

EXHIBIT XX

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

Josh Glucoft
To Call Writer Directly:
+1 310 552 4284
josh.glucoft@kirkland.com

2049 Century Park East, 37th Floor,
Los Angeles, CA 90067
United States

+1 310 552 4220

www.kirkland.com

Facsimile:
+1 310 552 5900

May 5, 2022

By E-mail

Elise M. Baumgarten
Williams & Connolly LLP
ebaumgarten@wc.com

Re: Venue Discovery in *Gentex Corp. et al. v. Meta Platforms, Inc. et al.*, No. 6:21-cv-00755-ADA (W.D. Tex.)

Dear Elise:

I write in response to your letter dated April 25, 2022 regarding ongoing deficiencies in Plaintiffs' venue discovery responses.

A. Interrogatory 1 / RFP 1

We understand from your response that Mr. Foxlin has a consulting agreement with Plaintiffs pursuant to which Mr. Foxlin is being paid for (at least) the time he spends in connection with this litigation. Based on this understanding, it appears that, in accordance with his consulting agreement, Mr. Foxlin would be paid for his time traveling to and from this forum for trial, and that Mr. Foxlin was paid for his time incurred in preparing a declaration stating that he is "willing to travel voluntarily" for trial. If that is not correct, please let us know. Please also produce by May 10 the agreement(s) that Plaintiffs expressly and repeatedly agreed to produce.

B. Interrogatories 2-3

Plaintiffs' position appears to be internally inconsistent. Please explain why Plaintiffs do not "agree that any individuals or documents located outside of Texas or California are necessarily irrelevant," while simultaneously refusing to provide discovery regarding individuals located outside of Texas or California, given that Plaintiffs have asserted that relevant activities occurred in Maryland and Massachusetts. Please reconsider your internally inconsistent position and provide the requested discovery by May 10.

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C. Interrogatory 4

Thank you for confirming that no individuals or entities based in Texas currently have, have previously had, or have ever been offered any rights to any of the asserted patents. As to those entities that Plaintiffs admit have had or been offered an interest in the asserted patents, Plaintiffs continue to refuse to provide any information on specific individuals, and refuse to even explain the basis for your refusal. Please provide the requested discovery regarding these relevant entities by May 10.

D. RFP 2

Plaintiffs appear to be improperly withholding public information as allegedly protected by the work product doctrine, rather than timely disclosing admittedly public information that it has already identified as relevant to venue issues in this matter. As I previously explained, this is contrary to FRCP 26(e)(1), which requires timely disclosure during the venue discovery period: “A party who has made a disclosure under Rule 26(a)—or who has responded to an interrogatory, request for production, or request for admission—must supplement or correct its disclosure or response: (A) *in a timely manner* if the party learns that in some material respect the disclosure or response is incomplete or incorrect...” Plaintiffs’ improper withholding has prevented Meta from providing during the venue discovery period all the information that it may rely on in order to rebut the information that Plaintiffs are withholding, so we understand that Gentex is willingly foregoing any ability to seek discovery into information that Meta provides outside the venue discovery period in rebuttal to such information, including the ability to depose any witnesses that might provide declarations in support of Defendants’ reply.

Sincerely,

/s/ Joshua Glucoft

Joshua Glucoft

cc: All counsel of record