

**UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ROSETTA-WIRELESS CORP., an Illinois Corporation,	)	Civil Action No. 15-cv-00799
	)	
Plaintiff	)	Honorable Judge Joan H. Lefkow
	)	
v.	)	
	)	
APPLE INC., a California Corporation,	)	
	)	
Defendant.	)	
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ROSETTA-WIRELESS CORP., an Illinois Corporation,	)	Civil Action No. 15-cv-10603
	)	
Plaintiff	)	Honorable Judge Joan H. Lefkow
	)	
v.	)	
	)	
HIGH TECH COMPUTER CORP., a/k/a HTC CORP., a Foreign Corporation, and HTC AMERICA INC., a Washington Corporation,	)	
	)	
Defendants.	)	
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ROSETTA-WIRELESS CORP., an Illinois Corporation,	)	Civil Action No. 15-cv-10605
	)	
Plaintiff	)	Honorable Judge Joan H. Lefkow
	)	
v.	)	
	)	
SAMSUNG ELECTRONICS CO. LTD., a Foreign Corporation, and SAMSUNG ELECTRONICS AMERICA, INC., a New York Corporation,	)	
	)	
Defendants.	)	
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[additional parties on following page]	)	
	)	
	)	
	)	

ROSETTA-WIRELESS CORP., an Illinois Corporation,	)	Civil Action No. 15-cv-10608
	)	
Plaintiff	)	Honorable Judge Joan H. Lefkow
	)	
v.	)	
	)	
LG ELECTRONICS CO., a Foreign Corporation, and LG ELECTRONICS USA INC., a Delaware Corporation,	)	
	)	
Defendants.	)	

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ROSETTA-WIRELESS CORP., an Illinois Corporation,	)	Civil Action No. 15-cv-10611
	)	
Plaintiff	)	Honorable Judge Joan H. Lefkow
	)	
v.	)	
	)	
MOTOROLA MOBILITY LLC, a Delaware Corporation,	)	
	)	
Defendants.	)	

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**REPORT OF THE PARTIES' PLANNING MEETING**

Plaintiff Rosetta-Wireless Corp. and Defendants Apple Inc.; Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. (collectively, "Samsung"); Motorola Mobility LLC; LG Electronics Co., LG Electronics USA Inc. (collectively, "LG"); and HTC America, Inc. and HTC Corporation (collectively, "HTC") (collectively, "Defendants") hereby submit their report of their planning meeting.

**1. The following persons participated in a Rule 26(f) conference on January 26, 2016 by phone conference.**

Daniel Zaheer of Kobre & Kim LLP representing Rosetta-Wireless Corp.

Ericka J. Schulz of Sheppard Mullin Richter & Hampton, LLP representing HTC America, Inc. and HTC Corporation.

Julian Moore of Ropes & Gray LLP, representing Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc.

Jenny Colgate of Rothwell Figg LLP, representing LG Electronics Co. and Electronics USA Inc.

Matthew J. Rizzolo and Jeff Bushofsky of Ropes & Gray LLP, representing Motorola Mobility LLC. (“Motorola”)

David DesRosier and Megan Wantland of Weil, Gotshal & Manges, representing Apple, Inc..

**2. Initial Disclosures.**

Rosetta-Wireless served the initial disclosures required by Rule 26(a)(1) and Local Patent Rule 2.1 upon the non-Apple Defendants on January 6, 2016.

HTC America Inc. and Motorola served the initial disclosures required by Rule 26(a)(1) and Local Patent Rule 2.1 upon the Plaintiff on January 6, 2016.

LG Electronics USA Inc. served the disclosures required by Local Patent Rule 2.1 upon the Plaintiff on January 6 and the initial disclosures required by Rule 26(a)(1) on January 11, 2016.

Samsung served the initial disclosures required by Rule 26(a)(1) and Local Patent Rule 2.1 upon the Plaintiff on January 8, 2016.

**3. Disclosures and Discovery Pursuant to Local Patent Rules.**

The parties acknowledge that the requirements of the Local Patent Rules apply to this case.

**4. Additional Discovery Plan.**

The parties propose the following in addition to the discovery plan addressed in the Local Patent Rules, and in conjunction with the requirements of the Federal Rules of Civil Procedure. Where the parties have been unable to reach an agreement, each side's positions are set forth.

**The parties will continue to meet and confer on the disputed topics, and to the extent they are unable to reach agreement, will present their dispute to the Court for resolution at the March status conference.**

(a) *Interrogatories*: Rosetta may serve a maximum of 25 interrogatories on each Defendant Group.<sup>1</sup> Interrogatories may be served during the fact discovery period prescribed by Local Patent Rule 1.3. Responses to interrogatories shall be due 30 days from the date of service of the same.

**Disputed issues:**

*Plaintiff's position*: Defendants may serve a maximum of 15 joint interrogatories on Rosetta. Each Defendant Group may also serve a maximum of an additional 3 individual interrogatories on Rosetta.

*Defendants' position*: Each Defendant Group may serve up to 25 interrogatories on Rosetta.

(b) *Requests for Admission*: Rosetta may serve a maximum of 25 requests for admission on each Defendant Group. Requests for admission to authenticate a document do not count against these limits. Requests for admission may be served during the fact discovery period prescribed by Local Patent Rule 1.3. Responses to requests for admission shall be due 30

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<sup>1</sup> A "Defendant Group" is any grouping of Defendants that are corporate parents, subsidiaries or affiliates of each other, or are under common corporate control (direct or indirect) with each other.

days from the date of service of the same.

**Disputed issues:**

**Plaintiff's position:** Defendants may serve a maximum of 15 joint requests for admission on Rosetta. Each Defendant Group may also serve a maximum of an additional 3 individual requests for admission on Rosetta.

**Defendants' position:** Each Defendant Group may serve up to 25 requests for admission on Rosetta.

(c) *Total Deposition Time:* Rosetta may take a maximum of 140 hours total of deposition of Defendant and third-party witnesses, exclusive of designated expert witnesses, not exceeding 45 hours of deposition testimony (questions and answers) for any one Defendant Group. If any deponent requires interpretation, then every hour of deposition time will count as 40 minutes.<sup>2</sup>

**Disputed Issues:**

**Plaintiff's Position:** Defendants collectively may take a maximum of 90 hours total of deposition testimony of Rosetta and third-party witnesses, exclusive of designated expert witnesses.

**Defendants' Position:** Defendants collectively may take a maximum of 240 hours total deposition testimony of Rosetta and third-party witnesses, exclusive of designated expert witnesses.

(d) *Scheduling and Noticing of Depositions:* Except as otherwise provided herein, no witness examined in his or her individual capacity will be required to sit for more than a single deposition. Any notice of deposition will be served on all parties. The parties will negotiate in

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<sup>2</sup> As with the other limitations set forth herein, the foregoing time limitation may be revised by agreement of the parties or by Court order upon a showing of good cause.

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