

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT, INC.,

Defendant.

Civil Action No. 1:19-cv-11586-FDS

JURY TRIAL DEMANDED

**[PROPOSED] ORDER GRANTING PLAINTIFF'S ASSENTED TO MOTION FOR
LEAVE TO FILE A SUR-REPLY TO FITBIT, INC.'S REPLY IN SUPPORT OF ITS
MOTION TO COMPEL THE PRODUCTION OF CERTAIN OF MR. ARIE TOL'S
EMAIL COMMUNICATIONS (DKT. NO. 213)**

Having reviewed plaintiff Philips North America LLC's ("Philips") assented to motion for leave to file a sur-reply brief to Fitbit, Inc.'s reply (Dkt. No. 213) in support of its motion to compel (Dkt. No. 198), the Court **GRANTS** the motion.

The Court **GRANTS** Philips leave to file a sur-reply brief no longer than six (6) pages and a supplemental expert declaration of no more than ten (10) pages by August 11, 2021.

BY THE COURT:

DATE: _____

Magistrate Judge Judith G. Dein