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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

BANDSPEED, LLC, )  
Plaintiff, )  
) Case Number  
vs. ) AU:20-CV-00765  
)  
REALTEK SEMICONDUCTOR )  
CORPORATION, ) Austin, Texas  
Defendant. ) April 11, 2023

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TRANSCRIPT OF STATUS CONFERENCE  
BEFORE THE HONORABLE DAVID A. EZRA  
SENIOR UNITED STATES DISTRICT JUDGE

APPEARANCES:

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1     *(Tuesday, April 11, 2023, 9:03 a.m.)*

2                                     \*   \*   \*

3             COURT SECURITY OFFICER: All rise.

4             THE COURT: Please be seated.

5             COURTROOM DEPUTY CLERK: Austin 20-CV-00765,  
6 Bandspeed, LLC versus Realtek Semiconductor Corporation.

7             THE COURT: Good morning. Can we have appearances  
8 please.

9             MR. PRICE: Good morning, Judge. My name is Adam  
10 Price for plaintiff, Bandspeed, and I'm here with my colleague  
11 Chris Goodpastor.

12             MR. GOODPASTOR: Good morning, Your Honor.

13             THE COURT: Good morning.

14             MR. THOMPSON: Good morning, Your Honor. Blake  
15 Thompson here for Realtek, and also with me is Jeffrey Johnson.  
16 We're ready to proceed.

17             THE COURT: Okay. We're here for a status conference  
18 to see exactly where we are in this case. Now, I had dinner  
19 last night with Judge Yeakel, who by the way is in unusually  
20 fine form getting ready to retire, and to say there wasn't a  
21 tinge of jealousy there would be the understatement, I think.  
22 But nonetheless, he indicated that he understood there would be  
23 some or some progress had been made toward resolving this case  
24 by way of settlement. Am I right, wrong or was he wrong?

25             MR. PRICE: I think I can address that. Adam Price

1 for plaintiff, Bandspeed. With respect to this case, we have  
2 had discussions. I think we're optimistic that we can get  
3 something done. And in talking with counsel in the hall, our  
4 thought is if we push Markman out a little bit, the actual  
5 hearing, that will give us some time to maybe get this done and  
6 also would accommodate schedules. In terms of Bandspeed as a  
7 whole, there are several Bandspeed cases and those are in  
8 different stages discussions.

9 THE COURT: I only had this one, right?

10 MR. PRICE: That's correct, Your Honor.

11 COURTROOM DEPUTY CLERK: Yes, Judge.

12 THE COURT: Who's got the other ones?

13 MR. PRICE: Judge Yeakel currently has them.

14 COURTROOM DEPUTY CLERK: He hasn't transferred them  
15 yet. There's a few.

16 THE COURT: I think you can count on them probably  
17 landing here. I'm going to be picking up 200 to 250 of his  
18 cases, I think.

19 MR. THOMPSON: We're in agreement with plaintiff's  
20 counsel, we would like to push the Markman hearing back to  
21 maybe August or so and it would give us some time, number one,  
22 just for scheduling, but also give us some time to explore  
23 possible resolution as well.

24 THE COURT: You know, my experience -- thank you,  
25 counsel. My experience -- well, there's two ways to look at

1 this. You have the old Sam Sparks way to look at it. And  
2 Sam's view is that you need a hot iron on people's nether  
3 regions to get things done. Judge Yeakel and I are more of the  
4 hopeful type of judges, I think. We like to think that if we  
5 give somebody a continuance in order to work on the case and  
6 try to get it settled, that they actually will do that and not  
7 take it and put it on the shelf and go to something else, which  
8 unfortunately does happen. And so I think that the truth  
9 probably lies somewhere between Sam Sparks and David Ezra and  
10 Lee Yeakel, I don't know. But I am inclined to take you  
11 gentlemen at your word that you'll, you know, try to work this  
12 out.

13           Now, are these other -- I don't know anything about  
14 these other cases. Are they against the same parties?

15           MR. PRICE: No, Your Honor. Same patents where  
16 there's overlap of patents, but they are against different  
17 parties.

18           THE COURT: Different parties, okay.

19           MR. PRICE: The patents generally relate to blue  
20 tooth, so fairly widespread use of the technology.

21           THE COURT: Sure, of course. All right, so what dates  
22 do you want? Don't get too crazy now.

23           MR. THOMPSON: I think from our side, Your Honor,  
24 anything August 1st and beyond.

25           THE COURT: We're talking about for the Markman

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