

William F Bullard

From: Elizabeth Knuppel <Elizabeth_Knuppel@txwd.uscourts.gov>
Sent: Tuesday, November 22, 2022 9:08 AM
To: Steve Skelley
Cc: ross.barton@alston.com; ddacus@dacusfirm.com; cjtysen@duanemorris.com; gdricheson@duanemorris.com; jrgibson@duanemorris.com; japowers@duanemorris.com; msyungwirth_duanemorris.com; bcrafft@findlaycraft.com; efindlay@findlaycraft.com; caleb.bean@alston.com; katherine.rubschlager@alston.com; mike.newton@alston.com; yuri.mikulka@alston.com; Sam A Hamer; William F Bullard; Tara C. Norgard; Dali-VZ-WDTX
Subject: RE: Dali Wireless, Inc. v. Cello Partnership d/b/a Verizon Wireless, et al., No. 6:22-CV-00104-ADA (WDTX) - Notice to Clerks

Counsel,

Thank you for notifying the Court. To allow the Court to rule on the motion to dismiss for improper venue or transfer to the EDTX before the Markman hearing, the Markman hearing will be postponed to **January 30, 2023 at 1:30 p.m.** The hearing will be held on the Court's public Zoom link provided below.

Thank you,
Beth

Elizabeth Knuppel

Law Clerk to the Honorable Alan D Albright
United States District Court, Western District of Texas

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Join by H.323

161.199.138.10 (US West)

161.199.136.10 (US East)

From: Steve Skelley <steve.skelley@foliolaw.com>
Sent: Monday, November 21, 2022 1:13 PM
To: Elizabeth Knuppel <Elizabeth_Knuppel@txwd.uscourts.gov>
Cc: ross.barton@alston.com; ddacus@dacusfirm.com; cjtysen@duanemorris.com; gdricheson@duanemorris.com; jrgibson@duanemorris.com; japowers@duanemorris.com; msyungwirth_duanemorris.com <msyungwirth@duanemorris.com>; bcrafft@findlaycraft.com; efindlay@findlaycraft.com; caleb.bean@alston.com; katherine.rubschlager@alston.com; mike.newton@alston.com; yuri.mikulka@alston.com; shamer@carlsoncaspers.com; wbullard@carlsoncaspers.com; tnorgard@carlsoncaspers.com; Dali-VZ-WDTX <dali-vz-wdtx@foliolaw.com>
Subject: Re: Dali Wireless, Inc. v. Cello Partnership d/b/a Verizon Wireless, et al., No. 6:22-CV-00104-ADA (WDTX) - Notice to Clerks

CAUTION - EXTERNAL:

To Judge Albright's Law Clerk Staff:

We write to further update the Court regarding outstanding venue or jurisdictional motions as requested in your email of October 28, below. CommScope's motion to dismiss this case for improper venue or transfer to the Eastern District of Texas (Dkt. 64) remains unripe for resolution before the currently scheduled Markman hearing, as briefing is incomplete, and the parties continue to meet and confer concerning CommScope's responses to Dali's venue discovery. The venue discovery period is currently scheduled to conclude on December 9, 2022. Dali's response to CommScope's motion is due no later than December 23, 2022, and CommScope's reply is due no later than January 6, 2023. The Markman hearing is currently scheduled for December 12, 2022.

Best,
Steve

From: Elizabeth Knuppel <Elizabeth_Knuppel@txwd.uscourts.gov>
Date: Friday, October 28, 2022 at 3:37 PM
To: Steve Skelley <steve.skelley@foliolaw.com>
Cc: ross.barton@alston.com <ross.barton@alston.com>, ddacus@dacusfirm.com <ddacus@dacusfirm.com>, cjtysen@duanemorris.com <CJTyson@duanemorris.com>, gdricheson@duanemorris.com <GDRicheson@duanemorris.com>, jrgibson@duanemorris.com <JRGibson@duanemorris.com>, japowers@duanemorris.com <JAPowers@duanemorris.com>, msyungwirth_duanemorris.com <MSYungwirth@duanemorris.com>, cjtysen@duanemorris.com <CJTyson@duanemorris.com>, bcrafft@findlaycraft.com <bcrafft@findlaycraft.com>, efindlay@findlaycraft.com <efindlay@findlaycraft.com>, caleb.bean@alston.com <caleb.bean@alston.com>, katherine.rubschlager@alston.com <katherine.rubschlager@alston.com>, mike.newton@alston.com <mike.newton@alston.com>, yuri.mikulka@alston.com <yuri.mikulka@alston.com>, shamer@carlsoncaspers.com <shamer@carlsoncaspers.com>, wbullard@carlsoncaspers.com <wbullard@carlsoncaspers.com>, tnorgard@carlsoncaspers.com <tnorgard@carlsoncaspers.com>, Dali-VZ-WDTX <dali-vz-wdtx@foliolaw.com>
Subject: RE: Dali Wireless, Inc. v. Cello Partnership d/b/a Verizon Wireless, et al., No. 6:22-CV-00104-ADA (WDTX) - Notice to Clerks

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Counsel,

Thank you for proactively reaching out. The Court would like the parties to provide further notice on or before November 21, 2022. At that time, the Court will determine whether it will proceed with the Markman hearing currently scheduled for December 12th.

Thanks,
Beth

Elizabeth Knuppel

Law Clerk to the Honorable Alan D Albright
United States District Court, Western District of Texas

From: Steve Skelley <steve.skelley@foliolaw.com>

Sent: Friday, October 28, 2022 4:29 PM

To: TXWDml_Law Clerks WA Judge Albright & Gilliland

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Subject: Dali Wireless, Inc. v. Cello Partnership d/b/a Verizon Wireless, et al., No. 6:22-CV-00104-ADA (WDTX) - Notice to Clerks

CAUTION - EXTERNAL:

To Judge Albright's Law Clerk Staff:

Pursuant to the Scheduling Order (Dkt. 55) in the above referenced matter, the parties jointly write to confirm the *Markman* date and to provide notice if any venue or jurisdictional motions remain unripe for resolution. On September 30, 2022, Defendants CommScope Holding Company, Inc., CommScope Inc., and CommScope Technologies LLC ("CommScope") moved to dismiss this case for improper venue or transfer to the Eastern District of Texas (Dkt. 64). In response, Plaintiff Dali Wireless, Inc. ("Dali") filed a Notice of Intent to Proceed with Venue Discovery (Dkt. 68) on October 3, 2022. Dali subsequently served written venue discovery requests on October 25, 2022, and anticipates receiving responses to those requests by November 14, 2022. The Markman hearing is currently scheduled for December 12, 2022.

In light of CommScope's motion to dismiss or transfer and Dali's venue discovery in response, the parties believe that they will have a more informed view as to whether CommScope's motion remains unripe for resolution after Dali receives responses to its venue discovery requests. The parties, therefore, propose providing further notice to the Court by no later than November 21, 2022 as to whether CommScope's motion remains unripe for resolution.

Best,
Steve



Steven Skelley
Partner

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