

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

APPLE INC. and NeXT SOFTWARE,)
INC. (f/k/a NeXT COMPUTER, INC.),)
)
Plaintiffs,)
)
)
v.)
)
MOTOROLA SOLUTIONS, INC. (f/k/a)
MOTOROLA, INC.) and MOTOROLA)
MOBILITY, INC.)
)
Defendants.)

Case No. 10-CV-662 (BBC)

**JOINT MOTION FOR EXTENSION OF TIME TO
RESPOND AND REPLY TO SUMMARY JUDGMENT PAPERS**

Plaintiffs Apple, Inc. and NeXT Software, Inc. ("Apple") and Defendants Motorola Solutions, Inc. and Motorola Mobility, Inc. ("Motorola"), by their undersigned attorneys, respectfully request that this Court modify the upcoming deadlines for responding and replying to the summary judgment motion papers filed on November 4, 2011. Currently, the deadline for responding to briefs and proposed findings of fact is November 25, 2011, and the deadline for replying to briefs and proposed findings of fact is December 5, 2011. The parties respectfully request that the deadline for responses be moved to **December 2, 2011**, and the deadline for replies be moved to **December 20, 2011**.

The parties jointly seek an extension in the briefing schedule for the summary judgment motions for the following reasons:

1. On November 4, 2011, the parties served their cross motions for summary judgment. (Dkt. Nos. 208-48.) Apple's supporting summary judgment memorandum exceeds

200 pages and includes more than 100 supporting exhibits. (*Id.*) Motorola's supporting memorandum exceeds 160 pages and also includes a similar number of exhibits. (*Id.*) As this Court is aware, Apple is asserting thirteen patents and Motorola is asserting five patents, concerning complex and distinct subject matter. Given the complexity of the subject matter and the breadth of the arguments presented, the parties believe additional time would assist the parties in preparing proper responsive and reply briefs to best assist the Court in resolving these motions.

2. The summary judgment motions provide the best opportunity to pare the case, to the extent appropriate, before trial. Given the number of patents at issue and the voluminous summary judgment filings, the parties and the Court should have ample time to dedicate to these filings.

Accordingly, Apple and Motorola jointly and respectfully request that this Court grant the extension to the summary judgment briefing schedule set forth above.

Dated: November 22, 2011

Respectfully submitted,

APPLE, INC.
NeXT SOFTWARE, INC.

MOTOROLA MOBILITY, INC.
MOTOROLA SOLUTIONS, INC.

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