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BANK OF AMERICA CORPORATION
and BANK OF AMERICA, N.A.

11 **UNITED STATES DISTRICT COURT**
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 NANTWORKS, LLC, a Delaware
limited liability company, and NANT
15 HOLDINGS IP, LLC, a Delaware
limited liability company,

16 Plaintiffs,

17 vs.

18 BANK OF AMERICA
19 CORPORATION, a Delaware
corporation, and BANK OF
20 AMERICA, N.A., a national banking
association,

21 Defendants.
22

Case No. 2:20-cv-07872-GW-PVC

**DEFENDANTS' NOTICE OF
MOTION AND MOTION FOR
PARTIAL SUMMARY JUDGMENT
OF NON-INFRINGEMENT OF THE
ASSERTED CLAIMS OF THE
ASSERTED PATENTS**

Date: June 6, 2024
Time: 8:30 am
Courtroom: 9D

Judge: Honorable George H. Wu

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1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that on June 6, 2024 at 8:30 a.m., or as soon thereafter
3 as the matter may be heard in Courtroom 9D, in the above-entitled Court, located at 350
4 West 1st Street, Los Angeles, CA, 90012, the Honorable George H. Wu presiding,
5 Defendants Bank of America Corporation and Bank of America, N.A. (together
6 “Defendants” or “Bank of America”)¹ hereby move this Court for partial summary
7 judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure of non-
8 infringement on Plaintiffs NantWorks, LLC and Nant Holdings IP, LLC’s (together,
9 “Plaintiffs” or “NantWorks”) of the Asserted Patents. This motion is made on the
10 grounds that there is no genuine issue of material fact that the Accused Product and
11 Defendants’ conduct infringe the Asserted Patents, and therefore, Defendants are
12 entitled to judgment as a matter of law on all Asserted Claims. This motion is based on
13 the Notice of Motion, the Memorandum of Points and Authorities and supporting
14 declarations, all pleadings, papers, and records filed in this action, and any further
15 evidence that the Court may wish to consider at the hearing on this Motion.

16 This motion is made following the conference of counsel pursuant to L.R. 7-3
17 which took place on May 1, 2024.

18 Dated: May 3, 2024

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/ Dustin J. Edwards

George C. Lombardi
E. Danielle T. Williams
Dustin J. Edwards

Attorneys for Defendants
BANK OF AMERICA CORPORATION and
BANK OF AMERICA, N.A.

26 _____
27 ¹ The reference to Defendants or Bank of America collectively are for ease of reference.
28 Bank of America Corporation is a holding company that provides no banking services
or products, other than through its subsidiaries, including Bank of America, N.A.