

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

MAXELL, LTD.,

*Plaintiff,*

v.

APPLE INC.,

*Defendant.*

Case No. 5:19-cv-00036-RWS

**JURY TRIAL DEMANDED**

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**MAXELL, LTD.'S NOTICE OF WITHDRAWAL OF DEPOSITION NOTICE ON ANDREW STEIN (SUBJECT OF APPLE'S MOTION FOR PROTECTIVE ORDER (D.I. 116))**

Plaintiff Maxell, Ltd. writes to provide notice that it withdraws its Rule 30(b)(1) notice of deposition for Andrew Stein. Following the Court's Order on Maxell's Motion to Compel (D.I. 126), Maxell reached out to Apple stating that, subject to Apple's compliance with the Court's Order and service of a response to Interrogatory No. 6, Maxell would not seek the deposition of Andrew Stein. Because it appears, in view of recent communications, that Apple may continue to withhold relevant information despite the Court's Order, Maxell reserves the right to re-notice Mr. Stein's deposition in the future in the event Apple is not forthcoming with the information requested by Interrogatory No. 6.

Given Maxell's withdrawal of its deposition notice, Apple's Motion for a Protective Order (D.I. 116) is moot.<sup>1</sup>

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<sup>1</sup> Maxell proposed filing a joint notice with the Court regarding Apple's Motion for a Protective Order (D.I. 116), but has not heard back from Apple regarding this proposal. Maxell thus proceeded with the current notice so that the Court may avoid any unnecessary expenditure of resources in considering Apple's Motion.

Dated: November 18, 2019

By: /s/ Jamie B. Beaber

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**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served this 18th day of November, 2019, with a copy of this document via the Court's electronic CM/ECF system.

/s/ Jamie B. Beaver  
Jamie B. Beaver