

SMART EXHIBIT 1011

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAMES B. GOODMAN,

Plaintiff,

vs.

SMART MODULAR TECHNOLOGIES INC.

Defendant.

Civil Action No. 4:14-CV-01380 GHM

**Before U.S. District Court Judge
GRAY H. MILLER**

JURY TRIAL DEMANDED

**UNOPPOSED MOTION TO POSTPONE THE CONFERENCE DEADLINE
OF AUGUST 27, 2014**

Defendant respectfully submits this Unopposed Motion to Postpone the Conference Deadline from August 27, 2014, to September 24, 2014, or sometime soon thereafter. The Conference Deadline was set by the Order dated May 19, 2014.

The Defendant was properly served on August 7, 2014. The Parties have agreed that Defendant has until September 18, 2014, to answer or otherwise respond.

Postponing the Conference will give the Defendant an opportunity to study the facts and legal issues and answer or otherwise respond prior to the Conference.

The Defendant seeks this postponement for good cause so that justice can be served, and not for delay.

Respectfully submitted,

/s/ Michael S. McCoy

Michael S. McCoy
Admission No. 24498
TX State Bar No. 24013129
King & Spalding
1100 Louisiana, Suite 4000
Houston, TX 77002
Tel: 713-751-3218
Fax: 713-751-3290
mikemccoy@kslaw.com

Michael F. Heafey
King & Spalding
601 South California Avenue # 100
Palo Alto, CA 94304
mheafey@kslaw.com
Attorney in Charge

CERTIFICATE OF CONFERENCE

On or about August 15, 2014, I conferred with David Fink, counsel for Plaintiff, and was informed that Plaintiff is unopposed to this Motion to Postpone the Conference Deadline from August 27, 2014, to September 24, 2014, or sometime soon thereafter.

/s/ Michael S. McCoy

Michael S. McCoy

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been sent by prepaid First Class U.S. Mail on August 15, 2014, and by email to the Plaintiff's attorney at:

David Fink
Fink & Johnson
7519 Apache Plume
Houston, TX 77071
Admission No. 299869
Tel. 713 729-4991
Fax: 713 729-4951
Email: texascowboy6@gmail.com
Attorney in Charge for the Plaintiff

/s/Michael S. McCoy

Michael S. McCoy