

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)


---

**ORDER**

Before the Court is Defendant Apple Inc.’s Unopposed Motion for Leave to Take Deposition After the Deadline for Fact Discovery (the "Motion"). (Dkt. No. 216.) 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 James Fordyce’s deposition during that time. Counsel for Plaintiff AGIS Software Development LLC (“AGIS”) represents Mr. Fordyce in connection with Apple’s subpoena served on September 25, 2018, and has informed Apple that Mr. Fordyce is not available any earlier than November 7, 2018. The parties therefore seek leave to take Mr. Fordyce’s deposition on November 7, 2018.

Having considered the Motion, the Court is of the opinion that it should be and hereby is **GRANTED**. It is therefore **ORDERED** that the parties shall be permitted to take the deposition of James Fordyce on or before **NOVEMBER 7, 2018**.

**So ORDERED and SIGNED this 29th day of October, 2018.**

  
\_\_\_\_\_  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE