IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

SPH AMERICA, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Case No. 1:09-cv-00740-LMB-JFA**
	)	
ACER, INC., *et al.*,	)	
	)	
Defendants.	)	
	)	

DEFENDANT HEWLETT-PACKARD COMPANY'S MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a) TO THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Defendant Hewlett-Packard Company ("HP") by counsel, pursuant to 28 U.S.C. § 1404(a) respectfully moves the Court for an order transferring venue to the U.S. District Court for the Southern District of California. As discussed further in Defendant HP's brief in support of this motion, this case has no meaningful link to the Eastern District of Virginia, and the convenience of the parties and witnesses and the interests of justice favor transfer to the Southern District of California. Therefore, Defendant HP respectfully request that the Court grant this motion.

Defendant HP further respectfully requests oral argument on this motion to be set pursuant to Local Rule 7(E) on Friday, October 9, 2009 or at the convenience of the Court.

Respectfully submitted,

September 16, 2009
Date

/S/

Warren T. Allen II
Virginia Bar Number 72691
Attorney for Hewlett-Packard Company
Skadden, Arps, Slate, Meagher, & Flom, LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005-2111
(202) 371-7126
(202) 661-9121
wtallen@skadden.com

/S/

Daniel A. DeVito
Admitted Pro Hac Vice
Attorney for Hewlett-Packard Company
Skadden, Arps, Slate, Meagher, & Flom, LLP
4 Times Square
New York, NY 10036
(212) 735-3000
(212) 735-2000
Daniel.DeVito@Skadden.com

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2009, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing (NEF) to the following:

Kyongtaek Kevin Mun
Echelon Law Group PC
1919 Gallows Road
Suite 330
Vienna, VA 22182
703-496-5559
Fax: 703-579-0105
Email: kevin.mun@echelaw.com

Henry Irving Willett, III
Christian & Barton LLP
909 E Main St
Suite 1200
Richmond, VA 23219-3095
(804) 697-4100
Email: hwillett@cblaw.com

Nichole Buck Vanderslice
Christian & Barton LLP
909 E Main St
Suite 1200
Richmond, VA 23219-3095
804-697-4139
Fax: 804-697-6135
Email: nvanderslice@cblaw.com

Rowland Braxton Hill, IV
Christian & Barton LLP
909 E Main St
Suite 1200
Richmond, VA 23219-3095
804-697-4108
Fax: 804-697-6108
Email: bhill@cblaw.com

Preston Burton
Orrick Herrington & Sutcliffe LLP
Columbia Center
1152 15th St NW
Washington, DC 20005-1706
(202) 339-8456

Fax: (202) 339-8500
Email: pburton@orrick.com

Melanie Diana Coates
Wilmer Cutler Pickering Hale & Dorr LLP
1875 Pennsylvania Ave NW
Washington, DC 20006
202-663-6000
Fax: 202-663-6363
Email: melanie.coates@wilmerhale.com

Megan Starace Ben'Ary
LeClair Ryan PC (Alexandria)
225 Reinekers Lane
Suite 700
Alexandria, VA 22314
703-647-5933
Fax: 703-647-5983
Email: megan.benary@leclairryan.com

Benjamin Todd Hickman
Nixon Peabody LLP
401 9th St NW
Suite 900
Washington, DC 20004-2128
202-585-8000
Fax: 866-590-5720
Email: bhickman@nixonpeabody.com

Amanda Renee Johnson
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Ave NW
Washington, DC 20036
(202) 887-4000
Fax: (202) 887-4288
Email: arjohnson@akingump.com

Andrew Ryan Sommer
Howrey LLP (DC)
1299 Pennsylvania Ave NW
Washington, DC 20002
202-783-0800
Fax: 202-383-6610
Email: SommerA@Howrey.com

Craig Crandall Reilly
Law Office of Craig C. Reilly
111 Oronoco Street
Alexandria, VA 22314
703-549-5354
Fax: 703-549-2604
Email: craig.reilly@ccreillylaw.com

Ross Ritter Barton
Alston & Bird LLP (NC)
101 South Tryon Street
Suite 4000
Charlotte, NC 28280-4000
704-444-1287
Fax: 704-444-1677
Email: ross.barton@alston.com

Eric Christopher Rusnak
K & L Gates (DC)
1601 K St NW
Washington, DC 20006-1600
(202) 778-9000
Fax: (202) 778-9100
Email: eric.rusnak@klgates.com

David Evan Finkelson
McGuireWoods LLP
901 E Cary St
Richmond, VA 23219-4030
(804) 775-1157
Email: dfinkelson@mcguirewoods.com

Robert Michael Tyler
McGuireWoods LLP
901 E Cary St
Richmond, VA 23219-4030
804-775-1000
Fax: 804-775-1061
Email: rtyler@mcguirewoods.com

Eugene Andrew Burcher
Walsh Colucci Lubeley Emrich & Walsh PC
4310 Prince William Pkwy
Suite 300
Prince William, VA 22192
703-680-4664

Fax: 703-680-2161
Email: eaburcher@thelandlawyers.com

Brian Charles Riopelle
McGuireWoods LLP
901 E Cary St
Richmond, VA 23219-4030
(804) 775-1000
Email: briopelle@mcguirewoods.com

Dana Duane McDaniel
Spotts Fain PC
411 E Franklin St, Suite 600
PO Box 1555
Richmond, VA 23218-1555
(804) 697-2065
Fax: (804) 697-2165
Email: dmcdaniel@spottsfain.com

Michael J. Lockerby
Foley & Lardner LLP (DC)
3000 K St NW
Suite 500
Washington, DC 20007-5143
(202) 672-5300
Fax: (202) 672-5399
Email: mlockerby@foley.com

Dated: September 16, 2009

/S/

Warren T. Allen II
Virginia Bar Number 72691
Attorney for Hewlett Packard Co.
Skadden, Arps, Slate, Meagher, & Flom, LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005-2111
(202) 371-7126
(202) 661-9121
wtallen@skadden.com

_____/S/_____
Daniel A. DeVito
Admitted Pro Hac Vice
Attorney for Hewlett Packard Co.
Skadden, Arps, Slate, Meagher, & Flom, LLP
4 Times Square
New York, NY 10036
(212) 735-3000
(212) 735-2000
Daniel.DeVito@Skadden.com