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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	
Plaintiff,	§	
	§	
V.	§	
	§	Civil Action No. 2:17-CV-517-JRG
ZTE CORPORATION AND ZTE (TX),	§	
INC.,	§	
	§	
Defendant.	§	
	§	
	§	

UNOPPOSED MOTION TO EXTEND DEADLINE FOR PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S RESPONSE TO DEFENDANT ZTE (TX), INC.'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT FOR FAILURE TO STATE A CLAIM AND IMPROPER VENUE OR IN THE ALTERNATIVE TO TRANSFER (D.E. 28)

Plaintiff AGIS Software Development LLC ("Plaintiff") hereby respectfully moves the Court to extend the deadline for Plaintiff to respond to Defendant ZTE (TX), Inc.'s ("Defendant") Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim and Improper Venue or In the Alternative to Transfer (D.E. 28) by 14 days, from October 10, 2017 to October 24, 2017. Defendant does not oppose this extension.

Plaintiff does not file this Unopposed Motion for the purposes of delay, but rather due to other scheduling conflicts in the upcoming weeks, to allow Plaintiff to adequately address the complexity of the issues associated with the pending Motion, and so that justice may be done.



Dated: September 28, 2017

#### **BROWN RUDNICK LLP**

### /s/ Alessandra C. Messing

Alfred R. Fabricant NY Bar No. 2219392

Email: afabricant@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

John A. Rubino NY Bar No. 5020797

Email: jrubino@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 sbaxter@mckoolsmith.com Jennifer L. Truelove Texas State Bar No. 24012906 jtruelove@mckoolsmith.com

McKool Smith, P.C.

104 E. Houston Street, Suite 300

Marshall, Texas 75670 Telephone: (903) 923-9000 Facsimile: (903) 923-9099

ATTORNEYS FOR PLAINTIFF, AGIS SOFTWARE DEVELOPMENT LLC



# **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on September 28, 2017, 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/ Alessandra C. Messing
Alessandra C. Messing

