Staples, Inc., Sun</b>	§	
<b>Microsystems Inc., Texas Instruments Inc.,</b>	§	
<b>Yahoo! Inc., and YouTube, LLC</b>	§	
	§	
<b>Defendants.</b>	§	

**MOTION TO SET HEARING AND EXPEDITE BRIEFING**

Plaintiff Eolas Technologies Incorporated (“Eolas”) hereby respectfully requests the Court to include oral argument on Eolas’ Motion for Leave to File Amended Complaint to Add The Regents of the University of California as a Co-Plaintiff (“Motion for Leave”) (Dkt. No. 890) as part of the already scheduled hearing set for August 31, 2011 at 1pm.

Eolas filed its Motion for Leave on August 18, 2011. One day earlier, the Court set an oral hearing on Frito-Lay, Inc.’s Motion for Separate Trial (Dkt. No. 852). For the sake of efficiency for the Court and the parties, Eolas requests argument on its Motion for Leave during this already scheduled hearing. Eolas’ also respectfully requests that the Court require Defendants file their response brief in opposition to Eolas’ Motion for Leave on Monday August 29, 2011—two days in advance of the proposed hearing.

Dated: August 22, 2011

Respectfully submitted,

**McKool Smith, P.C.**

*/s/ Mike McKool*

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Mike McKool

Lead Attorney

Texas State Bar No. 13732100

mmckool@mckoolsmith.com

Douglas Cawley

Texas State Bar No. 04035500

dcawley@mckoolsmith.com

Holly Engelmann

Texas State Bar No. 24040865

hengelmann@mckoolsmith.com

**McKool Smith, P.C.**

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Telecopier: (214) 978-4044

Kevin L. Burgess

Texas State Bar No. 24006927

kburgess@mckoolsmith.com

John B. Campbell

Texas State Bar No. 24036314

jcampbell@mckoolsmith.com

Josh W. Budwin

Texas State Bar No. 24050347

jbudwin@mckoolsmith.com

Gretchen K. Curran

Texas State Bar No. 24055979

gcurran@mckoolsmith.com

Matthew B. Rappaport

Texas State Bar No. 24070472

mrappaport@mckoolsmith.com

**McKool Smith, P.C.**

300 West Sixth Street, Suite 1700

Austin, Texas 78701

Telephone: (512) 692-8700

Telecopier: (512) 692-8744

**ATTORNEYS FOR PLAINTIFF  
EOLAS TECHNOLOGIES, INC.**

**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. Local Rule CV-5(a)(3)(A) on this August 22, 2011.

/s/ John B. Campbell  
John B. Campbell

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Eolas Technologies Incorporated sent an email to all counsel of record on Thursday August 18, 2011 seeking their position on this motion before close of business Friday August, 19, 2011. As of the filing of this motion, none of counsel for defendants responded that they agreed with the motion.

Dated: August 22, 2011

/s/ John B. Campbell  
John B. Campbell