

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ANASCAPE, LTD.	§	
	§	Hon. Ron Clark
Plaintiff,	§	
	§	
v.	§	Civil Action No. 9:06-CV-00158-RC
	§	
MICROSOFT CORPORATION, and	§	
NINTENDO OF AMERICA, INC.,	§	
	§	
Defendants.	§	

**MOTION TO EXPEDITE BRIEFING ON NINTENDO'S  
RENEWED MOTION TO STAY LITIGATION PENDING  
REEXAMINATION OF THE REMAINING PATENTS-IN-SUIT**

Pursuant to Eastern District of Texas Local Rule CV-7(e), Defendant Nintendo of America Inc. moves the Court for an Order expediting the briefing of Nintendo's Renewed Motion To Stay Litigation Pending Reexamination of the Remaining Patents-In-Suit, Docket No. 125, which was filed Tuesday July 31, 2007.<sup>1</sup> For all of the reasons set forth in Microsoft's Motion To Expedite Briefing, Docket No. 129, which was filed on August 1, 2007 and which Nintendo hereby joins, Nintendo requests that the Court set the following briefing schedule:

- Any opposition brief to be filed no later than Monday, August 6, 2007
- Any reply to be filed no later than Wednesday, August 8, 2007
- Any surreply to be filed no later than Friday, August 10, 2007

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<sup>1</sup> In the renewed motion to stay, Nintendo requested this expedited briefing schedule. Docket No. 125, p. 1. After filing, Nintendo realized that Local Rule 9(3) appears to require a separate motion for an expedited briefing schedule, prompting this motion. Nintendo apologizes for any confusion caused by its unintentional failure to file a separate motion pursuant to Local Rule 9(e) on the same day as the motion at issue.

Dated: August 2, 2007

Respectfully submitted,

By: /s/ James S. Blank

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Attorneys for Defendant and  
Counterclaimant Nintendo of America Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 2<sup>nd</sup> day of August, 2007.

/s/ James S. Blank

James S. Blank

**CERTIFICATE OF CONFERENCE**

Counsel for Nintendo has conferred with counsel for Anascape in a good faith attempt to resolve without court intervention the matters raised by Nintendo's foregoing Motion to Expedite Briefing. Counsel for Anascape stated that Anascape opposes the motion.

/s/ James S. Blank

James S. Blank