

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

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| LBS INNOVATIONS LLC, | § | |
| | § | |
| <i>Plaintiff,</i> | § | |
| | § | |
| v. | § | Civil Action No. 2:11-cv-00407-JRG |
| | § | |
| BP AMERICA, <i>et al.</i> , | § | Jury Trial Demanded |
| | § | |
| <i>Defendants.</i> | § | |
| | § | |

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|--|---|------------------------------------|
| LBS INNOVATIONS LLC, | § | |
| | § | |
| <i>Plaintiff,</i> | § | |
| | § | |
| v. | § | Civil Action No. 2:11-cv-00409-JRG |
| | § | |
| SALLY BEAUTY SUPPLY LLC, <i>et al.</i> , | § | Jury Trial Demanded |
| | § | |
| <i>Defendants.</i> | § | |
| | § | |

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|------------------------|---|------------------------------------|
| MICROSOFT CORPORATION, | § | |
| | § | |
| <i>Plaintiff,</i> | § | |
| | § | |
| v. | § | Civil Action No. 2:12-cv-00759-JRG |
| | § | |
| LBS INNOVATIONS LLC, | § | Jury Trial Demanded |
| | § | |
| <i>Defendant.</i> | § | |
| | § | |

**AGREED MOTION TO STAY DEADLINES AS TO CLAIMS
RELATED TO MICROSOFT AND CUSTOMERS OF MICROSOFT**

Plaintiff LBSI, Declaratory Judgment Plaintiff Microsoft, and Defendants American Express Company, Choice Hotels International, Inc., ConocoPhillips Company, Costco Wholesale Corporation, Hyatt Corporation, JPMorgan Chase & Co., KeyCorp, The Kroger Co., Sally Beauty Supply LLC, Starbucks Corporation, Target Corporation, U.S. Bancorp, and Wells

Fargo Bank, N.A. request a 25 day stay of all pending deadlines and motions due to pending settlement.

On November 21, 2013, Mediator Richard Grainger reported to the Court that LBSI has reached an agreement in principle with Microsoft, which will result in the dismissal with prejudice of all claims between LBSI and Microsoft and all claims between LBSI and customers of Microsoft to the extent that those customers have used or use maps provided to them by Microsoft. See Dkt No. 486. These parties are now in the process of exchanging and finalizing settlement papers.

Given the pending settlement, the parties request that the Court stay for 25 days all pending deadlines and motions as to the claims between LBSI and Microsoft and the claims between LBSI and customers of Microsoft to the extent that those customers have used or use maps provided to them by Microsoft. The Microsoft customers are American Express Company, Choice Hotels International, Inc., ConocoPhillips Company, Costco Wholesale Corporation, Hyatt Corporation, JPMorgan Chase & Co., KeyCorp, The Kroger Co., Sally Beauty Supply LLC, Starbucks Corporation, Target Corporation, U.S. Bancorp, and Wells Fargo Bank, N.A.

LBSI has asserted infringement against American Express Company with respect to maps provided by Microsoft and maps provided by a third party MapQuest/AOL. The pending settlement and this motion to stay affects only the claims between LBSI and American Express Company that relate to accused instrumentalities that utilize maps provided by Microsoft and do not affect the claims related to maps provided by MapQuest/AOL.

The Parties respectfully request that the Court grant this motion to stay.

Dated: November 25, 2013

Respectfully submitted,

BUETHER JOE & CARPENTER, LLC

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Choice Hotels International, Inc., Costco Wholesale Corporation, KeyCorp, Sally Beauty Supply LLC, Starbucks Corporation, Target Corporation, The Kroger Co., U.S. Bancorp, and Wells Fargo Bank, N.A. and Declaratory Judgment Plaintiff Microsoft Corporation

/s/ William Cornelius

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American Express Company, ConocoPhillips Company, Hyatt Corporation, and JPMorgan Chase & Co.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all 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) on this 25th day of November, 2013. Any other counsel of record will be served by facsimile transmission.

/s/ Christopher M. Joe

Christopher M. Joe

CERTIFICATE OF CONFERENCE

The undersigned certifies that all parties have met and conferred regarding the relief sought in the motion on November 21, 2013, and that Defendants' counsel have indicated that they have agreed to the relief sought herein.

/s/ Christopher M. Joe

Christopher M. Joe