# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ JAWBONE INNOVATIONS, LLC, Case No. 6:23-cv-00158-ADA

Plaintiff, **JURY TRIAL DEMANDED** 

v.

META PLATFORMS, INC.,

Defendant.

## JAWBONE INNOVATIONS, LLC'S NOTICE OF EXTENSION REGARDING VENUE BRIEFING AND AGREED PROPOSED SCHEDULING ORDER

Pursuant to the Court's March 4, 2024 instructions, Plaintiff Jawbone Innovations, LLC ("Jawbone") respectfully provides notice that the parties have agreed on the attached proposed scheduling order (Ex. 1). The Parties initially agreed on an additional two-week extension for venue discovery briefing. However, on March 4, 2024, the Court set a discovery dispute hearing in the above-entitled case for March 26, 2024. In light of the newly scheduled hearing, the proposed order extends the briefing schedule by three weeks to allow time to address any order issued in the hearing. With this extension, Jawbone's response to the motion will be due on April 3, 2024 and Defendant's Reply will be due April 17, 2024. Briefing on the transfer motion will thus be complete more than 45 days before the currently scheduled *Markman* hearing on June 5, 2024. Accordingly, this extension will not change the date for any hearing, any final submission to the Court related to a hearing, or the trial.

<sup>&</sup>lt;sup>1</sup> The Parties attempted to comply with the Court's instructions by filing a joint motion on March 7, 2024 (Dkt. 56). However, the court staff terminated the motion and instructed the Parties to file a notice instead.



Dated: March 8, 2024 Respectfully submitted,

### /s/ Peter Lambrianakos

Raymond W. Mort, III
Texas State Bar No. 00791308
Email: raymort@austinlaw.com
THE MORT LAW FIRM, PLLC
100 Congress Avenue, Suite 2000

Austin, Texas 78701 Tel/Fax: 512-865-7950

### OF COUNSEL:

Alfred R. Fabricant (Admitted *Pro Hac Vice*)

NY Bar No. 2219392

Email: ffabricant@fabricantllp.com

Peter Lambrianakos (Admitted Pro Hac Vice)

NY Bar No. 2894392

Email: plambrianakos@fabricantllp.com

Vincent J. Rubino, III (Admitted Pro Hac Vice)

NY Bar No. 4557435

Email: vrubino@fabricantllp.com

Richard M. Cowell (*Pro Hac Vice* to be filed)

NY Bar No. 4617759

Email: rcowell@fabricantllp.com

#### **FABRICANT LLP**

411 Theodore Fremd Avenue, Suite 206 South

Rye, New York 10580 Telephone: (212) 257-5797 Facsimile: (212) 257-5796

ATTORNEYS FOR PLAINTIFF JAWBONE INNOVATIONS, LLC



## **CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served on March 8, 2024 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail on this same date.

/s/ Peter Lambrianakos Peter Lambrianakos

