

REDACTED

**PLAINTIFF NEO WIRELESS, LLC'S BRIEF IN
SUPPORT OF MOTION FOR SUMMARY
JUDGMENT ON DEFENDANTS' INEQUITABLE
CONDUCT AND UNCLEAR HANDS DEFENSES**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE NEO WIRELESS, LLC
PATENT LITIG.

Case No. 2:22-md-03034-TGB
HON. TERRENCE G. BERG
JURY TRIAL DEMANDED

**PLAINTIFF’S MOTION FOR SUMMARY
JUDGMENT ON DEFENDANTS’ INEQUITABLE
CONDUCT AND UNCLEAN HANDS DEFENSES**

Plaintiff Neo Wireless, LLC (“Plaintiff” or “Neo”), through their counsel, respectfully moves this Court for summary judgment:

- 1) Dismissing Defendants’ inequitable conduct defense and counterclaim (ECF Nos. 104, 105, 107, 108, 109);¹
- 2) Dismissing Defendants’ unclean hands defense (ECF Nos. 104, 105, 107, 108, 109);²

In support of its motion, Neo relies upon the authorities and arguments set forth in the accompanying brief and attached exhibits.

¹ Defendants Nissan and Honda have failed to file an Answer in this case. However, both Nissan and Honda joined all defendants in Defendants’ Invalidity and Unenforceability Contentions, which include an unenforceability section asserting inequitable conduct.

² Defendants Nissan and Honda have failed to file an Answer in this case. However, both Nissan and Honda joined all defendants in Defendants’ Invalidity and Unenforceability Contentions, which include an unenforceability section asserting unclean hands.

Counsel for Neo conferred with counsel for Defendants on June 14th, 2024. Counsel explained the basis for this motion but was unable to obtain concurrence on the relief sought.

DATED: June 20, 2024

Respectfully submitted,

/s/ Jason D. Cassady

Jason D. Cassady

Texas State Bar No. 24045625

Email: jcassady@caldwellcc.com

Christopher S. Stewart

Texas State Bar No. 24079399

Email: cstewart@caldwellcc.com

James F. Smith

Texas State Bar No. 24129800

Email: jsmith@caldwellcc.com

CALDWELL CASSADY CURRY P.C.

2121 N. Pearl St., Suite 1200

Dallas, Texas 75201

Telephone: (214) 888-4848

Facsimile: (214) 888-4849

Jaye Quadrozzi (P71646)

Email: jcquadrozzi@varnumlaw.com

VARNUM LLP

480 Pierce Street, Suite 300

Birmingham, Michigan 48009

Telephone: (248) 567-7800

Facsimile: (214) 567-7423

ATTORNEYS FOR PLAINTIFF

NEO WIRELESS LLC

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE NEO WIRELESS, LLC
PATENT LITIG.

Case No. 2:22-md-03034-TGB
HON. TERRENCE G. BERG
JURY TRIAL DEMANDED

**PLAINTIFF NEO WIRELESS, LLC’S BRIEF IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT ON DEFENDANTS’ INEQUITABLE
CONDUCT AND UNCLEAN HANDS DEFENSES**

FILED UNDER SEAL

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.