

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

APPLE INC., and NEXT SOFTWARE,
INC. (f/k/a NeXT COMPUTER, INC.)

Plaintiffs and
Counterclaim-
Defendants,

Case No. 10-CV-662 (BBC)

v.

MOTOROLA, INC. and MOTOROLA
MOBILITY, INC.,

Defendants and
Counterclaim-
Plaintiffs.

**JOINT MOTION FOR EXTENSION OF TIME TO SERVE REBUTTAL
EXPERT WITNESS REPORTS AND SERVE SUMMARY JUDGMENT
MOTION PAPERS**

Plaintiffs and Counterclaim-Defendants Apple, Inc. and Next Software, Inc. and Defendants and Counterclaim-Plaintiffs Motorola, Inc. and Motorola Mobility, Inc., by their undersigned attorneys, jointly respectfully request that this Court modify the upcoming deadlines for exchanging rebuttal expert witness reports and for filing summary judgment motion papers. Currently, rebuttal expert reports are due on October 14, 2011, and motions for summary judgment are due on October 21, 2011. The parties respectfully request that the deadline for serving rebuttal expert witness reports be moved to **October 21, 2011** and the deadline for filing motions for summary judgment be moved to **November 4, 2011**.

The number and complexity of expert reports in this action is the primary motivating consideration for the requested extensions. The additional time requested will

provide each party with additional time to prepare thorough rebuttal expert witness reports and to incorporate considerations raised in those rebuttal reports into their summary judgment motion papers.

Trial is currently scheduled for April 30, 2012, with a final pretrial conference scheduled for April 12, 2012 and Motions in Limine due on March 16, 2012. The parties are not requesting that these dates be moved, do not anticipate that they will need to be moved as a result of the extension requested, and fully appreciate that the extension requested may result in their not receiving a summary judgment motion ruling until closer to the scheduled trial date.

Respectfully submitted this 29th day of September, 2011.

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