

**In the United States District Court  
For the Western District of Texas  
Austin Division**

**SBJ HOLDINGS 1, LLC**

§  
§  
§  
§  
§  
§

v.

**Case Number: A07-MC-00729-SS**

**NETFLEX, INC., AMAZON.COM, INC.,  
and BORDERS GROUP, INC.**

**MOTION TO SUBSTITUTE COUNSEL**

Third Party Vignette Corporation (“Vignette”) seeks permission for its attorney of record to withdraw and substitution of the attorney identified below.

**I.**

Vignette has retained Susan Dillon Ayers, State Bar No. 24028302, and the law firm of Baker Botts L.L.P. to represent it in this cause.

**II.**

Allison L. Bowers of the law firm of Baker Botts L.L.P. respectfully requests that she be permitted to withdraw from the representation of Vignette. All future pleadings, notices, and other correspondence affecting Vignette shall be forwarded to Susan Dillon Ayers, Baker Botts L.L.P., 98 San Jacinto Blvd., 1500 San Jacinto Center, Austin, Texas 78701.

**III.**

This motion is not brought for purposes of delay but only to allow Vignette to effectively proceed in this cause.

IV.

WHEREFORE, Vignette respectfully requests that this Court enter an Order permitting Allison L. Bowers to withdraw as counsel for Pavilion and allowing the substitution of Susan Dillon Ayers and the firm of Baker Botts L.L.P. as counsel for Vignette.

Respectfully submitted,

BAKER BOTTS L.L.P.

  
\_\_\_\_\_  
Allison L. Bowers

State Bar No. 24006170

Susan Dillon Ayers

State Bar No. 24028302

98 San Jacinto Boulevard

1500 San Jacinto Center

Austin, Texas 78701

(512) 322-2500 (Telephone)

(512) 322-2501 (Facsimile)

ATTORNEYS FOR THIRD PARTY

VIGNETTE CORPORATION

**CERTIFICATE OF CONFERENCE**

I hereby certify that I attempted unsuccessfully to confer with Eric M. Albritton, counsel of record for SBJ Holdings 1 LLC, by email on August 31, 2007 and by telephone on September 4, 2007.

I conferred with Javan Johnson, an agent of Blake Charles Erskine, counsel of record for Netflix, Inc., Amazon.Com, Inc. and Borders Group, Inc. by telephone on September 4, 2007. Javan Johnson stated that Netflix, Inc., Amazon.Com, Inc. and Borders Group, Inc. do not oppose the relief sought in this motion.

  
\_\_\_\_\_  
Susan Dillon Ayers

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of this document was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the listed counsel on September 4, 2007.

  
\_\_\_\_\_  
Susan Dillon Ayers