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July 28, 2023

BY CM/ECF

The Honorable Jennifer L. Hall
United States District Court
District of Delaware
844 North King Street
Wilmington, DE 19801

Re: *Robocast, Inc. v. Netflix, Inc.*, C.A. No. 22-305-RGA-JLH

Dear Judge Hall:

Defendant Netflix, Inc. (“Netflix”) respectfully requests that the Court deny Plaintiff Robocast, Inc.’s (“Robocast”) Motion for Teleconference Regarding Discovery Matters (D.I. 91, the “Motion”) on the ground that the four issues Robocast raises in the Motion are not ripe. The parties first met and conferred on these issues at noon today, July 28, 2023. Robocast raised the four issues for the first time on Monday, July 24, 2023, and yesterday, July 27, 2023. Netflix indicated on the meet and confer that its client was on vacation this week and that it would get back to Robocast with its positions. None of Netflix’s positions on the meet and confer suggested that the parties were “unable to resolve [the] discovery matter[s],” a prerequisite to filing the Motion. Judge Hall’s Rule 16 Scheduling Order – Patent – Revised Apr. 25, 2022 ¶ 8(g). Thus, the parties are not at an impasse on any of these issues. Further, Robocast failed to share the Motion with Netflix prior to filing or indicate that the four issues would be brought to the Court today. Netflix will be prepared to address these issues in any manner the Court deems appropriate.

Respectfully,

/s/ Kelly E. Farnan

Kelly E. Farnan (#4395)

cc: All Counsel of Record (CM/ECF)

