

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

)	
TRADING TECHNOLOGIES)	Case No. 10 C 715
INTERNATIONAL, INC.)	(Consolidated with:
)	10 C 716, 10 C 718, 10 C 720,
Plaintiff,)	10 C 721, 10 C 726, 10 C 882,
)	10 C 883, 10 C 884, 10 C 885,
v.)	10 C 929, 10 C 931)
)	
BGC PARTNERS, INC.)	Judge Virginia M. Kendall
)	
Defendant.)	
)	

**POSITION STATEMENT OF THE SUNGARD DEFENDANTS
CONCERNING TD AMERITRADE’S MOTION FOR A STAY**

The TD Ameritrade Defendants (collectively, “TD Ameritrade”) have recently filed a motion to stay in view of the petitions TD Ameritrade filed for Covered Business Method (“CBM”) Review with the U.S. Patent and Trademark Office on a number of patents at issue in this litigation. Without addressing the substantive arguments made in TD Ameritrade’s CBM petitions, Defendants SunGard Data Systems, Inc., SunGard Investment Ventures LLC, GL Trade Americas, Inc. and FuturePath Trading, LLC (collectively, the “SunGard Defendants”) hereby notify the Court that the SunGard Defendants raise no objection to TD Ameritrade’s request for a stay.

Further, counsel for Plaintiff, Trading Technologies International, Inc. (“TTI”), has recently inquired of Defendants whether they would agree to be “estopped” from raising, in this litigation, issues raised by TD Ameritrade in its CBM petitions and decided by the PTO in any of its possible rulings on those petitions. To be clear, the SunGard Defendants do **not** consent to be bound in any way by rulings on the CBM petitions filed by TD Ameritrade.

Date: May 29, 2014

**ATTORNEYS FOR DEFENDANTS,
GL Trade Americas, Inc., SunGard Data Systems
Inc., SunGard Investment Ventures LLC, and
FuturePath Trading LLC**

By: s/ Philippe Bennett
Philippe Bennett
Walter Scott
Aoife E. Butler
ALSTON & BIRD LLP
90 Park Avenue
New York, New York 10016
Tel: (212) 210-9400
Fax: (212) 210-9444

Lora A. Moffatt
CROWELL & MORING LLP
590 Madison Avenue, 20th Floor
New York, New York 10022
Tel: (212) 895-4226
Fax: (212) 632-5555

Anthony B. Ullman
DENTONS US LLP
1221 Avenue of the Americas
New York, NY 10020
Tel: (212) 632-8342

Brian W. Norkett
BULLARO & CARTON PC
200 North LaSalle Street, Suite 2420
Chicago, Illinois 60601
Tel: (312) 831-1000
Fax: (312) 831-0647

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2014, I electronically filed the foregoing **POSITION STATEMENT OF THE SUNGARD DEFENDANTS CONCERNING TD AMERITRADE'S MOTION FOR A STAY** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons at the given e-mail addresses:

Counsel for CQG, et al. (Case No. 10-CV-0718):

Kara Cenar
Bryan Cave LLP
161 N. Clark Street, Suite 4300
Chicago, IL 60601-3315
kara.cenar@bryancave.com

Adam G. Kelly
Loeb & Loeb LLP
321 N. Clark Street, Suite 2300
Chicago, IL 60654
akelly@loeb.com

Counsel for TradeStation, et al. (Case No. 10-CV-884):

David J Healey
Fish & Richardson P.C.
One Houston Center
1221 McKinney, Suite 2800
Houston, TX 77010
healey@fr.com

George Summerfield
Stadheim & Gear
Wrigley Tower - 22nd Floor
400 North Michigan Avenue
Chicago, Illinois 60611
summerfield@stadheimgear.com

Counsel for Open E Cry, et al. (Case No. 10-CV-885):

Daniel D. Rubinstein
Greenberg Traurig, LLP
77 W. Wacker Drive
Suite 3100
Chicago, IL 60601
rubinsteindd@gtlaw.com

Counsel for Interactive Brokers, et al. (10-CV-721):

Michael Levin
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
mlevin@wsgr.com

Steven P. Mandell
333 W. Wacker Drive, Suite 300
Chicago, IL 60606
smandell@mandellmenkes.com

Counsel for TD Ameritrade, et al. (Case No.10-CV-883):

Michael Levin
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
mlevin@wsgr.com

Steven P. Mandell
333 W. Wacker Drive, Suite 300
Chicago, IL 60606
smandell@mandellmenkes.com

Counsel for Trading Technologies Int'l.

Leif R. Sigmond, Jr. (ID No. 6204980)
(sigmond@mbhb.com)
Matthew J. Sampson (ID No. 6207606)
(sampson@mbhb.com)
Michael D. Gannon (ID No. 6206940)
(gannon@mbhb.com)
S. Richard Carden (ID No. 6269504)
(carden@mbhb.com)

James J. Lukas , Jr
Greenberg Traurig, LLP
77 West Wacker Drive
Suite 3100
Chicago, IL 60601
lukasj@gtlaw.com

Douglas Weider
Greenberg Traurig Llp
200 Park Avenue
Florham Park, NJ 07932
weiderd@gtlaw.com

Jennifer M. Kurcz (ID No. 6279893)
(kurcz@mbhb.com)
Andrea K. Orth (ID No. 6301900)
(orth@mbhb.com)
McDonnell Boehnen Hulbert
& Berghoff LLP
300 South Wacker Drive
Chicago, Illinois 60606
Tel.: (312) 913-0001
Fax: (312) 913-0002

Steven F. Borsand (ID No. 6206597)
(Steve.Borsand@tradingtechnologies.com)
Trading Technologies International, Inc.
222 South Riverside
Suite 1100
Chicago, IL 60606
Tel: (312) 476-1000
Fax: (312) 476-1182

By: s/ Philippe Bennett

ALSTON & BIRD LLP

90 Park Avenue
New York, NY 10016
Tel: 212-210-9400
Fax: 212-210-9444