

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:17-CV-0513-JRG
Plaintiff,	§	(LEAD CASE)
	§	
v.	§	<u>JURY TRIAL DEMANDED</u>
	§	
HUAWEI DEVICE USA INC. ET AL.,	§	FILED UNDER SEAL
	§	
Defendants.	§	
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APPLE, INC.,	§	Case No. 2:17-CV-0516-JRG
	§	(CONSOLIDATED CASE)
Defendant.	§	
	§	<u>JURY TRIAL DEMANDED</u>

**JOINT MOTIONS TO CHANGE BRIEFING SCHEDULE WITH RESPECT
TO APPLE INC.'S *DAUBERT* MOTION (DKT. 231),
APPLE INC.'S MOTION TO STRIKE (DKT. 232), AND
AGIS'S MOTIONS TO STRIKE (DKTS. 233 AND 234)**

Plaintiff AGIS Software Development LLC (“AGIS” or “Plaintiff”) and Defendant Apple Inc. (“Apple” or “Defendant”), by and through their counsel, hereby respectfully move the Court for extensions with respect to briefing for Apple’s *Daubert* Motion to Exclude the Opinions of Mr. Alan Ratliff Relating to Damages (Dkt. 231) and Apple’s Motion to Strike Portions of the Opening Expert Report of Mr. Joseph McAlexander that Rely on Untimely Disclosed Infringement Theories (Dkt. 232). The parties request that the deadline for filing Plaintiff’s oppositions be extended from December 28, 2018 to **JANUARY 4, 2019**.

The parties also hereby respectfully move the Court for extensions with respect to briefing for Plaintiff AGIS Software Development LLC’s Opposed Motion to Strike Portions of the Expert Report of Neil Siegel Relating to the Undisclosed Invalidity Theory Based on

“Dynamically Electing Servers” (Dkt. 233) and Plaintiff AGIS Software Development LLC’s Opposed Motion to Strike the Expert Report of Neil Siegel for Failure to Disclose Obviousness Combinations Based on the Siegel Patents (Dkt. 234). The parties request that the deadline for filing Defendant’s oppositions be extended from December 31, 2018 to **JANUARY 7, 2019**.

All other deadlines remain subject to the local rules.

The Parties do not file this Motion for the purposes of delay, but rather to allow the parties to adequately address the complexity of the issues associated with the pending Motion and in order that justice be done.

Dated: December 26, 2018

BROWN RUDNICK LLP

/s/ Alfred R. Fabricant

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**ATTORNEYS FOR PLAINTIFF, AGIS
SOFTWARE DEVELOPMENT LLC**

CERTIFICATE OF CONFERENCE

The undersigned attorney hereby certifies that counsel for Plaintiff has conferred with counsel for Defendant and that Defendant does not oppose the relief requested in this motion.

/s/ Alfred R. Fabricant

Alfred R. Fabricant

CERTIFICATE OF SERVICE

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

/s/ Alfred R. Fabricant

Alfred R. Fabricant