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

Document 232

TOUCHSTREAM TECHNOLOGIES, INC.,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC. et al..

Defendants.

TOUCHSTREAM TECHNOLOGIES, INC., Plaintiff,

v.

COMCAST CABLE COMMUNICATIONS, LLC, d/b/a XFINITY, et al.,

Defendants.

Lead Case No. 2:23-cv-00059-JRG Member Case No. 2:23-cv-00062-JRG

COMCAST'S NOTICE OF TRIAL CONFLICT

Defendants Comcast Cable Communications, LLC, Comcast Corporation, Comcast Cable Communications Management, LLC, and Comcast of Houston, LLC (collectively "Comcast") respectfully submit this Notice to *inform* the Court of a trial conflict involving its technical expert, Dr. Kevin Jeffay, Ph.D., and request rescheduling of the Comcast member case.

The Comcast member case was not included in the Court's December 13, 2024 email laying out its trial calendar for January 13, 2025. However, counsel learned during the December 19, 2024 pretrial conference that the instant case is on the trial list for that date.

As explained during the pretrial conference, Dr. Jeffay is scheduled to testify as an expert witness in *Corrigent Corp. v. Cisco Sys., Inc.*, No. 6:22-cv-00396-ADA (W.D. Tex.) beginning that same day. That trial was scheduled before the rescheduling of, and recent notice regarding, this case. Due to this conflict, the Magistrate Judge indicated that *Touchstream Techs., Inc. v.*



Charter Comm's, Inc., No. 2:23-ev-0059 would proceed to trial ahead of the Comcast member case should the *Touchstream* consolidated cases have a trial on January 13.

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Comcast thus respectfully requests that the trial in the member Comcast case be continued to January 27, 2025 or as soon a date thereafter as the Court deems appropriate.

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Dated: December 20, 2024 COUNSEL FOR COMCAST DEFENDANTS,

/s/ Ashok Ramani

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 20, 2024 a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3)(A).

/s/ Ashok Ramani
Ashok Ramani

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