

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

JAWBONE INNOVATIONS, LLC,

Plaintiff,

v.

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

Defendants.

CASE NO. 2:21-cv-00186-JRG

JURY TRIAL DEMANDED

**DEFENDANTS SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG
ELECTRONICS AMERICA, INC.'S MOTION TO STAY**

Defendants Samsung Electronics Co., Ltd. (“SEC”) and Samsung Electronics America, Inc. (“SEA”) (collectively, “Samsung”), respectfully request that the Court stay the above-captioned action pending resolution of Samsung’s Motion to Transfer Venue to The Northern District of California Pursuant to 28 U.S.C. § 1404(a) (Dkt. No. 59).

On July 27, 2022, Samsung’s Motion to Transfer Venue was completely briefed. The Federal Circuit has stated that it fully expects the movant to promptly request transfer and seek to stay proceedings pending disposition of the transfer motion, and for the district court to act on those motions before proceeding to any motion on the merits of the action. *See In re Fusion-IO, Inc.*, 489 F. App’x 465, 466 (Fed. Cir. 2012). In light of the upcoming *Markman* hearing, and in view of the guidance from the Federal Circuit, Samsung respectfully requests that the Court stay further proceedings pending a ruling by the Court on Samsung’s Motion to Transfer Venue.

DATE: July 28, 2022

Respectfully submitted,

/s/ Melissa R. Smith

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

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff and counsel for Defendants have complied with the meet and confer requirement in Local Rule CV-7(h) and Plaintiff opposes the motion.

/s/ Melissa R. Smith

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service, on this 28th day of July, 2022.

/s/ Melissa R. Smith