

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

GRAPHITE CHARGING COMPANY LLC,	§	
	§	
Plaintiff,	§	
	§	Case No. 1-23-CV-00925-DAE
v.	§	
	§	
TESLA, INC.	§	
	§	
Defendants.	§	

**AGREED MOTION FOR EXTENSIONS OF TIME CONCERNING
VENUE DISCOVERY AND BRIEFING ON
DEFENDANT’S MOTION TO TRANSFER**

Plaintiff Graphite Charging Company LLC (“Plaintiff”), by and through its undersigned counsel, and with Defendant Tesla, Inc.’s (“Defendant”) consent, moves pursuant to Federal Rule of Civil Procedure 6(b)(1) to extend the parties’ respective response and reply deadlines regarding Defendant’s Opposed Motion to Transfer Venue to the Northern District of California Under 28 U.S.C. § 1404(a). In support of this motion, Plaintiff states as follows:

1. On December 7, 2023, the Court entered an agreed venue discovery and briefing schedule. *See* ECF 37.
2. Plaintiff served Defendant with interrogatories and requests for production on December 11, 2023.
3. Defendant served Plaintiff with interrogatories and requests for production on December 20, 2023.
4. The parties have exchanged responses, and currently need more time to complete negotiations on a protective order.
5. The parties have met and conferred, and have agreed to the following:

Event	Current Date	Proposed New Date
Venue-related discovery to be complete	February 15, 2024	March 14, 2024
Plaintiff's Opposition to Defendant's Motion to Transfer due	February 29, 2024	March 28, 2024
Defendant's Reply in Support of its Motion to Transfer due	March 14, 2024	April 11, 2024

6. This motion is made before the relevant deadline and is Plaintiff's second request for an extension of time for this pleading.

7. The request is made in good faith and not for the purpose of delay or other improper purpose. Counsel for the parties have conferred and agree to the above provisions.

8. A proposed order is attached.

WHEREFORE, the Plaintiff respectfully requests that the Court enter an Order (1) granting this Agreed Motion for Extensions of Time Concerning Briefing on Defendant's Motion to Transfer Venue; (2) completing venue discovery by March 14, 2024; (3) extending the deadline for Plaintiff to file its brief in opposition from February 29, 2024, to March 28, 2024; and (4) extending the deadline for Defendant to file its reply brief from March 14, 2024 to April 11, 2024.

Dated: January 26, 2024

Respectfully submitted,

FOLIO LAW GROUP PLLC

/s/ Joseph M. Abraham

Joseph M. Abraham, TX Bar No. 24088879

FOLIO LAW GROUP PLLC

13492 Research Blvd., Suite 120, No. 177

Austin, TX 78750

Tel: (737) 234-0201

Email: joseph.abraham@foliolaw.com

Cedric Tan

LEAD ATTORNEY

GOLDBERG SEGALLA LLP

P.O. Box 677

Buffalo, NY 14201

Tel: (443) 615-7522

Email: ctan@goldbergsegalla.com

Lynn Ann Lehnert

LEAD ATTORNEY

GOLDBERG SEGALLA LLP

8000 Maryland Ave. Ste. 640

St. Louis, MO 63105

Tel: (314) 446-3359

Email: llehnert@goldbergsegalla.com

Michael A. Siem

LEAD ATTORNEY

GOLDBERG SEGALLA LLP

711 Third Ave. Ste. 1900

New York, NY 10017

Tel: (646) 292-8762

Email: msiem@goldbergsegalla.com

*Attorneys for Plaintiff Graphite Charging
Company, LLC*

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Plaintiffs have met and conferred with counsel for Defendant via email and telephonic conferences from January 24-26, 2024, and the Parties are in agreement as to its substance.

/s/ Joseph M. Abraham

Joseph M. Abraham

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on January 26, 2024, a true and correct copy of the foregoing was served on all counsel of record who have appeared in this case via the Court's CM/ECF system.

/s/ Joseph M. Abraham

Joseph M. Abraham