

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

E-NUMERATE SOLUTIONS, INC. and
E-NUMERATE, LLC,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

No. 19-859 C

Judge Ryan T. Holte

DEFENDANT'S UNOPPOSED MOTION TO DEFER PROPOSED SCHEDULING

Defendant respectfully requests the Court for permission to present the joint proposed schedule for resumption of the claim construction briefing on February 8, 2022. Pursuant to the Court's January 25, 2022, status conference, Plaintiffs shared a draft joint appendix listing potential terms in dispute with Defendant. The exchange led to meaningful discussions including how to present a party's alternative constructions, the grouping of relevant competing terms, and the reformulation of a shorter term within a lengthier term in order to present it to the Court in an instructive manner. The parties believe that further discussions and confirmation of the draft joint appendix will result in a more focused claim construction process. However, a scheduling conflict for lead counsel for Defendant also arose on January 25, 2021, as the Court in *Return Mail, Inc. v. U.S.*, requested supplemental briefing on a summary judgment motion. Defendant respectfully requests permission to present a proposed joint schedule (to be negotiated) for resumption of the claim construction briefing to the Court on February 8, 2022. Plaintiffs are not opposed to this Motion.

January 26, 2022

Respectfully submitted,

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Director

s/ Shahar Harel
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CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was sent by e-mail this 26th day of January 2022

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Date: January 26, 2022