

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

AGIS SOFTWARE DEVELOPMENT LLC §
§
v. § CIVIL ACTION NO. 2:21-cv-72 [JRG/RSP]
§ LEAD CASE
T-MOBILE USA, INC. and T-MOBILE §
US, INC. §
§

AGIS SOFTWARE DEVELOPMENT LLC §
§
v. § CIVIL ACTION NO. 2:21-cv-29 [JRG/RSP]
§
WHATSAPP, INC. §

**DEFENDANT WHATSAPP, INC.’S UNOPPOSED MOTION FOR A HEARING
ON ITS PENDING MOTION TO DISMISS FIRST AMENDED COMPLAINT
FOR IMPROPER VENUE [DKT. 63]**

Defendant WhatsApp, Inc. (“WhatsApp”) respectfully moves for a hearing, at the Court’s earliest convenience, on its Motion to Dismiss First Amended Complaint for Improper Venue [Dkt. 63] (“Motion to Dismiss”). On June 23, 2021, WhatsApp filed its sur-reply to WhatsApp’s Motion to Dismiss [Dkt. 95]. WhatsApp’s Motion to Dismiss has been fully briefed and is ripe for consideration. Accordingly, WhatsApp respectfully requests a hearing at the Court’s earliest convenience.

WhatsApp recognizes that the Court has discretion regarding whether or not the Court conducts an oral hearing regarding this motion and respectfully submits that oral argument will aid the Court in resolving the legal and factual issues implicated by WhatsApp’s motion.

Counsel for WhatsApp has conferred with counsel for AGIS regarding this motion, and while AGIS does not believe that the hearing requested by WhatsApp is necessary, AGIS does not oppose a hearing should the Court decide to set one.

Date: July 2, 2021

Respectfully submitted,

/s/ Lisa K. Nguyen, with permission by

Michael E. Jones

Michael E. Jones

SBN: 10929400

Patrick C. Clutter

SBN: 24036374

POTTER MINTON, PC

110 North College, Suite 500

Tyler, Texas 75702

Tel: 903-597-8311

Fax: 903-593-0846

mikejones@potterminton.com

patrickclutter@potterminton.com

Lisa K. Nguyen

Richard G. Frenkel

Clara Wang

LATHAM & WATKINS LLP

140 Scott Drive

Menlo Park, CA 94025-1008

Tel: (650) 328-4600 / Fax: (650) 463-2600

lisa.nguyen@lw.com

rick.frenkel@lw.com

clara.wang@lw.com

Alan Billharz

Tiffany C. Weston

LATHAM & WATKINS LLP

555 Eleventh Street, NW

Suite 1000

Washington, DC 20004

Tel: (202) 637-2200 / Fax: (202) 637-2201

alan.billharz@lw.com

tiffany.weston@lw.com

Attorneys for Defendant WhatsApp LLC

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that on July 2, 2021 counsel for Defendants complied with the meet and confer requirement in Local Rule CV-7(i). This motion is unopposed.

/s/ Michael E. Jones