



August 19, 2019

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Hon. Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

**Re: Network-1 Technologies, Inc. v. Google LLC, et al.,
Case Nos. 14 Civ. 2396 (PGG) & 14 Civ. 9558 (PGG)**

Dear Judge Gardephe:

The parties write jointly regarding the claim construction hearing scheduled for October 25, 2019 at 10:00 a.m. *See* Case No. 14 Civ. 2396 (PGG), Dkt. No. 165 (Aug. 14, 2019).

First, the parties understand that at the beginning of the October 25 hearing, the Court would like a tutorial about the case, including the patents-in-suit. *See* Dkt. No. 139 at 8:7-15. As such, the parties propose that each side's attorneys present a non-argumentative tutorial no longer than thirty minutes per side at the outset of the hearing.

Second, the parties envision that the remainder of the claim construction hearing, excluding the tutorial, can be completed in approximately two hours. The parties also suggest that the Court conduct the claim construction hearing on a term-by-term basis, i.e., both sides would present their arguments on the first claim term before the second claim term is addressed, etc. In the parties' view, a term-by-term approach will be more streamlined and will aid the Court in better understanding the parties' claim construction positions.

Finally, the parties do not intend to present expert testimony as part of the tutorial or at the remainder of the hearing.

If the Court would like to discuss these proposals or other claim construction hearing logistics, the parties would welcome a telephonic conference with the Court.



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Respectfully submitted,

RUSS, AUGUST & KABAT

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