# UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

B.E. TECHNOLOGY, LLC,	) )
Plaintiff,	)
<b>v.</b>	Civil Action No. 2:12-cv-02772-JPM-tmp
LINKEDIN CORPORATION	) JURY DEMAND
Defendant.	) ) )

# DEFENDANT LINKEDIN CORPORATION'S MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF ITS MOTION TO TRANSFER VENUE (WITH CERTIFICATE OF CONSULTATION)

Defendant LinkedIn Corporation respectfully moves this Court to stay all proceedings in this case, including proceedings called for in the Local Patent Rules, pending resolution of LinkedIn Corporation's motion to transfer this case to the Northern District of California, pursuant to 28 U.S.C. § 1404(a). The facts and legal authorities supporting this relief are set forth in the accompanying memorandum. As set forth in the Certificate of Consultation below, plaintiff has advised that while it cannot consent to this motion, it "will not actively oppose" it.

Respectfully submitted,

s/Glen G. Reid, Jr.

Glen G. Reid, Jr. (#8184)

WYATT, TARRANT & COMBS, LLP

1715 Aaron Brenner Dr., Suite 800

Memphis, TN 38120-4367 Phone: 901.537.1000

Facsimile: 901.537.1010 greid@wyattfirm.com

s/Mark Vorder-Bruegge, Jr.

Mark Vorder-Bruegge, Jr. (#06389)

WYATT, TARRANT & COMBS, LLP

1715 Aaron Brenner Dr., Suite 800

Memphis, TN 38120-4367



Phone: 901.537.1000 Facsimile: 901.537.1010

mvorder-bruegge@wyattfirm.com

#### -and-

J. David Hadden Darren F. Donnelly Saina S. Shamilov Ryan J. Marton Clifford Webb Justin G. Hulse FENWICK & WEST LLP 801 California Street, 6th Floor Mountain View, CA 94041 Phone: 650.988-8500 Facsimile: 650.938.5200 dhadden@fenwick.com ddonnelly@fenwick.com sshamilov@fenwick.com rmarton@fenwick.com cwebb@fenwick.com jhulse@fenwick.com

Attorneys for Defendant LINKEDIN CORP.

### CERTIFICATE OF CONSULTATION

The undersigned attorney hereby certifies that prior to the filing of the foregoing motion, substantive consultation was held between the undersigned and Richard Carter, counsel for plaintiff B.E. Technology, over multiple days culminating in a telephone discussion on February 7, 2013. At that time, B.E. Technology indicated that it would continue to oppose stay motions of the foregoing type in this and related cases. On the next afternoon, the Court granted several virtually identical motions for stay in related cases, and the undersigned re-contacted Mr. Carter to determine whether plaintiff would reconsider. At 3:16 p.m. on this date, February 11, Mr.



Carter advised that in light of the Court's rulings on the other stay motions, plaintiff cannot consent to but "will not actively oppose" this stay motion.

s/Mark Vorder-Bruegge, Jr.
Mark Vorder-Bruegge, Jr.

## **CERTIFICATE OF SERVICE**

The foregoing document was filed under the Court's CM/ECF system, automatically effecting service on counsel of record for all other parties who have appeared in this action on the date of such service.

s/Mark Vorder-Bruegge, Jr.
Mark Vorder-Bruegge, Jr.

60323896.1

