

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

JUL 22 2009

DAVID J. MALAND, CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
STANDING ORDER FOR ACTIONS ASSIGNED  
TO JUDGE DAVID FOLSOM

BY  
DEPUTY

**Submission of Letter Briefs**

For certain purposes, this Court requires parties to submit letter briefs to the Court. Where the Court has required submission of a letter brief, the filing procedure is as follows. The letter brief should be addressed to the undersigned and submitted to chambers on paper by post or courier. The letter brief should also be filed electronically by attaching the letter brief as an Exhibit to a Notice of Compliance referencing the order that directed the submission of the letter brief. Said Notice must comply with all applicable local rules. Attached hereto is an exemplar of a Notice of Compliance. All letter briefs, unless specifically directed otherwise by a case-specific order, are to be submitted without attachments.

**IT IS SO ORDERED.**

**SIGNED** this 22nd day of July, 2009.



DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

P., INC.,

Plaintiff,

v.

D. CORPORATION, et al.,

Defendants.

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CIVIL ACTION NO. 2:07-CV-999

**NOTICE OF COMPLIANCE WITH COURT'S  
MOTION PRACTICE ORDER**

In compliance with the Court's Motion Practice Order (Dkt. No. 20), D. Corporation files this Notice of its letter to the Court requesting permission to file a motion for summary judgment that no asserted claim of U.S. Patent No. 1,234,567 is infringed by the accused device. A copy of the letter is attached as Exhibit 1.

Respectfully Submitted,

Dated: 20 July 2009

By: /s/ Charles B. Attorney  
Charles B. Attorney (admitted *pro hac vice*)  
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*Attorney for Defendant D. Corporation*

EXEMPLAR

CERTIFICATE OF SERVICE

The undersigned certifies that on the 20th day of July, 2009, the foregoing pleading was electronically filed with the Court. Pursuant to Local Rule CV-5, this constitutes service on the following counsel:

James K. Lawyer  
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By: /s/ Charles B. Attorney  
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# **EXHIBIT 1**

EXEMPLAR

**DEFENSE FIRM, LLP**

**Charles B. Attorney**

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July 20, 2009

The Honorable David Folsom  
U.S. District Court for the Eastern District of Texas  
500 N. State Line Ave., 3rd Floor  
P.O. Box 2090  
Texarkana, TX 75504

Re: *P., Inc. v. D. Corp.*, Civil Action No. 2:07-CV-999

Dear Judge Folsom:

Defendant D. Corp. respectfully requests permission to file a motion for summary judgment of non-infringement of any asserted patent in the above-captioned patent infringement case.

D. Corp. is entitled to summary judgment for the following reasons . . . { }

For the foregoing reasons, D. Corp. respectfully requests permission to file a motion for summary judgment of non-infringement.

Respectfully submitted,

{ signature }

Charles B. Attorney

cc: all counsel of record (by ECF)

EXEMPLAR

Defense Firm, LLP, 100 N. Legal St., Anywhere, Texas 00000