

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

B.E. TECHNOLOGY, L.L.C.,

Plaintiff,

v.

GROUPON, INC.,

Defendant.

Civil Action No. 2:12-cv-02781-JPM-cgc

Hon. Jon Phipps McCalla

**JOINT MOTION (INCLUDING MEMORANDUM) OF PLAINTIFF B.E.
TECHNOLOGY, LLC and DEFENDANT GROUPON, INC.
TO MODIFY CERTAIN LOCAL PATENT RULES DEADLINES
AND RESTORE UNIFORMITY TO RELATED CASE SCHEDULES
(WITH CERTIFICATE OF CONSULTATION)**

Plaintiff B.E. Technology, LLC (“plaintiff”) and defendant Groupon, Inc. (“defendant”) jointly move the Court to enter the accompanying proposed Order, modifying the deadlines for multiple events under the Local Patent Rules (LPR’s) in this action.

The proposed Order is the same as submitted by plaintiff and defendant Google Inc. with their similar joint motion recently filed on June 19, 2013, as ECF No. 47 in the action *B.E. Technology, LLC v. Google Inc.*, Case Number 2:12-cv-02830-JPM-tmp in this Court (the “Google Action Motion”). Plaintiff and the defendant in this instant action respectfully incorporate by reference and adopt the points and legal authorities cited in the Google Action Motion in support of the same relief herein. The parties also note that since the filing of the Google Action Motion, the Court has entered Orders on venue transfer motions in several more of the Related Actions, including this action (ECF No. 40).

In addition, pursuant to the Court's June 21, 2013 Order, the parties have been discussing additional scheduling matters (among all parties involved in the *B.E. Technology* suits in W.D. Tenn.; see **Attachment A**) in anticipation of the Case Management Conference on July 26, 2013, and therefore the dates agreed to in the accompanying Order may be adjusted slightly pending the outcome of those discussions and any rulings on scheduling entered by the Court on July 26th.¹

CERTIFICATE OF CONSULTATION

The foregoing motion is presented by plaintiff and defendant jointly, based on successful consultation compliant with the Court's Local Rule 7.2.

Dated: July 17, 2013.

Respectfully submitted,

/s/ Richard M. Carter
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¹ For example, the parties anticipate filing a Joint Submission prior to the July 26th Case Management Conference, wherein such Submission would include deadlines for Initial Disclosures and certain other deadlines that would flow from the Patent Scheduling Conference and/or that are based on the Local Patent Rules.

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CERTIFICATE OF SERVICE

The foregoing document has been filed using the Court's CM/ECF system, thereby automatically effecting electronic mail service upon all parties through their counsel of record.

s/ Richard M. Carter
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