

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

MemoryWeb, LLC,  
Plaintiff,

v.

Apple Inc.,  
Defendant,

Case No. 6:21-cv-00531-ADA

**JURY TRIAL DEMANDED**

MemoryWeb, LLC,  
Plaintiff

v.

Samsung Electronics Co., Ltd. (a Korean  
Company) and Samsung Electronics America,  
Inc.,  
Defendants

Case No. 21-cv-411-ADA

**JURY TRIAL DEMANDED**

**JOINT MOTION FOR ENTRY OF AGREED SCHEDULING ORDER**

Pursuant to the Court's June 24, 2021 Order Governing Proceedings – Patent Case, the Court's June 16, 2021 Amended Standing Order Regarding Notice of Readiness for Patent Cases, and the parties' Case Readiness Status Reports, Plaintiff MemoryWeb, LLC and Defendants Apple Inc.; Samsung Electronics Co., Ltd.; and Samsung Electronics America, Inc. hereby move that the Court enter the agreed Scheduling Order, attached as Exhibit A, in each of the above-captioned cases.

Dated: October 1, 2021

Respectfully submitted,

/s/ Bita Rahebi

/s/ Daniel J. Schwartz

J. Stephen Ravel  
Texas State Bar No. 16584975  
Kelly Ransom  
Texas State Bar No. 24109427  
KELLY HART & HALLMAN LLP  
303 Colorado, Suite 2000  
Austin, Texas 78701  
Tel: (512) 495-6429  
Email: steve.ravel@kellyhart.com  
Email: kelly.ransom@kellyhart.com

Bita Rahebi, *Pro Hac Vice*  
Hector G. Gallegos, *Pro Hac Vice*  
Nicholas Rylan Fung, *Pro Hac Vice*  
Stephen Liu, *Pro Hac Vice*  
Karina Pundeff, *Pro Hac Vice*  
MORRISON & FOERSTER LLP  
707 Wilshire Boulevard  
Los Angeles, CA 90017-3543  
Telephone: 213.892.5200  
Facsimile: 213.892.5454

*Attorneys for Defendant Apple*

/s/ Allan A. Kassenoff

Melissa R. Smith  
GILLAM & SMITH, LLP  
303 South Washington Avenue  
Marshall, TX 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
Email: melissa@gillamsmithlaw.com

Richard A. Edlin  
Allan A. Kassenoff  
Jeffrey R. Colin  
Vimal M. Kapadia  
GREENBERG TRAUIG, LLP  
MetLife Building, 200 Park Avenue  
New York, NY 10166

Arthur Gollwitzer III  
Texas Bar No. 24073336  
Jackson Walker LLP  
100 Congress Avenue, Suite 1100  
Austin, TX 78701  
Telephone: 512.236.2268  
Facsimile: 512.236.2002  
agollwitzer@jw.com

Daniel J. Schwartz (*pro hac vice*)  
Zachary Sorman (*pro hac vice*)  
Angelo J. Christopher (*pro hac vice*)  
NIXON PEABODY LLP  
70 West Madison, Suite 3500  
Chicago, IL 60602-4224  
Tel: 312-977-4400  
djschwartz@nixonpeabody.com  
achristopher@nixonpeabody.com  
zsorman@nixonpeabody.com

*Attorneys for Plaintiff MemoryWeb, LLC*

Telephone: (212) 801-9200

Facsimile: (212) 801-6400

Email: edlinr@gtlaw.com

Email: kassenoffa@gtlaw.com

Email: colinj@gtlaw.com

Email: kapadiav@gtlaw.com

*Attorneys for Defendants Samsung  
Electronics Co., Ltd., and Samsung  
Electronics America, Inc.*

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

MemoryWeb, LLC,  <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> Apple Inc.,  <p style="text-align: center;">Defendant,</p>
MemoryWeb, LLC,  <p style="text-align: center;">Plaintiff</p> <p style="text-align: center;">v.</p> Samsung Electronics Co., Ltd. (a Korean Company) and Samsung Electronics America, Inc.,  <p style="text-align: center;">Defendants</p>

Case No. 6:21-cv-00531-ADA

**JURY TRIAL DEMANDED**

Case No. 21-cv-411-ADA

**JURY TRIAL DEMANDED**

**[PROPOSED] AGREED SCHEDULING ORDER**

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Case Readiness Status Report, the Court ORDERS that the following schedule will govern deadlines up to and including trial in the above-referenced cases. For post-*Markman* dates, the parties will file an amended proposed scheduling order once the Court sets a *Markman* hearing date.

Deadline	Item
Completed	Plaintiff to identify claims asserted.

Completed	Plaintiff serves preliminary infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (i.e. the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
October 1, 2021	The Parties shall submit an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of each Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.
December 3, 2021	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
December 17, 2021	Parties exchange claim terms for construction.
January 7, 2021	Parties exchange proposed claim constructions.
January 14, 2022	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
January 21, 2022	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.

# 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.