

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

DALI WIRELESS, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 6:22-CV-00104-ADA
v.	)	
	)	
CELLCO PARTNERSHIP D/B/A VERIZON	)	
WIRELESS, VERIZON CORPORATE	)	
SERVICES GROUP INC., VERIZON	)	
ONLINE LLC, COMMScope HOLDING	)	
COMPANY, INC., COMMScope, INC.,	)	
COMMScope TECHNOLOGIES LLC,	)	
ERICSSON INC.,	)	
TELEFONAKTIEBOLAGET LM	)	
ERICSSON, CORNING INC., and CORNING	)	
OPTICAL COMMUNICATIONS LLC,	)	
	)	
	)	
Defendants.	)	

STIPULATION REGARDING NARROWING OF ISSUES

WHEREAS, Defendants Cellco Partnership d/b/a Verizon Wireless, Verizon Corporate Services Group Inc., Verizon Online LLC (collectively, the “Verizon Defendants”), CommScope Holding Company, Inc., CommScope Inc., CommScope Technologies LLC (collectively, the “CommScope Defendants”), Ericsson Inc., Telefonaktiebolaget LM Ericsson (collectively, the “Ericsson Defendants”), and Corning Inc., and Corning Optical Communications LLC (collectively, the “Corning Defendants”) have filed an Opposed Motion to Sever and Stay Pending Final Resolution of Supplier Lawsuits (ECF No. 75);

WHEREAS, therein Defendants request, *inter alia*, that the above-captioned action “be severed into three cases: (1) CommScope and Verizon; (2) Ericsson and Verizon, and (3) Corning and Verizon”;

WHEREAS, Defendants further represent that they wish to “provide for as many efficiencies as possible,” and so to that end “the Supplier Defendants do not oppose consolidation of the severed cases for pre-trial purposes, consistent with this Court’s practice for related cases”; and

WHEREAS, the parties desire to minimize motion practice so as to most efficiently deploy limited resources in support of this dispute;

NOW, THEREFORE, Dali and each of the Verizon Defendants, CommScope Defendants, Ericsson Defendants, and Corning Defendants hereby stipulate, subject to the approval and order of the Court, as follows:

1. The above-captioned action will be severed into three actions, one naming as defendants the Verizon Defendants and CommScope Defendants, one naming as defendants the Verizon Defendants and Ericsson Defendants; and one naming as defendants the Verizon Defendants and Corning Defendants;
2. The severed actions will be formally consolidated for all pre-trial purposes, subject to the approval of the Court;
3. Following severance, no Defendant will move to transfer venue to any other court, except that the CommScope Defendants’ already pending Opposed Motion to Dismiss for Improper Venue or to Transfer Venue to the Eastern District of Texas (ECF No. 64) is not affected by this stipulation, and Plaintiff Dali will file its opposition thereto in due course;
4. Each side will bear its own fees and costs with respect to the Motion to Sever and Stay Pending Final Resolution of Supplier Lawsuits solely as it relates to Defendants’ request to sever;

5. No Defendant will rely on the fact of severance in support of or opposition to Defendants' Motion to Sever and Stay Pending Final Resolution of Supplier Lawsuits as it relates to Defendants' request to stay the Verizon Defendants; and

6. All parties reserve all available rights both as to the Motion to Sever and Stay Pending Final Resolution of Supplier Lawsuits as it relates to Defendants' request to stay the Verizon Defendants, and otherwise.

Dated: October 26, 2022

Respectfully submitted,

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Attorneys for the Verizon Defendants

IT IS SO ORDERED this ____ day of _____, 2022.

U.S.D.J.

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October 2022, I electronically filed the foregoing with the clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

By: /s/ Joseph M. Abraham
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