



Please respond to: Capitol Square Office
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November 10, 2015

Via ECF and Facsimile (903-938-7819)

Honorable Roy Payne
Magistrate Judge
Sam B. Hall, Jr. Federal Building and
United States Courthouse
100 East Houston Street
Marshall, TX 75670

RE: *Eclipse IP, LLC v. Marten Transport, Ltd., et al.*
Eastern District of Texas Case Nos.: 2:15-CV-353 and 2:15-CV-527

Dear Magistrate Judge Payne:

I am writing on behalf of my client, Marten Transport, Ltd., in the cases of Eclipse IP, LLC v. Marten Transport, Ltd., No. 2:15-CV-527 and Eclipse IP, LLC v. Alfa Vitamin Laboratories, et al., No. 2:15-CV-353. Marten Transport filed a Motion to Change Venue in Case No. 2:15-CV-527 134 days ago on June 29, 2015. Plaintiff Eclipse IP, LLC filed its Response to Marten Transport's Motion to Transfer Venue on July 16, 2015 and Marten Transport filed its Reply on July 23, 2015, 110 days ago.

Marten Transport filed its first Motion to Dismiss in Case No. 2:15-CV-527 on June 29, 2015. After Eclipse IP filed an Amended Complaint, Marten Transport filed a new Motion to Dismiss Eclipse IP's Amended Complaint in consolidated Case No. 2:15-CV-353 on July 29, 2015, 104 days ago. Eclipse IP filed its Response on August 17, 2015, and Marten Transport filed its Reply on August 27, 2015, 75 days ago.

Marten Transport's Motion to Change Venue and Motion to Dismiss have not been set for hearing and we have not received any communication from the Court regarding consideration of the Motions. Marten Transport respectfully requests that the Court issue decisions on the Motion to Transfer Venue and Motion to Dismiss at the earliest possible date.

I have conferred with counsel for Eclipse IP regarding the subject matter of this letter. Counsel for Eclipse IP declined to join in Marten Transport's requests and stated that it actively opposed Marten's decision to send the letter.

Thank you for your consideration.

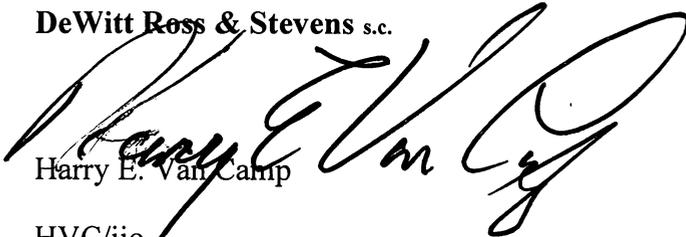
DeWitt

Ross & Stevens s.c. Law Firm

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Respectfully yours,

DeWitt Ross & Stevens s.c.



Harry E. Van Camp

HVC/jjo

- cc: Joseph T. Miotke (via ECF)
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