

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

EOLAS TECHNOLOGIES, INC.

*Plaintiff,*

v.

ADOBE SYSTEMS INC., ET AL.,

*Defendants.*

Civil Action No. 6:09-CV-446 LED

JURY TRIAL DEMANDED

**DEFENDANT ADOBE SYSTEMS INCORPORATED'S MOTION TO EXPEDITE ITS  
MOTION TO DISMISS FOR HEARING**

Defendant Adobe Systems Incorporated ("Adobe"), moves to have its Motion to Dismiss (Dkt #967) set for hearing with the Plaintiff's Motion for Joinder of the Regents of the University of California (Dkt #890) on September 21, 2011, because the subject matter, factual and legal arguments overlap with each other. Adobe moves that any opposition to the Motion to Dismiss be filed by September 19, 2011. Plaintiff, Eolas Technologies, Inc., does not oppose this motion, nor do those defendants that have expressed a position on it.

Wherefore Adobe asks that its Motion to Dismiss (Dkt #967) be set for the September 21, 2011, hearing and that any opposition be filed by September 19, 2011.

Dated: September 14, 2011

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ David J. Healey

David J. Healey

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Counsel for Defendant

ADOBE SYSTEMS INCORPORATED

**CERTIFICATE OF CONFERENCE**

Plaintiff Eolas, and Defendants Google and Staples do not oppose, other parties have not commented or responded to Adobe, after two requests for position or to confer.

*/s/ David J. Healey* \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 14, 2011 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by U.S. Mail.

*/s/ David J. Healey* \_\_\_\_\_

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