

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

**AGIS SOFTWARE DEVELOPMENT,)
LLC)
)
Plaintiff,)
)
v.)
)
ZTE CORPORATION AND ZTE (TX),)
INC.,)
)
Defendants.)**


CIV. NO. 2:17-CV-00517-JRG

JURY TRIAL DEMANDED

ORDER

Before the Court is the parties' Agreed Motion (Dkt. No. 34) that 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 (Dkt. No. 28) is moot and withdrawn without prejudice to re-filing. Having considered the Motion, the Court is of the opinion that the Motion (Dkt. No. 34) should be and hereby is **GRANTED**. Accordingly, it is therefore **ORDERED** that Defendant ZTE's Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim and Improper Venue or in the Alternative to Transfer (Dkt. No. 28) is **WITHDRAWN**. It is also hereby **ORDERED** that ZTE (TX), Inc.'s deadline to answer, move, or otherwise respond to the Amended Complaint (Dkt. No. 32) shall be November 21, 2017.

So ORDERED and SIGNED this 23rd day of October, 2017.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE