

**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-00036-RWS

**JURY TRIAL DEMANDED**

---

**JOINT NOTICE REGARDING PRETRIAL OBJECTIONS**

Pursuant to the Docket Control Order (D.I. 545), Plaintiff Maxell, Ltd. (“Plaintiff” or “Maxell”) and Defendant Apple Inc. (“Defendant” or “Apple”) hereby submit to the Court the status of and proposed steps for resolving remaining pretrial objections.

On November 5, 2020, the Parties each identified withdrawn exhibits. On November 9, 2020, the Parties each identified the exhibits for which they maintain pretrial objections. On November 11, 2020, the Parties held a teleconference to discuss the maintained exhibit objections and were able to reach agreement with respect to certain exhibits and objections. The parties each believe that further narrowing of exhibits and pretrial objections is possible. They have thus agreed to perform another round of narrowing and to have another meet and confer during the week of November 16 to discuss remaining objections and determine whether there is any room for additional agreement.

At this point, and given the potential for significant further narrowing, the parties believe that any remaining exhibit objections may be handled on a day-by-day basis pursuant to the schedule set forth in the Joint Pretrial Order (D.I. 546 at Section L(4)). This is subject to change pending the results of the further meet and confer.

With respect to objections to deposition designations, given the relatively low number of objections made by the Parties and the uncertainty regarding what designations either Party may actually seek to enter, the Parties also agree that it will be most efficient to address these as they arise pursuant to the schedule laid out in the Pretrial Order (D.I. 546 at Section L(19)).

The Parties do not anticipate any exhibit or deposition designation objections needing to be argued or addressed at the Pretrial Conference, unless part and parcel of an otherwise pending motion or issue.

Dated: November 11, 2020

*/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 J. Siddiqui  
Bryan C. Nese  
William J. Barrow  
Alison T. Gelslechter  
Clark S. Bakewell  
MAYER BROWN LLP  
1999 K Street, NW  
Washington, DC 20006  
Telephone: (202) 263-3000  
Facsimile: (202) 263-3300

*/s/ Mark D. Fowler*

---

Harry L. Gillam, Jr.  
Texas Bar No. 07921800  
Melissa Richards Smith  
Texas Bar No. 24001351  
GILLAM & SMITH, LLP  
303 South Washington Avenue  
Marshall, TX 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
Email: gil@gillamsmithlaw.com  
Email: melissa@gillamsmithlaw.com

Mark D. Fowler (Pro Hac Vice)  
Brent K. Yamashita  
Christian Chessman  
DLA PIPER LLP (US)  
2000 University Ave.  
East Palo Alto, CA 94303-2214  
Tel: 650.833.2000  
Fax: 650.833.2001

Sean C. Cunningham (Pro Hac Vice)  
Erin P. Gibson (Pro Hac Vice)  
Kevin Hamilton (Pro Hac Vice)  
David R. Knudson (Pro Hac Vice)  
DLA PIPER LLP (US)  
401 B Street, Suite 1700

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  
cbakewell@mayerbrown.com

Robert G. Pluta  
Amanda Streff 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.*

San Diego, CA 92101  
Tel: 619.699.2700  
Fax: 619.699.2701

Michael Jay (Pro Hac Vice)  
DLA PIPER LLP (US)  
2000 Avenue of the Stars, Suite 400  
Los Angeles, CA 90067  
Tel: 310.595.3000  
Fax: 310.595.3300

Aaron G. Fountain  
Zachary Loney  
DLA PIPER LLP (US)  
401 Congress Avenue, Suite 2500  
Austin, Texas 78701-3799  
Tel: 512.457.7000  
Fax: 512.457.7001

Dawn M. Jenkins  
DLA PIPER LLP (US)  
1000 Louisiana, Suite 2800  
Houston, TX 77002-5005  
Tel: 713.425.8490  
Fax: 713.300.6012

Paul Steadman  
Stephanie Lim (Pro Hac Vice)  
DLA PIPER LLP (US)  
444 West Lake Street, Ste. 900  
Chicago, IL 60606  
Tel: 312.368.4000  
Fax: 312.236.7516

*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 11<sup>th</sup> day of November, 2020, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

*/s/ Jamie B. Beaber* \_\_\_\_\_

Jamie B. Beaber