

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

|   |   |                          |
|---|---|--------------------------|
| WI-LAN, INC.,                               | ) |                          |
|   | ) |                          |
| v.  | ) | Case No. 2:07-CV-473     |
|   | ) |                          |
| ACER, INC., <i>et al.</i> ;                 | ) |                          |
|   | ) | <b>CONSOLIDATED WITH</b> |
|   | ) |                          |
| WI-LAN, INC.,                               | ) |                          |
|   | ) | Case No. 2:07-CV-474     |
| v.  | ) |                          |
|   | ) | Hon. T. John Ward        |
| WESTELL TECHNOLOGIES, INC., <i>et al.</i> ; | ) |                          |
|   | ) | JURY TRIAL               |
|   | ) |                          |

**JOINT MOTION TO AMEND  
DOCKET CONTROL ORDER**

Plaintiff and Defendants (the "Parties") jointly move to amend the Docket Control Order and the Court's November 5, 2009 Claim Construction Order. Specifically, the Parties request that the Court extend the following deadlines:

- (1) The Parties request that the deadline to comply with Patent Rule 4-3 be extended from January 8, 2010 to January 11, 2010.
- (2) The Parties have agreed that expert declarations may be served and filed contemporaneously with the respective Patent Rule 4-5 claim construction briefs. The Parties further agree that Plaintiff will make its expert(s) available for deposition in the period from February 8, 2010 through February 10, 2010 and that Defendants will make their expert(s) available for deposition in the period from February 18, 2010 through February 19, 2010, and February 22, 2010.
- (3) The Parties request that the deadline to comply with Patent Rule 4-5(b) be extended from February 10, 2010 to February 16, 2010.
- (4) The Parties request that the deadline to comply with Patent Rule 4-5(c) be extended from February 19, 2010 to February 25, 2010.

A proposed Order granting this motion is attached for the Court's convenience.

Dated: January 8, 2010

Respectfully submitted,

/s/ Sam Baxter

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**ATTORNEYS FOR DEFENDANT INTEL  
CORPORATION AND ON BEHALF OF  
DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Sam Baxter  
Sam Baxter

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|   | ) |                          |

**Order**

The Court having considered Plaintiff and Defendants Joint Motion to Amend the Docket Control Order, finds that this motion should be GRANTED.

**IT IS THEREFORE ORDERED THAT:**

- (1) The Parties will comply with Patent Rule 4-3 and the date is extended from January 8, 2010 to January 11, 2010.
- (2) The Parties may serve and file expert declarations contemporaneously with the respective Patent Rule 4-5 claim construction briefs. Plaintiff will make its expert(s) available for deposition in the period from February 8, 2010 through February 10, 2010 and Defendants will make their expert(s) available for deposition in the period from February 18, 2010 through February 19, 2010, and February 22, 2010.
- (3) The Parties will comply with Patent Rule 4-5(b) and the date is extended from February 10, 2010 to February 16, 2010;
- (4) The Parties will comply with Patent Rule 4-5(c) and the date is extended from February 19, 2010 to February 25, 2010.