

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

KOSS CORPORATION,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:20-cv-00665-ADA

**JURY TRIAL DEMANDED**

**JOINT MOTION TO AMEND AGREED SCHEDULING ORDER**

Koss Corporation (“Koss”) and Apple Inc. (“Apple”) jointly move to modify the Amended Scheduling Order (Dkt. No. 85) pursuant to Fed. R. Civ. P. 16(b)(4). There is good cause for the Court to exercise its discretion under Rule 16 to allow for such modification.

The parties are in the process of fact discovery and are working diligently to comply with the deadline for Final Infringement and Invalidity Contentions. To date, and as relevant to the foregoing, Koss has served technical 30(b)(6) deposition topics as well as document requests seeking technical documentation and source code, and is working with Apple to schedule the appropriate depositions and obtain the requested documentation. Apple has served eight third-party subpoenas relating to prior art and is working with the subpoenaed parties to identify responsive documents and deposition dates. As there is sufficient time in the schedule to extend the July 16<sup>th</sup> date by approximately one month, to August 13<sup>th</sup>, without impacting any other dates in the calendar, and as the July date is a service deadline not a filing deadline, such that there is no impact on the Court’s ability to manage its schedule, the parties jointly move to enter the amended schedule attached hereto as Exhibit A.

Date: July 19, 2021

Respectfully submitted,

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*Counsel for Apple Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on July 19, 2021, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Darlene F. Ghavimi  
Darlene F. Ghavimi

# EXHIBIT A

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