

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

LOGANTREE LP,

Plaintiff,

vs.

GARMIN INTERNATIONAL, INC. and
GARMIN USA, INC.,

Defendants.

Case No. 6:17-cv-01217

DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO EXTEND

There is no good cause to extend the July 5 deadline to serve opening expert reports because LoganTree:

- Failed to timely conduct any discovery into Garmin's source code despite the schedule allotting for 20 months of fact discovery and even served its final infringement contentions on March 15, 2021 before reviewing any source code;
- Waited until **12 days** before the close of discovery to even review Garmin's source code despite it being available for inspection since 2019 (Ex. A, *Garmin's Objections and Responses to LoganTree's First Set of RFPs*, at 7), and only requested print outs a few days before the end of discovery;
- Failed to ask Garmin's 30(b)(6) witness knowledgeable about the source code a single question about the source code, including which portions were related to the various accused products or even about where Garmin's accused functionality was in the code; and
- Never raised a request for extension of the expert report deadline at the June 8 discovery hearing or even in its out of time motion to print excessive pages.

Garmin requests LoganTree's motion be denied for an utter lack of good cause.

Dated: July 2, 2021

Respectfully submitted,

ERISE IP, P.A.

/s/ Megan J. Redmond

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CERTIFICATE OF SERVICE

I hereby certify that, on July 2, 2021, the foregoing document was filed with the Clerk of the Court using CM/ECF and that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system accordingly.

By: /s/ Megan J. Redmond
Megan J. Redmond