

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-IT

JOINT RESPONSE TO DKT. 92 MINUTE ORDER

Per the Court's August 20, 2020 minute order (Dkt. 92), the parties have conferred on a proposal regarding whether the Court should issue its Markman opinion before ruling on Fitbit's motion to dismiss (Dkt. 33). The parties have not been able to reach agreement.

Dated: August 28, 2020

PHILIPS NORTH AMERICA LLC,

FITBIT, INC.

By its attorneys,

By Its Attorneys,

/s/ Ruben Rodrigues

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CERTIFICATE OF SERVICE

I certify that a true copy of the above document was served on the attorney of record for each party via the Court's CM/ECF system, which will send notification of this filing (NEF) to all registered participants, and paper copies will be sent to those indicated as nonregistered participants.

Dated: August 28, 2020

By: /s/ Yar R. Chaikovsky
Yar R. Chaikovsky