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

B.E. TECHNOLOGY, L.L.C.,	
Plaintiff,	
v. )	Civil Action No. 2:12-cv-02866-JPM-tmp
MOTOROLA MOBILITY HOLDINGS LLC,	
Defendant.	

### JOINT MOTION (INCLUDING MEMORANDUM) OF PLAINTIFF B.E. TECHNOLOGY, LLC and DEFENDANT MOTOROLA MOBILITY HOLDINGS LLC 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 Motorola Mobility Holdings LLC ("defendant") jointly move the Court to enter the accompanying proposed Order, modifying the deadlines for four 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 movants 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. 44).

#### 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.

DOCKE<sup>-</sup>

Respectfully submitted,

s/Richard M. Carter (per consent MVB) Richard M. Carter (TN B.P.R. #7285) Adam C. Simpson (TN B.P.R. #24705) MARTIN, TATE, MORROW & MARSTON, P.C. 6401 Poplar Avenue, Suite 1000 Memphis, TN 38119-4839 Telephone: (901) 522-9000 Facsimile: (901) 527-3746 rcarter@martintate.com asimpson@martintate.com

Robert E. Freitas (CA Bar No. 80948) Craig R. Kaufman (CA Bar No. 159458) Daniel J. Weinberg (CA Bar No. 227159) Qudus B. Olaniran (CA Bar No. 267838) FREITAS TSENG & KAUFMAN LLP 100 Marine Parkway, Suite 200 Redwood Shores, CA 94065 Telephone: (650) 593-6300 Facsimile: (650) 593-6301 rfreitas@ftklaw.com ckaufman@ftklaw.com dweinberg@ftklaw.com s/Glen G. Reid, Jr.

Glen G. Reid, Jr. (#8184) WYATT, TARRANT & COMBS, LLP 1715 Aaron Brenner Drive, Suite 800 Memphis, TN 38120-4367 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 Drive, Suite 800 Memphis, TN 38120-4367 Telephone: 901.537.1000 Facsimile: 901.537.1010 mvorder-bruegge@wyattfirm.com

A. John P. Mancini MAYER BROWN LLP 1675 Broadway New York, NY 10019-5820 Telephone: (212) 506-2500 jmancini@mayerbrown.com

Brian A. Rosenthal Ann Marie Duffy MAYER BROWN LLP 1999 K Street, NW Washington, DC 20006 Telephone: (202) 263-3000 brosenthal@mayerbrown.com aduffy@mayerbrown.com

#### 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.

DOCKE

<u>s/Mark Vorder-Bruegge, Jr.</u> Mark Vorder-Bruegge, Jr. Attorney for Defendant

## ATTACHMENT TO JOINT MOTION (INCLUDING MEMORANDUM) OF PLAINTIFF B.E. TECHNOLOGY, LLC and DEFENDANT MOTOROLA MOBILITY HOLDINGS LLC TO AMEND CERTAIN LOCAL PATENT RULE DEADLINES AND RESTORE UNIFORMITY TO RELATED CASE SCHEDULES

#### U.S. Patent Names:

DOCKE

RM

U.S. Patent No. 6,141,010, "Computer Interface Method and Apparatus with Targeted Advertising"

U.S. Patent No. 6,628,314, "Computer Interface Method and Apparatus with Targeted Advertising"

U.S. Patent No. 6,771,290, "Computer Interface Method and Apparatus with Portable Network Organization System and Targeted Advertising"

Docket No.	Defendant Name	Filing Date	Patent(s) Asserted	Patent Scheduling Conference Notice ECF No.	Stay Entered
2:12-cv-02767	Amazon	09/07/12	6,771,290 6,141,010	39	02/12/13
2:12-cv-02769 2:12-cv-02772	Facebook, Inc. LinkedIn	09/07/12 09/07/12	6,628,314 6,628,314	31 28	02/08/13 02/12/13
2:12-cv-02781	Corporation Groupon, Inc.	09/10/12	6,628,314	22	02/11/13
2:12-cv-02781 2:12-cv-02782	Pandora Media, Inc.	09/10/12	6,628,314	24 and 25	02/08/13
2:12-cv-02782 2:12-cv-02783	Twitter, Inc.	09/10/12	6,628,314	24 and 25 27	02/08/13
2:12-cv-02783	Barnes & Noble,	09/10/12	6,771,290	29	02/11/13
2.12-00-02825	Inc.	09/21/12	0,771,290	29	02/14/13
2:12-cv-02824	Samsung Telecommunications America, LLC	09/21/12	6,771,290	24	02/08/13
2:12-cv-02825	Samsung Electronics America, Inc.	09/21/12	6,771,290	28	02/08/13
2:12-cv-02826	Sony Computer Entertainment America LLC	09/21/12	6,771,290	22	02/11/13
2:12-cv-02827	Sony Mobile Communications (USA) Inc.	09/21/12	6,771,290	26	02/11/13
2:12-cv-02828	Sony Electronics Inc.	09/21/12	6,771,290	21	02/11/13
2:12-cv-02829	Microsoft Corporation	09/21/12	6,628,314 6,771,290	29	02/11/13
2:12-cv-02830	Google Inc.	09/21/12	6,628,314 6,771,290	30	02/11/13

Find authenticated court documents without watermarks at docketalarm.com.

# Case 2:12-cv-02866-JPM-tmp Document 47 Filed 06/26/13 Page 5 of 5 PageID 418

2:12-cv-02831	Apple Inc.	09/22/12	6,628,314 6,771,290	31	02/11/13
2:12-cv-02832	Spark Networks, Inc.	09/22/12	6,628,314	27	02/14/13
2:12-cv-02833	People Media, Inc.	09/22/12	6,628,314	25	02/12/13
2:12-cv-02834	Match.com L.L.C.	09/22/12	6,628,314	22	02/12/13
2:12-cv-02866	Motorola Mobility	10/02/12	6,771,290	27	02/11/13
	Holdings LLC				

60407582.1