

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Civil Action No. 2:17-CV-513-JRG
	§	(LEAD CASE)
HUAWEI DEVICE USA INC., <i>et al.</i> ,	§	
	§	
<i>Defendants.</i>	§	

APPLE, INC.,	§	
	§	
<i>Defendant.</i>	§	Civil Action No. 2:17-CV-516-JRG
	§	(Consolidated Case)

**UNOPPOSED MOTION FOR LEAVE TO TAKE
DEPOSITION AFTER THE DEADLINE FOR FACT DISCOVERY**

Defendant Apple Inc. (“Apple”) respectfully move the Court for leave to take the deposition of James Fordyce after the deadline to complete fact discovery. The parties have worked diligently to schedule multiple depositions prior to the close of fact discovery on October 26, 2018 (Dkt. No. 193), but were unable to schedule Mr. Fordyce’s deposition during that time. Counsel for Plaintiff AGIS Software Development LLC (“AGIS”), who also represents Mr. Fordyce in connection with Apple’s subpoena served on September 25, 2018, has informed Apple that Mr. Fordyce is not available any earlier than November 7, 2018. Apple therefore respectfully seeks leave to take Mr. Fordyce’s deposition on November 7, 2018. The parties do not request a general extension of the fact discovery deadline, but rather request that Mr. Fordyce’s deposition be permitted after the close of fact discovery. All other deadlines remain in effect.

Dated: October 26, 2018

Respectfully submitted:

/s/ Melissa R. Smith

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*ATTORNEYS FOR DEFENDANT
APPLE INC.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 26th day of October, 2018.

/s/ Melissa R. Smith
Melissa R. Smith