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

		§	C N. 2.17 00512 IDC DSD
AGIS SOFTWARE DEVELOPMENT LLC,		§	Case No. 2:17-cv-00513-JRG-RSP
		§	(LEAD CASE)
	Plaintiff,	§	
		§	JURY TRIAL DEMANDED
v .		§	
		§	
HUAWEI DEVICE USA	INC., ET AL.,	§	
		§	
	Defendants.	§	
		§	
APPLE INC.,		§	Case No. 2:17-cv-0516-JRG
		§	(CONSOLIDATED CASE)
	Defendant.	§	
		§	JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS

Plaintiff AGIS Software Development LLC ("AGIS" or "Plaintiff") and Defendant Apple Inc. ("Apple" or "Defendant") have settled their respective claims for relief asserted in this litigation. Accordingly, the Parties respectfully request that all claims for relief asserted against Defendant by Plaintiff herein are dismissed, with prejudice; that all counterclaims asserted by Defendant against Plaintiff herein are dismissed, without prejudice; and, the Parties further request that all attorneys' fees, costs of court and expenses be borne by each Party incurring the same.

WHEREFORE, the parties respectfully request that the Court enter the proposed Order submitted with this motion as set forth above.

Dated: March 13, 2019

DOCKET

Respectfully submitted,

BROWN RUDNICK LLP

/s/ Alfred R. Fabricant

Alfred R. Fabricant NY Bar No. 2219392 Email: afabricant@brownrudnick.com Lawrence C. Drucker NY Bar No. 2303089 Email: ldrucker@brownrudnick.com Peter Lambrianakos NY Bar No. 2894392 Email: plambrianakos@brownrudnick.com Vincent J. Rubino, III NY Bar No. 4557435 Email: vrubino@brownrudnick.com Alessandra C. Messing NY Bar No. 5040019 Email: amessing@brownrudnick.com Shahar Harel NY Bar No. 4573192 Email: sharel@brownrudnick.com John A. Rubino NY Bar No. 5020797 Email: jrubino@brownrudnick.com Enrique W. Iturralde NY Bar No. 5526280 Email: eiturralde@brownrudnick.com Daniel J. Shea, Jr. NY Bar No. 5430558 Email: dshea@brownrudnick.com Justine Minseon Park NY Bar No. 5604483 Email: apark@brownrudnick.com **BROWN RUDNICK LLP** 7 Times Square New York, NY 10036

Telephone: 212-209-4800 Facsimile: 212-209-4801

Samuel F. Baxter Texas State Bar No. 01938000 Email: sbaxter@mckoolsmith.com Jennifer L. Truelove Texas State Bar No. 24012906

Email: jtruelove@mckoolsmith.com McKOOL SMITH, P.C. 104 East Houston Street, Suite 300 Marshall, Texas 75670 Telephone: 903-923-9000 Facsimile: 903-923-9099

ATTORNEYS FOR PLAINTIFF, AGIS SOFTWARE DEVELOPMENT LLC

DESMARAIS LLP

/s/ Cosmin Maier John M. Desmarais, *Lead Attorney* Admitted Pro Hac Vice Email: jdesmarais@desmaraisllp.com Paul A. Bondor Admitted Pro Hac Vice Email: pbondor@desmaraisllp.com Ameet A. Modi Admitted Pro Hac Vice Email: amodi@desmaraisllp.com **Cosmin Maier** Admitted Pro Hac Vice Email: cmaier@desmaraisllp.com Kerri-Ann Limbeek Admitted Pro Hac Vice Email: klimbeek@desmaraisllp.com **Brian Matty** Admitted Pro Hac Vice Email: bmatty@desmaraisllp.com Tom BenGera Admitted Pro Hac Vice Email: tbengera@desmaraisllp.com Kathryn Bi Admitted Pro Hac Vice Email: kbi@desmaraisllp.com Francesco Silletta Admitted Pro Hac Vice Email: fsilletta@desmaraisllp.com Joze Welsh Admitted Pro Hac Vice Email: jwelsh@desmaraisllp.com **DESMARAIS LLP** 230 Park Avenue New York, NY 10169 Telephone: (212) 351-3400 Facsimile: (212) 351-3401

Melissa R. Smith Texas State Bar No. 24001351 Email: melissa@gillamsmithlaw.com Harry L. Gillam Texas State Bar No. 0921800 Email: gil@gillamsmithlaw.com Case 2:17-cv-00513-JRG Document 348 Filed 03/13/19 Page 5 of 6 PageID #: 20746

•

GILLAM & SMITH, LLP

303 South Washington Ave. Marshall, TX 75670 Telephone: 903 934-8450 Facsimile: 903 934-9257

ATTORNEYS FOR DEFENDANT APPLE INC.

DOCKET A L A R M



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.