CHING-LEE FUKUDA
SHARON LEE
ELIZABETH MCLEAN
(all admitted pro hac vice)
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, NY 10019
(212) 839-5300
Email: clfukuda@sidley.com
sharon.lee@sidley.com
elizabeth.mclean@sidley.com

JOSHUA J. FOUGERE
THOMAS A. BROUGHAN III
(all admitted pro hac vice)
SIDLEY AUSTIN LLP
1501 K Street, N.W. #600
Washington, DC 20005
(202) 736-8000
Email:jfougere@sidley.com
tbroughan@sidley.com

JASON D. SMITH, ESQ.
Nevada Bar No. 9691
SPENCER FANE
300 South Fourth Street, Suite 1600
Las Vegas, Nevada 89101
Tel.: (702) 408-3400/ Fax: (702) 408-3401
Email: jdsmith@spencerfane.com

MORGAN MENDICINO
(admitted pro hac vice)
SIDLEY AUSTIN LLP
2021 McKinney Ave #2000
Dallas, TX 75201
(214) 981-3300
Email: mmendicino@sidley.com

Attorneys for Plaintiffs Evolution Malta Ltd., Evolution Gaming Malta, Ltd., Evolution Gaming Ltd., SIA Evolution Latvia, and Uplay1

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

EVOLUTION MALTA LIMITED, EVOLUTION GAMING MALTA LIMITED, EVOLUTION GAMING LIMITED, SIA EVOLUTION LATVIA, and UPLAY1, Plaintiffs, v. LIGHT & WONDER, INC. f/k/a SCIENTIFIC GAMES CORP. and LNW GAMING, INC. f/k/a SG GAMING, INC., Defendants.	Case No.: 2:24-cv-00993-CDS-NJK **JOINT STIPULATION TO EXTEND FACT DISCOVERY CUT OFF DEADLINE ONLY** **(First Request)**

Plaintiffs Evolution Malta Limited, Evolution Gaming Malta Limited, Evolution Gaming Limited, SIA Evolution Latvia, and Uplay1 (collectively, "Evolution") and Defendants Light & Wonder, Inc. and LNW Gaming (collectively, "L&W"), by and through their undersigned counsel, stipulate as follows:

1. Evolution filed its original Complaint in May 2024 asserting L&W infringes three of Evolution's patents ("Patent Claims") and misappropriated Evolution's trade secrets under federal and state law ("Trade Secret Claims"). ECF. No. 1. L&W subsequently moved to dismiss the Patent Claims as patent-ineligible under Section 101 of the Patent Act, and moved to compel arbitration of or, alternatively, dismiss the Trade Secret Claims. ECF No. 34.

2. To comply with Local Rule IC 2-2(b), L&W refiled its motion to compel arbitration ("Motion to Compel") in February 2025, and that motion is still pending. ECF No. 72 and 74.

3. In February 2025, the Court granted L&W's motion to dismiss Evolution's original Patent Claims without prejudice and granted Evolution leave to amend. *See* ECF No. 76. The Court also directed the parties to hold a settlement conference on April 9, 2025 and ordered Evolution to file any amended complaint within 14 days of the conclusion of the settlement conference if the case did not settle. *Id*. at 16; ECF No. 77.

4. The parties attended the settlement conference on April 9, 2025, but the case did not settle. On April 10, 2025, Evolution filed a First Amended Complaint ("FAC") reasserting its Patent Claims, consistent with the Court's Order. *See* ECF No. 84 and 85.

5. That same day, Evolution also filed a motion for leave to file a Second Amended Complaint ("Motion for Leave") seeking leave to assert additional patents (the "Merati Patents") that Evolution acquired after filing this case. *See* ECF No. 89.

6. On May 15, 2025, L&W filed a motion to dismiss Evolution's Patent Claims in the FAC ("Motion to Dismiss"), pursuant to Section 101. *See* ECF No. 114.

7. On June 30, 2024, the Court granted Evolution's Motion for Leave and ordered Evolution to promptly file and serve its Second Amended Complaint ("SAC"). *See* ECF No. 124 at 8.

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8. Accordingly, on June 30, 2024, Evolution filed its SAC. *See* ECF Nos. 125 – 130 (with supporting appendices).

9. On July 11, 2024, the Court granted the parties' stipulation and proposed order to extend the deadline for L&W to respond to Evolution's SAC and related briefing schedule. *See* ECF No. 147. L&W intends to file a motion to dismiss the SAC and its deadline to do so is August 11, 2025. *Id.*

10. In view of the numerous pending motions, L&W has not yet filed an answer in this case and will not be required to do so until its forthcoming motion to dismiss the SAC is resolved.

11. The parties anticipate filing a stipulated motion to stay discovery of the case until January 2026 upon L&W's forthcoming filing of its motion to dismiss Evolution's SAC, but have not done so yet as such motion to stay may be deemed premature until such time as a motion to dismiss is on file and pending before this Court.

12. The current fact discovery deadline is August 29, 2025. ECF No. 71 at 3.

13. With this stipulation, the parties seek only to extend the fact discovery cut off date. Pursuant to LR 26-3 and LR IA 6-1, the parties submit the following to support a showing of good cause:

a. STATEMENT OF FACT DISCOVERY COMPLETED:

14. While the parties were briefing L&W's original motion to dismiss and original motion to stay discovery, they stipulated to and submitted a Stipulated Discovery Plan and Scheduling Order. *See* ECF No. 45 ("Stipulated Discovery Plan"). Pursuant to the Stipulated Discovery Plan, on September 18, 2024, the Parties exchanged their respective initial disclosures and certain patent-related discovery. Evolution served its Asserted Claims and Infringement Contentions pursuant to LPR 1-6, totaling 375 pages, and an accompanying production pursuant to LRP 1-7 for the original three asserted patents (the "Haushalter Patents"). ECF No. 71 at 2.

15. Pursuant to the Stipulated Discovery Plan, on November 12, 2024, L&W served its Disclosure of Non-Infringement, Invalidity, and Unenforceability Contentions pursuant to LPR 1-8, totaling 2,930 pages, and an accompanying production pursuant to LPR 1-9.

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16. Pursuant to the Stipulated Discovery Plan, on December 3, 2024, Evolution served its Response to L&W's Non-Infringement, Invalidity, and Unenforceability Contentions, totaling 331 pages.

17. Each side has also (1) served and responded to two sets of requests for production and interrogatories, and (2) disclosed custodians, non-custodial repositories, and negotiated ESI search terms relevant to the original Patent Claims and Trade Secret Claims.

18. To date, Evolution has produced 1,012 documents and L&W has produced 720 documents. The parties recently began production of ESI discovery.

b. SPECIFIC DESCRIPTION OF FACT DISCOVERY THAT REMAINS TO BE COMPLETED:

19. The discovery that remains to be completed includes: negotiation of ESI search terms related to the Merati Patents, ESI discovery, depositions of fact witnesses; and additional written discovery (including regarding pending written discovery upon which the parties continue to meet-and-confer).

c. REASONS WHY THE DEADLINE WAS NOT SATISFIED OR THE REMAINING DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN:

20. As a result of the extensive motion practice in this case, including motion practice regarding the claims asserted in Evolution's operative SAC, the parties have been unable to complete written discovery, ESI discovery, or begin fact depositions. While the parties have both conducted extensive written discovery to date (which also includes a significant number of meet-and-confer conferences to progress through discovery disputes) on the original Patent Claims and the Trade Secret Claims, the parties have not yet completed ESI discovery and additional written and ESI discovery remains to be conducted on the Merati Patents that were recently added with the filing of Evolution's SAC. In addition, no fact depositions have been noticed yet.

21. In addition to the fact discovery that remains to be complete, the parties anticipate filing a stipulated motion to stay discovery until January 16, 2026 after L&W files its forthcoming

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motion to dismiss the SAC. Consistent with the parties' prior stipulation, the parties agree that a stay until January 16, 2026, at which point the parties will likely have a more fulsome picture of the claims that will be moving forward in this case, would likely avoid the inefficiencies and costs associated with potentially having to conduct multiple rounds of discovery. *See* ECF No. 121. Thus, the parties propose continuing the fact discovery cut-off date to "March 27, 2026 or 60 days after the Claim Construction Order, whichever is later" to take into account their forthcoming stipulated request for a stay until January 2026 while concurrently providing the Court the opportunity to review and decide the breadth and scope of Plaintiff's SAC (including by its ruling on the forthcoming motion to dismiss). The parties agree to further confer on and submit for the Court's consideration a proposed schedule for the remainder of the case (e.g., claim construction activities, expert designations, discovery, filing of dispositive motions) once the forthcoming requested stay is lifted.

d. PROPOSED EXTENDED FACT DISCOVERY CUT-OFF:

Event	Deadline
Fact Discovery Cut-Off	**3/27/2026** or 60 days after the Claim Construction Order, whichever is later

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22. The parties respectfully submit that the extension to the discovery cut off deadline is justified in these circumstances and that this stipulation is submitted in good faith and not for any purposes of delay.

23. This is the parties' first request to extend the discovery cut off date.[1]

DATED this 25th day of July, 2025

SPENCER FANE LLP

By /s/ *Jason D. Smith*
JASON D. SMITH, ESQ. (NBN 9691)
300 South Fourth Street, Suite 1600
Las Vegas, Nevada 89101
Tel.: (702) 408-3400/ Fax: (702) 408-3401
Email: jdsmith@spencerfane.com

SIDLEY AUSTIN LLP
CHING-LEE FUKUDA *(pro hac vice)*
SHARON LEE *(pro hac vice)*
ELIZABETH MCLEAN *(pro hac vice)*
JOSHUA J. FOUGERE *(pro hac vice)*
THOMAS A. BROUGHAN III *(pro hac vice)*
MORGAN MENDICINO *(pro hac vice)*

Attorneys for Plaintiffs

CAMPBELL & WILLIAMS

By /s/ *Philip R. Erwin*
PHILIP R. ERWIN, ESQ. (NBN 11563)
710 South Seventh Street
Las Vegas, Nevada 89101
(702) 382-5222
Email: pre@cwlawlv.com

SUSMAN GODFREY
NEAL S. MANNE, ESQ. (*pro hac vice)*
JOSEPH S. GRINSTEIN, ESQ. (*pro hac vice)*
MEGAN E. GRIFFITH, ESQ. (*pro hac vice)*

JONES DAY
HAROLD K. GORDON, ESQ. (*pro hac vice*)
RYAN K. WALSH, ESQ. (*pro hac vice*)
JENNIFER D. BENNETT, ESQ. (*pro hac vice*)
RANDALL E. KAY, ESQ. (*pro hac vice*)

Attorneys for Defendants

IT IS SO ORDERED.

_____
UNITED STATES MAGISTRATE JUDGE

DATED: _____

[1] The parties' January 16, 2025 Amended Stipulated Discovery Plan and Scheduling Order (ECF No. 70), which the Court granted on January 17, 2025 (ECF No. 71), included the original (and current) August 29, 2025 fact discovery cut off date.

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