

MOTOROLA MOBILITY
HOLDINGS LLC,

Defendant.

RESPONSE OF B.E. TECHNOLOGY, L.L.C. TO MOTION OF
MOTOROLA MOBILITY HOLDINGS, LLC TO FILE REPLY SUPPORTING
DEFENDANT'S MOTION TO TRANSFER (D.E. 28)

Comes now B.E. Technology, L.L.C. ("B.E. Technology") and responds to the Motion Of Motorola Mobility Holdings LLC To File Reply Supporting Defendant's Motion To Transfer (D.E. 28) as follows:

1. Pursuant to Local Rule 7.2, Motorola Mobility Holdings LLC ("Motorola") asked B.E. Technology if it would oppose a motion to file a reply brief and to extend the page limit for reply briefs from five to ten pages.

2. B.E. Technology responded with the attached email (EXHIBIT A) that it did not oppose the filling of a reply brief up to ten pages in length if Motorola would agree not to introduce new evidentiary matter and not to present for the first time arguments that reasonably could have been anticipated before Motorola filed its original motion and memorandum.

Motorola responded that it could not agree that no new evidentiary matter would be offered with its reply.

Technology has responded to arguments and evidence relied upon by Motorola will unduly prolong proceedings on this motion and disadvantage B.E. Technology, which is confronted with arguments but no opportunity to respond. Using a reply brief to introduce new arguments and evidence will lead to unnecessary and unproductive serial motion practice.

Accordingly, B.E. Technology does not oppose the motion unless Motorola intends to offer new arguments or evidentiary matter in its reply.

Respectfully submitted,

s/ Richard M. Carter

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Attorneys for B. E. Technology, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2013, a true and correct copy of the foregoing document was electronically filed with the United States District Court for the Western District of Tennessee, and was served on all counsel by the Court's electronic filing notification or via email.

s/ Richard M. Carter

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