

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

TYLER DIVISION

DATE: September 21, 2011

JUDGE
LEONARD DAVIS

REPORTER: Shea Sloan

LAW CLERKS: Allan Bullwinkel / Nicole Mitchell

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| EOLAS TECHNOLOGIES INCORPORATED | CIVIL ACTION NO: 6:09-CV-446 |
| V | MOTIONS HEARING |
| ADOBE SYSTEMS INCORPORATED | |
| ATTORNEYS FOR PLAINTIFFS | ATTORNEY FOR DEFENDANT |
| SEE SIGN-IN SHEETS | |

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 2:25 pm

ADJOURN: 4:05 pm

| TIME: | MINUTES: |
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| 2:25 pm | Case called. PARTIES ANNOUNCED READY. (SEE SIGN-IN SHEETS) |
| | Court addressed parties regarding Motion for Reconsideration. |
| | Mr. Burgess presented Eolas's Motion to Reconsider (Doc. No. 965) . |
| | Mr. Batchelder responded. Mr. Burgess replied. |
| | Court will take matter under advisement. |
| | Court addressed the parties Motion to Add Regents and Motion to Dismiss. |
| | Mr. Parker presented Motion for Leave to File Amended Complaint to Add the Regents of the University of California as a Co-Plaintiff (Doc. No. 890) . |
| | Mr. Reines responded to the Motion to Amend. Court would like to hear from Adobe. Mr. Florey addressed the Court on behalf of Adobe. Mr. Reines continued his argument on the Motion to Amend. Ms. Doan addressed the Court. Mr. Parker replied. |
| | Mr. Campbell addressed the Court on the depositions. Mr. Reines responded. |

DAVID J. MALAND, CLERK

FILED: 9.21.2011

BY: *Rosa L. Ferguson*, Courtroom Deputy

| TIME: | MINUTES: |
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| | Court addressed he parties on severing Adobe, bring Regents in and check with the discovery. Mr. Doan addressed the Court and asked for clarification. Mr. Campbell further addressed the Court. Mr. Reines responded. |
| | Court denies Adobe's motion as moot and will add the Regents. |
| | Court addressed the parties on the alternative pleading on the Motion to Reconsider as far as certifying the question. |
| | Mr. Burgess addressed the Court on the Interlocutory Appeal. Court inquired about the litigation while the appeal is pending, Mr. Burgess indicated that the case should be stayed. Mr. Reines responded and if the 1292 be granted, there should be a stay. Mr. Florey concurred that the case should be stayed. |
| | Court will get a ruling as soon as it can. |
| 4:05 pm | There being nothing further, Court adjourned. |