

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

JAWBONE INNOVATIONS, LLC.,

Plaintiff,

vs.

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

Defendants.

Civil Action No. 2:21-cv-00186-JRG

JURY TRIAL DEMANDED

**DEFENDANTS SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG
ELECTRONICS AMERICA, INC.'S UNOPPOSED MOTION FOR LEAVE TO FILE A
SECOND AMENDED ANSWER AND COUNTERCLAIMS**

Defendants Samsung Electronics Co., Ltd. (“SEC”) and Samsung Electronics America, Inc. (“SEA”) (collectively, “Samsung”) respectfully seek leave to file a Second Amended Answer and Counterclaims. Samsung’s proposed amended pleading removes Samsung’s counterclaim alleging copyright infringement under 17 U.S.C. § 101 *et seq.* (Count XVIII). Because the Court’s May 17, 2022 deadline for amended pleadings has passed, Samsung seeks the Court’s leave to amend. Plaintiff Jawbone Innovations, LLC (“Jawbone”) does not oppose the relief requested in this motion and has provided written consent to the amended pleading. Therefore, Samsung respectfully requests that the Court grant Samsung’s motion for leave. *See* Fed. R. Civ. P. 15(a)(2) (stating that a party may amend its pleadings with “the opposing party’s written consent or the court’s leave” and that “[t]he court should freely give leave when justice so requires”); *see also Matter of Life Partners Holdings, Inc.*, 926 F.3d 103, 125 (5th Cir. 2019) (“Rule 15(a) evinces a bias in favor of granting leave to amend.”) (cites and quotes omitted).

DATE: June 15, 2022

Respectfully submitted,

/s/ Jin-Suk Park

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*Attorneys for Samsung Electronics Co., Ltd. and
Samsung Electronics America, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2022, I electronically filed the foregoing Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America Inc.'s motion with the Clerk of the Court for the Eastern District of Texas using the ECF System which will send notification to the registered participants of the ECF System as listed on the Court's Notice of Electronic Filing.

/s/ Melissa R. Smith

Melissa R. Smith

CERTIFICATE OF CONFERENCE

Counsel for Samsung conferred with Counsel for Jawbone by email, and counsel for Jawbone confirmed that Jawbone does not oppose the relief requested in this motion.

/s/ Melissa R. Smith

Melissa R. Smith