

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 1:22-cv-22706-RNS

BELL NORTHERN RESEARCH, LLC,

Plaintiff

v.

JURY TRIAL DEMANDED

HMD AMERICA, INC.; HMD GLOBAL OY;
SHENZHEN CHINO-E COMMUNICATION
CO., LTD.; WINGTECH TECHNOLOGY
CO.; LTD.; WINGTECH INTERNATIONAL,
INC.; BEST BUY CO., INC.; BEST BUY
STORES L.P.; TARGET CORP.; WALMART
INC.,

Defendants.

JOINT INTERIM STATUS REPORT

Plaintiff Bell Northern Research LLC and Defendants HMD America, Inc., HMD Global Oy, Best Buy Co., Inc., Best Buy Stores L.P., Target Corp., Wingtech Technology Co., Ltd., Wingtech International, Inc. and Walmart Inc.'s (collectively, "Defendants") hereby submit this Joint Interim Status Report pursuant to the Court's Scheduling Order (D.I. 191) ("Scheduling Order") entered on June 21, 2023.

A. Have all defendants been served? If not, state the reasons:

All Defendants have been served.

B. Have all defendants responded to the complaint? If not, state the reasons.

Shenzhen Chino-E Communication Co. LTD. has not responded to the Complaint. All other Defendants have responded.

C. If this is a class action, has a motion for class certification been filed? If so, what

is its status?

This is not a class action case.

D. Have the parties agreed on and selected a mediator? Have the parties agreed upon a place, date, and time for mediation?

Plaintiff Bell Northern Research LLC and Defendants HMD America, Inc., HMD Global Oy will hold a mediation conference in this matter before David Friedland on September 12, 2023 at 9:00 AM ET at the law offices of GrayRobinson, 333 SE 2nd Avenue, Suite 3200, Miami, Florida 33131.

Plaintiffs Bell Northern Research LLC and Defendants Best Buy Stores L.P., Target Corp., and Walmart Inc. have not yet agreed on a place, date, and time for mediation but will do so before the September 8, 2023 deadline.

E. Have the parties engaged in informal settlement negotiations? If not, explain the reasons for the failure to do so. If yes, state the status of such negotiations (e.g., ongoing, impasse etc.) and the relative prospects for resolution through informal means.

The parties initially engaged in informal settlement negotiations, however the parties were unable to come to a resolution. The parties anticipate continuing informal settlement discussions in the future.

F. Describe the status of discovery conducted to date, and identify whether the parties reasonably believe that they will be able to complete discovery by the Court's deadline. If not, explain the reasons.

Discovery is ongoing with the parties each having issued their initial set of discovery requests. In addition, Plaintiff served infringement contentions on February 2, 2023, and

supplemental infringements contentions on April 14, 2023. HMD America, Inc., HMD Global Oy, Best Buy Co., Inc., Best Buy Stores L.P., Target Corp., and Walmart Inc. served invalidity and non-infringement contentions on June 9, 2023, and June 30, 2023. Wingtech Technology Co., Ltd., Wingtech International, Inc., are scheduled to serve their invalidity and non-infringement contentions on July 14, 2023.

On June 30, 2023, counsel for Defendants HMD America Inc., HMD Global Oy, Best Buy Co., Inc., Best Buy Stores L.P., Target Corp., and Walmart Inc. sent Plaintiff a letter notifying Plaintiff of several discovery deficiencies to date. Specifically, Defendants identified (among other things) Plaintiff's failure to comply with the discovery obligations imposed by: (i) the Court's Patent Rule 3-2 because Plaintiff failed to produce complete file histories, as well as "[a]ll documents evidencing ownership of the patent rights"; (ii) Fed. R. Civ. P. 33(b) and Magistrate Judge Goodman's Discovery Procedures Order (Dkt. 9) because many of Plaintiff's interrogatory responses were non-responsive to the interrogatory presented, and/or contained boilerplate objections and simply responded that, in the future, documents "will be produced pursuant to Fed. R. Civ. P. 33(d)"; and (iii) Fed. R. Civ. P. 34(b) because Plaintiff unilaterally narrowed the scope of many Requests for Production without explanation. Plaintiff has yet to respond to Defendants' letter.

Plaintiff states that it will respond fully to the foregoing letter mentioned in the above paragraph and does not agree that it has been deficient in its prior discovery responses, but it will continue to work with Defendants cooperatively in discovery to address any legitimate concerns Defendants might have.

The parties anticipate that they will be able to complete discovery by the Court's deadline.

G. Identify any other issues that the Court should be aware of that may affect the

resolution of this matter or the schedule currently set.

None at this time.

Date: July 14, 2023

Respectfully submitted,

/s/ Alexander Frederick Rojas

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