

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT LLC,

Defendant.

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

JOINT MOTION TO EXTEND THE TIME TO FILE DAUBERT MOTIONS

The parties in the above-captioned matter file this joint motion seeking to extend the deadline to file expert discovery motions, including *Daubert* motions, from February 4, 2022 to February 9, 2022.

This joint motion is supported by good cause. Expert discovery in this matter is presently scheduled to close on January 28, 2022 and the current deadline for filing expert discovery motions is February 4, 2022. (*See* D.I. 231.) However, to accommodate the schedule of Fitbit's expert, Dr. Joseph Paradiso, the parties agreed to schedule Dr. Paradiso's deposition on February 2, 2022, two days before the current deadline for expert discovery motions. The parties' proposed extension will allow the parties to accommodate Dr. Paradiso's schedule while providing them with adequate time to prepare and file expert discovery motions. The extension will not impact any other deadlines in this matter and will not cause prejudice or delay in this action. Further, all parties have agreed to this extension request.

WHEREFORE, the parties respectfully request that the Court grant this Joint Motion to extend the deadline to file expert discovery motions to February 9, 2022.

DATED: January 13, 2022

/s/ David J. Shaw

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LOCAL RULE 7.1(a)(2) CERTIFICATION

I, David J. Shaw, counsel for Defendant, hereby certify that counsel for Defendant met and conferred with counsel for Plaintiff on January 6, 2022, wherein counsel for Plaintiff stated that they agree to this extension request.

/s/ David J. Shaw

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ David J. Shaw