

FILED

August 18, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

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

BY: J Galindo-Beaver
DEPUTY

**SECOND AMENDED STANDING ORDER REGARDING MOTIONS FOR
INTER-DISTRICT TRANSFER**

Henceforth, all parties who have filed motion(s) for inter-district transfer are required to provide the Court with a status report with respect to whether the motion(s) has been fully briefed and ready for resolution no later than four weeks prior to the date of the Markman hearing¹ that is scheduled in that case. In addition, if by one week before the Markman hearing the Court has not ruled on any pending inter-district motion to transfer, the moving party is directed to email the Court's law clerk at the following address, and the technical advisor (when appointed), and indicate that the motion to transfer is pending: TXWDml_LawClerks_JudgeAlbright@txwd.uscourts.gov.

With respect to any parties who have such motion(s) pending at the time of the entry of this Standing Order and a Markman hearing scheduled for a date that is less than 4 weeks from the date of the entry of this Order, the Court **ORDERS** the party who has filed the motion to provide the same status report as quickly as is reasonable, but in no case more than five business days after the entry of this Order.

When there is a pending inter-district transfer, the Court will either promptly enter an order resolving the pending motion(s) prior to the Markman hearing or it will postpone the Markman hearing until it has had the opportunity to do so. The Court will not conduct a Markman hearing until it has resolved the pending motion to transfer. Whenever a Markman hearing is postponed pursuant to this Order, Fact Discovery will begin one day after the originally scheduled Markman Hearing date.

¹ To the extent there are multiple Markman hearings, the status report is due six weeks before the first scheduled Markman hearing.

M-DAC Exhibit 0005

A motion for inter-district transfer may be filed within eight weeks of the scheduled date for the Markman hearing only with a showing of good cause for any delay and leave of court.

SIGNED August 18, 2021.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE