

DATED: January 8, 2008

Respectfully submitted,

McKOOL SMITH, P.C.

/s/ Sam Baxter

Sam Baxter
Lead Attorney
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
P.O. Box O
104 East Houston Street, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

Theodore Stevenson, III
Texas State Bar No. 19196650
tstevenson@mckoolsmith.com
Anthony M. Garza
Texas State Bar No. 24050644
agarza@mckoolsmith.com
McKool Smith, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 978-4000
Facsimile: (214) 978-4044

Robert M. Parker
Texas State Bar No. 15498000
rmparker@cox-internet.com
Robert Christopher Bunt
Texas State Bar No. 00787165
cbunt@cox-internet.com
Charles Ainsworth
Texas State Bar No. 00783521
charley@pbatyler.com
Parker, Bunt & Ainsworth P.C.
100 E. Ferguson Street, Suite 1114
Tyler, Texas 75702
Telephone: (903) 531-3535
Facsimile: (903) 533-9687
ATTORNEYS FOR PLAINTIFF
ANASCAPE, LTD.

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff Anascape conferred with counsel for Microsoft regarding the foregoing Motion. Counsel for Microsoft represented that Microsoft did not oppose the Motion.

/s/ Anthony M. Garza
Anthony M. Garza

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a), on January 8, 2008. As such, this motion was served on all counsel who had consented to electronic service.

/s/ Anthony M. Garza
Anthony M. Garza