

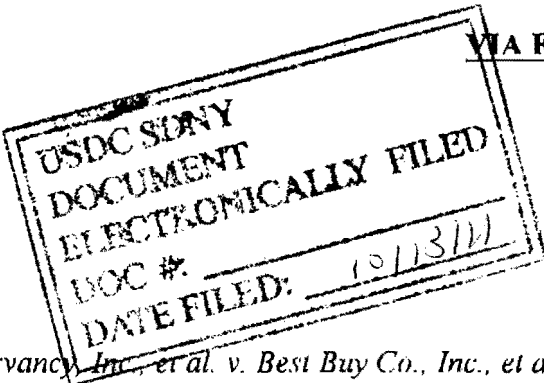
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October 12, 2011



VIA FACSIMILE

Honorable Shira A. Scheindlin
United States District Court Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1620
New York, New York 10007

Re: *Software Freedom Conservancy, Inc. et al. v. Best Buy Co., Inc., et al.*,
09-cv-10155 (SAS)

Dear Judge Scheindlin:

We represent ZyXEL Communications, Inc. ("ZyXEL") in the above-referenced matter, and we write on behalf of ZyXEL and Plaintiffs Software Freedom Conservancy, Inc. ("Conservancy") and Erik Anderson (collectively, the "Parties").

Since last appearing before your Honor on August 18, 2011, the Parties have entered into a signed binding term sheet to settle this matter. Currently, the Parties are drafting a definitive settlement agreement and anticipate this process to take no more than 30 days to complete. Upon entering into a signed settlement agreement, the Parties expect to file a joint notice of voluntary dismissal.

In order to facilitate the settlement process, the Parties respectfully ask your Honor to extend by 30 days the current deadlines¹ set forth at the August 18, 2011 Conference, relating to answering the amended complaint, and any motions (and related opposition and reply briefing) directed to the amended complaint, as follows:

Description	Current Deadline	Proposed Deadline
Deadline to file an Answer to the Amended Complaint, or to file a Motion directed to the Amended Complaint	10/14/2011	11/14/2011

¹ See 8/18/2011 Conference Transcript at 9:11 – 10:6.

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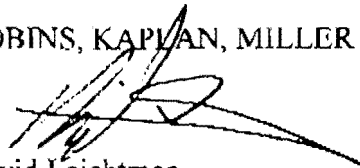
Description	Current Deadline	Proposed Deadline
Deadline to file an Opposition to the Motion directed to the Amended Complaint, if any.	11/11/2011	12/12/2011
Deadline to file a Reply to the Opposition to the Motion directed to the Amended Complaint, if any	11/30/2011	12/30/2011

Further, at this time, in light of the signed binding term sheet, the Parties do not anticipate the need to seek an extension of the remaining fact and expert discovery deadlines. However, to the extent the Parties are unable to come to an agreement, the Parties will meet-and-confer prior to submitting a joint proposal to modify the remaining discovery deadlines, if any.

For these reasons, the Parties respectfully request that your Honor grant the Parties' request for a 30-day extension consistent with the table provided above.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.




David Leichtman

- cc: Daniel B. Ravicher, Esq. (via email only)
- Andrew Kaver, Esq. (via email only)
- Brian S. Cohen, Esq. (via email only)
- Counsel of Record (via email only)

The parties' request is granted and the above deadlines are adjourned as set forth above. No further extensions will be granted.

So Ordered:


10/13/11