

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**IN RE KYOCERA COMMUNICATIONS, INC.
and KYOCERA WIRELESS CORP.,**
Petitioners.

Miscellaneous Docket No. 950

On Petition for Writ of Mandamus to the United States
District Court for the Eastern District of Texas in case no.
09-CV-0203, Magistrate Judge John D. Love.

ON PETITION FOR WRIT OF MANDAMUS

O R D E R

Kyocera Communications, Inc. et al. (Kyocera) submit a petition for a writ of mandamus to direct the United States District Court for the Eastern District of Texas to (1) vacate its orders denying Kyocera's motions to sever claims and to transfer venue, and (2) direct the Texas district court to transfer the case to the United States District Court for the Southern District of California.

Upon consideration thereof,

IT IS ORDERED THAT:

Fractus, S.A. is directed to respond no later than August 2, 2010.

FOR THE COURT

JUL 16 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: David C. Doyle, Esq.

Max L. Tribble, Jr., Esq.

Clerk, United States District Court for the Eastern
District Of Texas

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

JUL 16 2010

JAN HORBALY
CLERK