

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

MAXELL, LTD.,

Plaintiff

v.

APPLE INC.,

Defendant.

Civil Action NO. 5:19-cv-00036-RWS

JURY TRIAL DEMANDED

**MAXELL, LTD. AND APPLE INC.'S JOINT REPORT REGARDING APPLE INC.'S
MOTION TO COMPEL INFRINGEMENT CONTENTIONS COMPLIANT WITH
PATENT RULE 3-1(G) OR, IN THE ALTERNATIVE, TO PRECLUDE MAXELL'S
RELIANCE ON SOURCE CODE FOR INFRINGEMENT (D.I. 123) AND APPLE INC.'S
MOTION TO COMPEL LICENSING AND NEGOTIATION DOCUMENTS (D.I. 156)**

Plaintiff Maxell, Ltd. (“Maxell”) and Defendant Apple Inc. (“Apple”) hereby submit this joint report on the results of a meet and confer held on December 19, 2019 related to Apple’s Motions to Compel (D.I. 123 and 156). Although the parties discussed each of the issues raised in Apple’s Motions, they were unable to resolve any disputes. Given the foregoing, Apple continues to seek the relief requested in its Motions.

Dated December 20, 2019

/s/ Jamie B. Beaber

Geoff Culbertson
Kelly Tidwell
Patton, Tidwell & Culbertson, LLP
2800 Texas Boulevard (75503)
Post Office Box 5398
Texarkana, TX 75505-5398
Telephone: (903) 792-7080
Facsimile: (903) 792-8233
gpc@texarkanalaw.com
kbt@texarkanalaw.com

Jamie B. Beaber
Alan M. Grimaldi
Kfir B. Levy
James A. Fussell, III
Baldine B. Paul
Tiffany A. Miller
Saqib Siddiqui
Bryan Nese
William J. Barrow
Alison T. Gelsleichter
MAYER BROWN LLP
1999 K Street, NW
Washington, DC 20006
Telephone: (202) 263-3000
Facsimile: (202) 263-3300
jbeaber@mayerbrown.com
agrimaldi@mayerbrown.com
klevy@mayerbrown.com
jfussell@mayerbrown.com
bpaul@mayerbrown.com
tmiller@mayerbrown.com

/s/ Melissa R. Smith

Luann L. Simmons (*Pro Hac Vice*)
lsimmons@omm.com
O’MELVENY & MYERS LLP
Two Embarcadero Center
28th Floor
San Francisco, CA 94111
Telephone: 415-984-8700
Facsimile: 415-984-8701

Xin-Yi Zhou (*Pro Hac Vice*)
vzhou@omm.com
Anthony G. Beasley (TX #24093882)
tbeasley@omm.com
O’MELVENY & MYERS LLP
400 S. Hope Street
Los Angeles, CA 90071
Telephone: 213-430-6000
Facsimile: 213-430-6407

Laura Bayne Gore (*Pro Hac Vice*)
lbayne@omm.com
O’MELVENY & MYERS LLP
Times Square Tower, 7 Times Square
New York, NY 10036
Telephone: 212-326-2000
Facsimile: 212-326-2061

Melissa R. Smith (TX #24001351)
melissa@gilliamsmithlaw.com
GILLIAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670

ssiddiqui@mayerbrown.com
bnese@mayerbrown.com
wbarrow@mayerbrown.com
agelsleichter@mayerbrown.com

Robert G. Pluta

Amanda S. Bonner

MAYER BROWN LLP

71 S. Wacker Drive

Chicago, IL 60606

(312) 782-0600

rpluta@mayerbrown.com

asbonner@mayerbrown.com

Telephone: (903) 934-8450

Facsimile: (903) 934-9257

Attorneys for Defendant Apple Inc.

Counsel for Plaintiff Maxell, Ltd.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on December 20, 2019.

/s/ Melissa R. Smith
Melissa R. Smith