

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

MAXELL LTD.,	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 5:19-CV-00036-RWS
	§	
v.	§	
	§	
APPLE INC,	§	
	§	
Defendant.	§	


**ORDER**

Apple filed a Motion to Compel Infringement Contentions Compliant with Local Rule 3-1(g) (Docket No. 123). The Court heard arguments on the motion on January 8, 2020. In its opposition brief and in the hearing on the motion, Plaintiff Maxell asserted that Apple’s production of source code is incomplete and, therefore, that its deadline to provide supplemental infringement contentions under Rule 3-1(g) has not passed. Apple asserted that its production of source code is complete.

The deadline to comply with P.R. 3-1(g) does not run “until 30 days after source code production for each accused instrumentality is produced by the opposing party.” Docket No. 42 at 2. As such, the Court finds it appropriate to resolve the parties’ discovery dispute before ruling on the motion. The parties are therefore

**ORDERED** to meet and confer and attempt to resolve this discovery dispute. The parties shall file a joint notice, no later than **February 1, 2020**, informing the Court whether the dispute has been resolved. If the parties cannot reach agreement, the parties shall describe the specific issues in dispute, and, if necessary, the plaintiff may file an appropriate motion to compel.

So ORDERED and SIGNED this 16th day of January, 2020.

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE