

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

<b>WI-LAN INC.,</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>vs.</b>	§	<b>CASE NO. 6:10-CV-521</b>
	§	
<b>ALCATEL-LUCENT USA INC.,</b>	§	
<b>ET AL.,</b>	§	
	§	
<b>Defendants.</b>	§	

**ORDER**

Before the Court are HTC Corporation, HTC America, Inc. and Exedeia, Inc.’s (“HTC”) Motion to Compel production of internal communications and documents withheld by Wi-Lan, Inc. on the gourn of Attorney-Client Privilege (Dkt. No. 240), The Ericsson and Sony Mobile Defendants’ Motion to Compel Plaintiff to Provide Discovery (Dkt. No. 255), The Ericsson and Sony Mobile Defendants’ Motion for leave to supplement summary judgment briefing (Dkt. No. 275), Defendants Motion for Leave to File Two Letter Briefs (Dkt. No. 277), and Plaintiff Wi-Lan’s Motion to Strike Defendants’ Letter Briefs (Dkt. No. 288). The Court resolves the motions in the the following manner:

- HTC’s Motion to Compel (Dkt. No. 240) is **GRANTED IN PART**. HTC is **ORDERED** to file a notice identifying up to eighty (80) of the documents withheld by Wi-Lan on the ground of attorney-client privilege by February 28, 2013 at 12:00 P. M. Wi-Lan is **ORDERED** to provide the identified documents for *in-camera* review by March 4, 2013 at 9:00 A.M. with a copy of the specific assertions of privilege.

- The Ericsson and Sony Defendants' Motion to Compel is **DENIED AS MOOT**. The Parties filed a Joint Notice of Withdrawal of Defendants' Motion to Compel (Dkt. No. 328). Therefore, the Motion is moot.
- The Ericsson and Sony Defendants' Motion to Supplement summary judgment briefing is **GRANTED**. Plaintiff filed a notice withdrawing its opposition to Ericsson and Sony's Motion (Dkt. No. 328). Therefore, the motion for leave to supplement is granted and the motion is deemed served on February 26, 2013. Parties are **ORDERED** to meet and confer and propose an expedited briefing schedule, on which briefing is completed by March 14, 2013.
- The Defendants Motion for leave to file two letter briefs (Dkt. No. 277) is **DENIED AS MOOT**. Defendants are granted leave to file a *Daubert* Motion regarding Wi-Lan, Inc.'s damages expert, John Jarosz. Defendants are also granted leave to file a Motion for Summary Judgment of Invalidity of Claims 1-5 of U.S. Patent No. 6,381,211 and Claims 1-5 of U.S. Patent No. 6,088,326. Thus, Defendants Motion for leave to file two letter briefs is moot. Parties are **ORDERED** to meet and confer and propose an expedited briefing schedule, on which briefing is completed by March 14, 2013.
- Plaintiffs Wi-Lan's Motion to Strike Defendants' Letter Briefs (Dkt. No. 288) is **GRANTED**.

So **ORDERED** and **SIGNED** this 5th day of March, 2013.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**