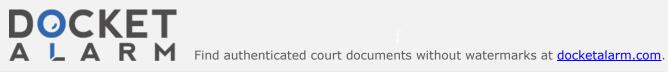
1	IN THE UNITED STATES DISTRICT COURT				
2	FOR T	HE EASTERN DIS	STRICT OF TEXAS	3	
3		MARSHALL D	IVISION		
4					
5	TRIOPTIMA AB,	) (			
6	PLAINTIFF,	) (	CIVIL ACTION	NO.	
7		) (	2:19-CV-390-	-JRG	
8	VS.	) (	MARSHALL, TI	EXAS	
9	QUANTILE TECHNOLOG	IES )(			
10	LIMITED,	) (	SEPTEMBER 4	, 2020	
11	DEFENDANT.	) (	11:07 A.M.		
12	MOTIONS HEARING				
13	BEFORE THE HONORABLE JUDGE RODNEY GILSTRAP				
14	UNITED STATES CHIEF DISTRICT JUDGE				
15					
16	FOR THE PLAINTIFF:	=	Attendance Sh this hearing.		
17		III MINUCES OI	chis hearing.	,	
18	FOR THE DEFENDANT:		Attendance Sh this hearing.		
19		III MINUCES OI	chis hearing.	,	
20	COURT REPORTER:	Shelly Holmes Official Cour	•		
21			District Cour	t	
22		Marshall Divi 100 E. Housto	sion		
23		Marshall, Tex (903) 923-746	as 75670		
24		(303) 323-140	ī		
25	(Proceedings recor produced on a CAT		cal stenograph	ny, transcript	



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1 on it. 11:40:38 11:40:38 This -- this issue has been left long enough. need to get to the answer on this. But I -- I am persuaded 11:40:43 that targeted jurisdictional discovery in the form I've 11:40:47 indicated would be proper and appropriate here and might 11:40:51 11:40:55 shed some light on what both sides admit is a rather complicated business. 11:41:03 7 All right. I want to next take up the Defendant's 11:41:04 8 motion to limit the number of asserted claims. 11:41:06 I understand you met and conferred on this but 11:41:11 10 11:41:13 were not able to resolve it. I know from the briefing that 11 the Plaintiff is at this point asserting over 100 claims. 11:41:20 12 11:41:25 I know what the schedule of the case is and where we are 13 with regard to when claim construction will be upcoming. 11:41:29 14 What I'm going to do here -- I really don't need 11:41:35 15 to hear argument on this. I'm going to order the claims 11:41:38 reduced pursuant to the model order. And the initial date 11:41:43 17 in the model order is triggered by a date that's already 18 11:41:48 passed in this case, so I'm going to modify that. But I'm 11:41:51 19 going to enter the model order, and I'm going to require 11:41:55 20 the claims to be narrowed. 11:41:58 21 11:41:59 22 There is absolutely no way that the Plaintiff can 11:42:02 23 go to trial on a hundred claims or more than a hundred 11:42:06 24 claims, and that requires a substantial expenditure of

25

11:42:11

resources by the Defendant that is going to be wasted

- effectively, and this case is old enough and it's advanced 11:42:14 11:42:22 enough to where we should not be left with in excess of a hundred live claims still in the case. 11:42:26 So I'm going to enter the model order, and you all 11:42:28 are going to narrow the claims. 11:42:31 11:42:33 You didn't do it before the motion was filed. didn't do it mediating -- or meeting and conferring, I 11:42:35 should say, with each other for most of the morning today. 11:42:40 I'm not persuaded you're going to be able to do it. I 11:42:44 would have preferred you do it. I'm now convinced you 11:42:46 can't or won't do it, and so I'm going to do it for you by 11:42:48 11 way of the model order. And you should look for a slightly 11:42:51 12 modified version of that to be entered by the Court 11:42:54 13 hereafter. 11:42:57 14 11:42:58 15 You've withdrawn the motion to compel. Those appear to be the three matters that are -- were set for 11:43:01 hearing today. 11:43:05 17 Is either side aware of anything that was properly 11:43:06 18 set that the Court's not heard from you on or otherwise 11:43:08 19 11:43:10 20 taken up? 11:43:12 21 Are you aware of anything else, Mr. Ray? 11:43:15 22 MR. RAY: No, I'm not, Your Honor.
- 11:43:16 23 THE COURT: Ms. Auth, are you aware of anything
- 11:43:18 24 else?
- 11:43:18 25 MS. AUTH: No, Your Honor.



```
THE COURT: All right. That will complete the
11:43:19 1
         2 hearing today. Thank you, counsel, for your presence.
11:43:20
                    The Court stands in recess.
11:43:23
       3
                    COURT SECURITY OFFICER: All rise.
11:43:24
                    (Hearing concluded.)
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