

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.

MOTION FOR LEAVE TO FILE SUPPLEMENTAL AUTHORITY

Defendants and Counterclaim-Plaintiffs Motorola, Inc. and Motorola Mobility, Inc. ("Motorola"), by their undersigned attorneys, respectfully request that this Court grant them leave to file supplemental authority in support of their brief in opposition to the Motion to Stay of Plaintiff and Counterclaim-Defendants Apple Inc. and Next Software, Inc. ("Apple").

On September 28, 2011, after Motorola filed its brief in opposition to Apple's motion to stay this case, the United States District Court for the Southern District of Florida denied a substantially similar motion to stay made by Apple in a related patent action pending in that court. Attached hereto as Exhibit 1 is a copy of Apple's motion to stay in the Florida action, showing the similarity of the arguments raised in the two motions. Attached hereto as Exhibit 2 is a copy of the Florida court's order denying the motion.

Respectfully submitted this 29th day of September, 2011.

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