

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SIPCO, LLC, and IP CO, LLC
(d/b/a INTUS IQ),

Plaintiffs,

v.

Civil Action No. 6:15-cv-907

EMERSON ELECTRIC CO., EMERSON
PROCESS MANAGEMENT LLLP, FISHER-
ROSEMOUNT SYSTEMS, INC.,
ROSEMOUNT INC., BP, p.l.c., BP
AMERICA, INC., and BP AMERICA
PRODUCTION COMPANY,

Defendants.

**JOINT MOTION FOR AN EXTENSION OF TIME TO FILE PROPOSED DOCKET
CONTROL ORDER AND PROPOSED DISCOVERY ORDER**

Plaintiffs SIPCO, LLC and IP Co, LLC (d/b/a INTUS IQ) (collectively “Plaintiffs” or “SIPCO”) and Defendants Emerson Electric Co., Emerson Process Management LLLP, Fisher-Rosemount Systems, Inc., Rosemount, Inc., BP America, Inc., and BP America Production Company (collectively “Defendants”)¹ hereby jointly move for a one week extension of the deadline for filing the Proposed Docket Control Order and Proposed Discovery Order from March 7, 2016 to March 14, 2016. As grounds for this joint motion, the parties state as follows:

1. On February 22, 2016, the Honorable Rodney Gilstrap conducted a Scheduling Conference and issued a Sample Docket Control Order For Patent Cases Assigned To Judge Rodney Gilstrap (“Judge Gilstrap’s Sample Docket Control Order”). (Ex. A).

¹ Defendant BP, p.l.c. is a foreign entity. It has not been served with the First Amended Complaint. Plaintiffs’ counsel is working with counsel for BP America, Inc. and BP America Production Company regarding the status of BP, p.l.c. in this case.

2. On March 1, 2016, this cause was reassigned to the Honorable Robert W. Schroeder III. (Dkt. No. 55).

3. The parties are now in the process of incorporating as much of the matching dates and events as possible from Judge Gilstrap's Sample Docket Control Order into this Court's Sample Docket Control Order.

4. Some of the dates and events in Judge Gilstrap's Sample Docket Control Order, however, are difficult to translate to the dates and events in this Court's Sample Docket Control Order.

5. Because this cause was reassigned to this Court in close proximity to the March 7, 2016, due date for the filing of the Proposed Docket Control Order and Proposed Discovery Order, the parties respectfully submit that additional time is needed to perform this task, and to review, revise and complete this Court's Proposed Docket Control Order and Proposed Discovery Order.

6. Accordingly, the parties submit that good cause exists for a one week extension of time to file the Proposed Docket Control Order and Proposed Discovery Order, and respectfully request the Court to extend the deadline for filing same from March 7, 2016 to March 14, 2017.

7. Extending this deadline will not prejudice either party.

Wherefore, for the reasons set forth herein, the parties respectfully request the Court to Grant this motion and extend the deadline for filing the Proposed Docket Control Order and Proposed Discovery Order from March 7, 2016 to March 14, 2017.

Dated: March 4, 2016

Respectfully Submitted,

/s/ Paul J. Cronin by permission Claire A. Henry

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on this the 4th day of March, 2016.

/s/ Claire Abernathy Henry