



1313 North Market Street
P.O. Box 951
Wilmington, DE 19899-0951
302 984 6000
www.potteranderson.com

David E. Moore
Partner

Attorney at Law
dmoore@potteranderson.com
302 984-6147 Direct Phone
302 658-1192 Fax

October 30, 2018

VIA ELECTRONIC FILING

The Honorable Maryellen Noreika
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801

**Re: *Godo Kaisha IP Bridge 1 V. OmniVision Technologies, Inc.*
C.A. No. 16-290-MN**

Dear Judge Noreika:

Counsel for OmniVision were surprised to receive Plaintiff's Motion to Strike this morning, less than 24 hours prior to the Markman Hearing in this matter. In addition to its opposition on the merits and to certain factual representations in the motion, OmniVision disputes the procedural propriety of the motion. First, the motion and supporting papers contravene Your Honor's directive regarding motions to strike, specifically that "any motion to strike any pleading or other document shall be made pursuant to the discovery dispute procedure set forth in Paragraph 8(a)" of Your Honor's form patent scheduling order. Second, with regards to the timing of the motion and the meet and confer process, Plaintiff first mentioned its objection to the use of Dr. Yang's declaration as evidence during a call on October 18, 2018. When pressed for the bases of its objection, Plaintiff offered none. On the same day, OmniVision followed-up with the email (Ex. 1 hereto) requesting again that Plaintiff state the bases and support for its objection. Again, Plaintiff remained silent – at least for the 12 days that followed. What is clear is that the parties have yet to complete the required meet and confer discussion regarding Plaintiff's motion.

Given the foregoing procedural improprieties, as well as the tactical timing of the motion, OmniVision respectfully requests that Plaintiff be ordered to withdraw the motion. Alternatively, and to the extent the Court directs OmniVision to respond to the motion and brief as filed, counsel respectfully requests a response time in accordance with Local Rules, so that what little time is left before tomorrow's proceedings may be devoted to preparation.

Respectfully,

/s/ David E. Moore

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Enclosure

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)