

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

GESTURE TECHNOLOGY PARTNERS,  
LLC,

Plaintiff

v.

HUAWEI DEVICE CO., LTD., AND  
HUAWEI DEVICE USA, INC.,

Defendants.

**JURY TRIAL DEMANDED**

C.A. NO. 2:21-cv-00040-JRG

LEAD CONSOLIDATED CASE

SAMSUNG ELECTRONICS CO., LTD. AND  
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

C.A. NO. 2:21-cv-00041-JRG

**JOINT STIPULATION REGARDING OUTSTANDING MOTIONS**

Plaintiff Gesture Technology Partners, LLC (“GTP”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) (altogether, “Parties”) hereby file this Joint Stipulation Regarding Outstanding Motions.

WHEREAS, on February 4, 2021, GTP filed its Complaint (Dkt. No. 1, Case No. 2:21-cv-00041-JRG) against Samsung for alleged infringement of United States Patent Nos. 8,194,924; 7,933,431; 8,878,949; and 8,553,079 (collectively, the “Patents-in-Suit”).

WHEREAS, in an effort to eliminate certain issues from this case and to provide notice of such efforts to the Court, it is hereby jointly stipulated by the Parties, subject to the approval of the Court, that:

1. GTP agrees not to introduce or seek to introduce at trial any evidence, testimony, or argument regarding the Contested Applications, individually or collectively, with respect to its

allegations regarding infringement.<sup>1</sup> The parties agree to and do withdraw the following motions for all purposes:

- Samsung's Motion to Strike and/or Compel (Dkt. No. 51);
- Samsung's Motion for Protective Order (Dkt. No. 84);
- GTP's Motion to Compel (Dkt. No. 99).

2. Samsung agrees to and does withdraw its Motion to Strike Supplemental Expert Reports of Plaintiff's Experts David Kennedy and Andreas Groehn (Dkt. No. 133). To allow Samsung to address and respond to the supplemental opinions set forth in the supplemental expert reports, the Parties request that the Court: (a) permit Samsung to file a single supplemental brief of no more than seven (7) pages as to its dispositive motions and motions to strike expert testimony (including *Daubert* motions) that are impacted by GTP's supplemental expert reports no later than **January 28, 2022**; (b) permit Samsung to serve a supplemental rebuttal expert report no later than **February 7, 2022**; and (c) permit GTP to file a single responsive supplemental brief of no more than seven (7) pages no later than **February 11, 2022**.

3. GTP agrees to and does withdraw its Motion for Protective Order (Dkt. No. 92). Samsung agrees that it will not inquire at trial about litigation funding, litigation funders, or fee arrangements. GTP agrees that, if asked at trial, Dr. Pryor will confirm that he is the 100% owner of GTP, that in the event GTP obtains any recovery in this case he may choose to have GTP distribute to him all net proceeds (*i.e.*, after paying attorneys, expenses, etc.), and that if GTP

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<sup>1</sup> The Contested Applications are: Tracking Autofocus, Selfie Focus, Smart OIS, Smart Pause, Smart Scroll, Blur Background, Internet Transfer After Sense (e.g., QR Code), Bixby Vision, Control Exposure Based on Location, Live Masks Track/Apply, Live Stickers Track, Beauty Mode, and Portrait Mode.

obtains its requested damages in this case and he chooses to have GTP distribute to him all net proceeds he expects to receive many millions of dollars.

4. GTP represents that it produced its documents from the negotiation of the Huawei License to Samsung on January 24, 2022. The parties agree to and do withdraw the following motions for all purposes:

- Samsung's Motion to Compel (Dkt. No. 100);
- Samsung's Motion for Leave (Dkt. No. 120);
- Samsung's Motion for Leave (Dkt. No. 127); and
- Samsung's Motion to Compel (Dkt. No. 128).

The Parties therefore respectfully request that the Court enter the attached proposed order in accordance with this Joint Stipulation.

Dated: January 27, 2022

Respectfully submitted,

By: /s/ Fred I. Williams

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