

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

WI-LAN INC.,

Plaintiff,

vs.

**ALCATEL-LUCENT USA INC.,
ET AL.,**

Defendants.

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CASE NO. 6:10-CV-521

ORDER

The Court has a standing order requiring leave of the Court before any motion for summary judgment may be filed. Pursuant to this order, Defendants' request permission to file a motion for summary judgment that this action is barred by a covenant not to sue. Plaintiff requests permission to file a cross-motion for partial summary judgment on Defendants' affirmative defense of covenant not to sue and their counterclaim for breach of contract. The Court **GRANTS** both Defendants' request and Plaintiff's request.

So ORDERED and SIGNED this 21st day of November, 2011.



**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**