

1 APPEARANCES (Continued):

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1 (In open court.)

2 THE CLERK: 15 C 799, Rosetta-Wireless v. Apple.

3 MR. NG: Good morning, your Honor. Michael Ng for
4 plaintiff Rosetta-Wireless.

5 THE COURT: Good morning.

6 MS. HARTMAN: Good morning, your Honor. Stacie
7 Hartman for defendant Apple. With me is lead counsel Brian
8 Ferguson from Weil Gotshal for Apple.

9 MR. FERGUSON: Good morning, your Honor.

10 THE COURT: Good morning.

11 MR. McCAULLEY: Good morning, your Honor. Richard
12 McCaulley for the Samsung defendants.

13 MR. RIZZOLO: Good morning, your Honor. Matt Rizzolo
14 from Motorola Mobility.

15 MS. MAZZONE: Lisa Mazzone for the LG defendants.

16 MS. COLGATE: Jenny Colgate, C-O-L-G-A-T-E, also for
17 the LG defendants.

18 MR. GRAVELINE: Good morning, your Honor. Brad
19 Graveline for HTC.

20 THE COURT: Apple filed something, but is Apple here?

21 MR. FERGUSON: Yes, your Honor. Brian Ferguson and
22 Stacie Hartman for Apple.

23 THE COURT: Well, I guess the first order of
24 business -- and correct me if I'm wrong -- is the motion for
25 pretrial consolidation. So where do the defendants stand on

1 that?

2 MR. FERGUSON: Well, your Honor, speaking for Apple,
3 of course, our case is moving forward. The other defendants,
4 as it currently stands, the cases were dismissed and refiled.

5 And so we have a schedule moving forward. We filed a
6 scheduling order with your Honor. But I believe that the other
7 defendants would object to having their schedule merged into
8 the Apple schedule, and I think I'll allow the other defendants
9 to speak up on that.

10 MR. McCAULLEY: Richard McCaulley on behalf of the
11 Samsung defendants.

12 Your Honor, we certainly understand that there will be
13 some form of consolidation in the case. At this point we
14 haven't been reassigned to another judge, and so I think --

15 THE COURT: I have to grant this motion first.

16 MR. McCAULLEY: Well, certainly Samsung -- yes, I
17 think it's accurate. At this point it would be impractical for
18 us to operate, at least from our perspective, on the Apple
19 schedule. But we're certainly happy to meet and confer and try
20 and find a consolidated schedule that makes sense for all the
21 parties.

22 THE COURT: LG?

23 MS. COLGATE: Your Honor, Jenny Colgate on behalf of
24 LG defendants.

25 Like Samsung, LGE USA is amenable to consolidation as

1 long as it would be a different schedule than that entered in
2 the Apple case. But with regard to LGE, that party has not yet
3 been served so they should be carved out from any
4 consolidation.

5 MR. RIZZOLO: Your Honor, Matt Rizzolo for Motorola
6 Mobility.

7 Like the Samsung defendants, we are not opposed to
8 some sort of consolidation, but we would like to be able to
9 meet and confer regarding the exact mechanics of that.

10 THE COURT: All right. Well, we're trying to get --
11 sorry.

12 MR. GRAVELINE: One more defendant, your Honor. Brad
13 Graveline on behalf of HTC, and our position is similar. One
14 of the HTC defendants has not yet been served, and we have a
15 motion to dismiss pending for improper venue as well.

16 THE COURT: Okay, so --

17 MR. NG: Your Honor, can I just give you plaintiff's
18 perspective? We've had some discussions about scheduling and
19 some of these other issues. Obviously everyone was served with
20 the substance of the case last year, so folks know what's
21 happening.

22 I think that there's general agreement that on most
23 parts of the consolidation, we have some disagreement over how
24 we handle depositions of our clients and the pretrial. I think
25 those are things that we can continue to discuss and submit to

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