

the existing transfer Order, it is unlikely this Court has any interest in receiving these additional filings and it is not clear that the Georgia transferee court will need or benefit from those filings. For example, the Georgia District Court does not have the numerical limitation imposed by this Court's P.R. 4-3. Moreover, the Georgia District Court does not include a deadline by which inequitable conduct must be pled. Preparing and filing these materials would impose a significant, potentially unnecessary burden on the parties.

As grounds for opposing the proposed requested stay, the SIPCO/IPCO plaintiffs advised that they did not want to delay the claim construction process in this case because the claim construction briefing is complete in the Georgia action. But it is not clear how the Georgia District Court would proceed given the fact that a total of 210 patent claims of 13 patents are at issue in the two proceedings. That court might keep the two actions separate or it might consolidate the two. If the two actions are consolidated, it is possible that the Georgia District Court would render the case more manageable by requiring SIPCO/IPCO to identify a reasonable number of claims to assert. Given these uncertainties, it is not clear how filing the required P.R. 4-3 here would advance resolution of any aspect of the Georgia action. Accordingly, Defendants move this Court for an Order vacating the pending due dates pending transfer of this action.

Dated: July 5, 2016

Respectfully submitted,

/s/ James Berquist

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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 5, 2016.

/s/ Melissa R. Smith

CERTIFICATE OF CONFERENCE

Pursuant to L.R. CV-7(i), the undersigned hereby certifies that counsel for Defendants met and conferred with counsel for Plaintiffs on July 1 and July 5, 2016 and have complied with L.R. CV- 7(h). Plaintiffs oppose the motion, conclusively leaving the parties at an impasse, and an open issue for the Court to resolve.

/s/ Bobby Lamb
