

**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-0036-RWS

JURY TRIAL DEMANDED

JOINT MOTION SEEKING ENTRY OF DOCKET CONTROL ORDER

Plaintiff Maxell, Ltd. (“Maxell”) and Defendant Apple Inc. (“Apple”) (collectively, “the Parties”) hereby submit this Joint Motion Seeking Entry of Docket Control Order.

The Parties have conferred and agreed to all but one term of the proposed Docket Control Order relating to the maximum number of claim terms that will be construed. This issue, and the Parties’ respective proposals, are designated in highlighting in the attached.

With respect to the approaching scheduling conference, the Parties state that there are several issues in the proposed Docket Control Order, proposed Order Focusing Patent Claims and Prior Art to Reduce Costs, and the forthcoming proposed Protective Order on which the parties disagree. Thus, the parties believe a scheduling conference is necessary.

Dated: June 12, 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

/s/ Luann L. Simmons

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

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
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

Counsel for Plaintiff Maxell, Ltd.

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)
lwayne@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
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Counsel for Defendant Apple Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served this 12th day of June, 2019, with a copy of this document via the Court's CM/ECF system.

/s/ Jamie B. Beaber