

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

**MAXELL, LTD.**

§

**V.**

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**No. 5:19CV36-RWS**

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**APPLE INC.**

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**ORDER REGARDING HEARING ON PENDING MOTIONS**

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The following motions have been referred to the undersigned United States Magistrate Judge for pretrial purposes in accordance with 28 U.S.C. § 636:

**Maxell, Ltd.’s Opposed Motion to Compel (Docket Entry # 197); and**

**Maxell, Ltd.’s Opposed Motion for Sanctions (Docket Entry # 210).**

Currently the motions are set for hearing March 17, 2020 at 10:00 a.m in Texarkana.

The undersigned has reviewed the briefing filed with the Court to date and is of the opinion a hearing is not necessary. The undersigned therefore cancels the hearing set for March 17, 2020. That being said, to the extent any party is of the firm opinion a hearing is critical to the Court’s consideration of the motions, a hearing could be reset but at a much later date given the potential limitations on travel due to COVID-19. Any party insisting upon oral argument on the motions shall notify the Court by email to Hailee\_Amox@txed.uscourts.gov on or before Friday, March 20, 2020 at 5:00 p.m.

In the meantime, the Court modifies the briefing schedule on the motion for sanctions as follows. Apple Inc. (“Apple”) shall file its response to the motion for sanctions on or before Thursday, March 19, 2020. Any reply shall be filed on or before March 25, 2020, and any surreply shall be filed on or before March 31, 2020.

If neither party requests a hearing be reset, the Court will rely solely on the briefing and rule as soon as practicable. The Court advises the parties it intends to issue orders the week of April 6, 2020.<sup>1</sup> Accordingly, it is

**ORDERED** that the March 17, 2020 hearing is **CANCELLED**. It is further

**ORDERED** that Apple Inc. shall file an expedited response to Maxell, Ltd.'s Opposed Motion for Sanctions (Docket Entry # 210) on or before Thursday, March 19, 2020. Any reply shall be filed on or before March 25, 2020, and any surreply shall be filed on or before March 31, 2020. It is further

**ORDERED** that to the extent they have not already done so, the parties shall forward courtesy copies of all relevant briefing to the undersigned as soon as practicable.

**SIGNED this 13th day of March, 2020.**

  
CAROLINE M. CRAVEN  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The Court understands Plaintiff Maxell, Ltd. ("Maxell") requested expedited briefing and a single hearing on both motions due to the upcoming April 7, 2020 deadline for opening expert reports. To the extent either party believes an extension of any scheduling order deadlines (other than the pretrial and trial deadlines) is warranted in light of this order, the Court advises the parties to raise the issue with District Judge Schroeder.