From: Marcellous McZeal <mmczeal@grealishmczeal.com>
Sent: Tuesday, January 11, 2022 11:07 AM
To: Greeson, Robert <robert.greeson@nortonrosefulbright.com>; Janitens, Erik <erik.janitens@nortonrosefulbright.com>
Cc: 'djefferson@grealishmczeal.com' <djefferson@grealishmczeal.com>; 'shunter@schneiderwallace.com' <shunter@schneiderwallace.com>; 'lee@lawlbw.com' <lee@lawlbw.com>; Baker, Jackie <jackie.baker@nortonrosefulbright.com>; Wu, Hao J. <hao.wu@nortonrosefulbright.com>; Pizzurro, Beverly <beverly.pizzurro@nortonrosefulbright.com>; Jason H. Kim <jkim@schneiderwallace.com>
Subject: Re: Plotagraph, Inc. et al. v. Lightricks, Ltd. (S.D.Tex. 4:21-cv-03873) - Waiver of Service Under Rule 4

Erik,

Good morning. Please find attached:

- 2 copies of the filed stamped complaint and;
- 2 copies of the waiver of service of summons.

Upon email return of the executed copy of the waiver, I will file same and copy you.

Let me know if you need anything further. ...again, thanks for the professional courtesy of waiving continued formal service of summons.

Respectfully,

G | M
Marcellous S. McZeal
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700 Louisiana, 48th Floor
Houston, Texas 77002
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On Monday, January 10, 2022, 05:54:52 PM CST, Janitens, Erik <erik.janitens@nortonrosefulbright.com> wrote:

Marcellous –

Lightricks agreed to waive service as of last week, i.e., prior to actually receiving Plotagraph's waiver in exchange for the time permitted under Rule 4. Lightricks may file a responsive pleading beforehand, but is not willing to forego the permitted time.

Thanks,

Erik

From: Marcellous McZeal [mailto:mmczeal@grealishmczeal.com]
Sent: Monday, January 10, 2022 12:00 PM
To: Greeson, Robert <robert.greeson@nortonrosefulbright.com>; Janitens, Erik <erik.janitens@nortonrosefulbright.com>
Cc: 'djefferson@grealishmczeal.com' <djefferson@grealishmczeal.com>; 'shunter@schneiderwallace.com' <shunter@schneiderwallace.com>; 'lee@lawlbw.com' <lee@lawlbw.com>; Baker, Jackie <jackie.baker@nortonrosefulbright.com>; Wu, Hao J. <hao.wu@nortonrosefulbright.com>; Pizzurro, Beverly <beverly.pizzurro@nortonrosefulbright.com>; Jason H. Kim <jkim@schneiderwallace.com>
Subject: Re: Plotagraph, Inc. et al. v. Lightricks, Ltd. (S.D.Tex. 4:21-cv-03873) - Waiver of Service Under Rule 4

Erik,

Good morning. I agree with your interpretation of the Rules regarding the deadline for Defendant to file its responsive pleading. However, the Parties can agree to shorten that time and expedite the process.

Please let me know if we can agree to shorten the time for Defendant's response and I'll prepare the waiver accordingly.

Respectfully,

G|M
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On Friday, January 7, 2022, 03:50:08 PM CST, Janitens, Erik <erik.janitens@nortonrosefulbright.com> wrote:

Marcellous –

The time would be 90 days pursuant to FRCP 4(d)(3): "Time to Answer After a Waiver. A defendant who, before being served with process, timely returns a waiver need not serve an answer to the complaint until 60 days after the request was sent—or until 90 days after it was sent to the defendant outside any judicial district of the United States."

Separately, we understand Ms. Connelly will be represented by counsel. Whether she is or not, we want to make sure all parties are informed about the responsive pleading deadline, case schedule, etc. Please let us know if we should contact Ms. Connelly directly or through counsel—i.e.—if you happen to know.

Thanks,

Erik

From: Marcellous McZeal [mailto:mmczeal@grealishmczeal.com]
Sent: Friday, January 7, 2022 11:55 AM
To: Greeson, Robert <robert.greeson@nortonrosefulbright.com>
Cc: 'djefferson@grealishmczeal.com' <djefferson@grealishmczeal.com>; 'shunter@schneiderwallace.com' <shunter@schneiderwallace.com>; 'lee@lawlbw.com' <lee@lawlbw.com>; Janitens, Erik <erik.janitens@nortonrosefulbright.com>; Baker, Jackie <jackie.baker@nortonrosefulbright.com>; Wu, Hao J. <hao.wu@nortonrosefulbright.com>; Pizzurro, Beverly <beverly.pizzurro@nortonrosefulbright.com>; Jason H. Kim <jkim@schneiderwallace.com>
Subject: Re: Plotagraph, Inc. et al. v. Lightricks, Ltd. (S.D.Tex. 4:21-cv-03873) - Waiver of Service Under Rule 4

Robert,

Good morning. Regarding the waiver of summons in the above styled matter, please let me know how much time you want to file Defendant's responsive pleading so I can identify same in the waiver of summons.

Thanks for your professional courtesy regarding the waiver.

Respectfully,

-Marcellous

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On Thursday, January 6, 2022, 06:38:06 PM CST, Greeson, Robert <robert.greeson@nortonrosefulbright.com> wrote:

All –

Following up on my conversation with Judge Jefferson this afternoon, we have been retained by Lightricks. As I mentioned, service was defective because not all of the complaint was sent to Lightricks. A dispute over the mechanics of service seems unproductive, and we are agreeable to waiving service under Rule 4 as of today.

If the waiver of service form is sent, I will promptly sign and return.

Best,

--Robert

Robert Greeson | US Head of Technology and Communications, Media and Entertainment
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