

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

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

## **JOINT MOTION TO TAKE DEPOSITION OUT OF TIME**

Plaintiff Touchstream Technologies, Inc. (“Touchstream”) and Defendants Comcast Cable Communications, LLC, d/b/a Xfinity; Comcast Corporation; Comcast Cable Communications Management, LLC; and Comcast of Houston, LLC, (collectively “Comcast”) file this Joint Motion to take the deposition of Comcast’s expert, Dr. Kevin Jeffay, out of time.

Expert discovery in this case is scheduled to close on July 29, 2024. Dr. Jeffay's deposition was scheduled to take place on July 26. However, Dr. Jeffay is unable to sit for a deposition at that time due to medical issues. The parties have agreed to conduct Dr. Jeffay's deposition on August 2.

Thus, the parties respectfully request that the deadline to take Dr. Jeffay's deposition be extended up to and including August 2, 2024. This request would not affect any other deadlines and would not require modification to the Court's overall schedule for the case.

Touchstream reserves its rights to supplement its briefing to the extent the timing of Dr. Jeffay's deposition and transcript delivery may impact it.

Dated: July 25, 2024

Respectfully submitted,

/s/ Ryan Dykal

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**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and that this is a joint motion.

/s/ David J. Lisson

David J. Lisson

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document is being served through CM/ECF on July 25, 2024.

/s/ David J. Lisson

David J. Lisson