From: Anna Schmidt <Anna_Schmidt@txwd.uscourts.gov>
Date: Wednesday, January 28, 2026 at 3:00 PM
To: Michael Shore <mshore@shorefirm.com>, bnash@mofo.com <bnash@mofo.com>, kpundeff@mofo.com <kpundeff@mofo.com>, Neil Benchell <nbenchell@devlinlawfirm.com>, nkiaei@mofo.com <nkiaei@mofo.com>, rhung@mofo.com <rhung@mofo.com>, rmalloy@mofo.com <rmalloy@mofo.com>, Timothy Devlin <tdevlin@devlinlawfirm.com>, Zachary Della Porta <zdellaporta@shorefirm.com>
Subject: Re: 1:24-cv-1199 HBCU Messaging v. Apple Preliminary Constructions

Counsel,

Thank you for this clarifying email. Judge Albright would like to see more briefing at the summary judgment stage and has ordered plain and ordinary meaning for the "wherein...when" terms at this stage. A claim construction order is forthcoming.

Please reach out if there are any questions.

Best,

Anna Schmidt

Law Clerk to the Honorable Alan D Albright

United States District Court, Western District of Texas

Anna_Schmidt@txwd.uscourts.gov