

**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 REPORT REGARDING
APPLE'S MOTION FOR LEAVE TO CONDUCT TWO DEPOSITIONS
AFTER THE FACT DEPOSITION DEADLINE (DKT. 307)**

On May 1, 2020, Apple filed a Motion for Leave to Conduct Two Depositions After the Fact Deposition Deadline. D.I. 307. Maxell filed its opposition on May 18, 2020. D.I. 332. The Parties have met and conferred on the issues and report to the Court on same below:

Apple is still uncertain of (1) whether or not either of these witnesses will be available for deposition and/or trial and (2) whether Apple will call these witnesses at trial.

Maxell has indicated that, to the extent Apple will call Mr. Watrous at trial, it does not object to a pretrial deposition of Mr. Watrous. That portion of the pending motion is agreed.

Maxell continues to object to a deposition of Mr. Murphy, in the event that Mr. Murphy becomes available to give deposition testimony.

Dated: July 14, 2020

By: /s/ Jamie B. Beaver

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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 July 14, 2020.

/s/ Melissa R. Smith