

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

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

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 2:12-cv-02831-JPM-tmp

**DEFENDANT APPLE INC.'S
MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF ITS
MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a)**

Defendant Apple Inc. (“Apple”) respectfully moves this Court to stay all proceedings in this case, including disclosure and discovery pursuant to the Local Patent Rules, pending resolution of Apple’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.

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

Telephone: (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

Telephone: (901) 537-1000

Facsimile: (901) 537-1010
mvorder-bruegge@wyattfirm.com

Clay C. James
Srecko "Lucky" Vidmar
C. Matthew Rozier
HOGAN LOVELLS US LLP
One Tabor Center, Suite 1500
1200 Seventeenth Street
Denver, CO 80202
Telephone: (303) 899-7300
Facsimile: (303) 899-7333
clay.james@hoganlovells.com
lucky.vidmar@hoganlovells.com
matt.rozier@hoganlovells.com

Counsel for Defendant APPLE INC.

CERTIFICATE OF CONSULTATION

I, Clay James, attorney for defendant, certify that I attempted to confer with plaintiff's counsel Robert Freitas and Richard Carter by email on February 8, 2013 regarding the filing of the foregoing motion, shortly after the Court granted similar motions in three related cases. Plaintiff's counsel did not respond to that inquiry. Prior to that time, defendant's local counsel, Mark Vorder-Bruegge, conferred with Mr. Carter on multiple occasions culminating on February 7, 2013, when Mr. Carter advised that plaintiff would not agree to the requested relief.

s/Clay James

Clay James

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.

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