

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

EVS CODEC TECHNOLOGIES, LLC,	§	
SAINT LAWRENCE COMMUNICATIONS	§	
LLC,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:19-CV-00057-JRG
	§	
ONEPLUS TECHNOLOGY (SHENZHEN)	§	
CO., LTD.,	§	
	§	
<i>Defendant.</i>	§	

**ORDER**

Before the Court is Plaintiffs EVS Codec Technologies LLC and Saint Lawrence Communications, LLC (collectively, “Plaintiffs”) and Defendant OnePlus Technology (Shenzen) Co., Ltd.’s (“OnePlus”) (together with Plaintiffs, the “Parties”) Joint Motion for 45-Day Continuance in View of Governmental/Public Health Restrictions in Response to Covid-19 Virus Impact (the “Motion”). (Dkt. No. 62.) In the same, the Parties request a 45-day continuance of the current deadlines in the above-captioned case to allow them to complete their noticed Rule 30(b)(6) corporate depositions, and to allow their experts to review the Qualcomm source code. The Parties represent that they need this continuance due to complications in completing the discovery due to COVID-19. Having considered the Motion, the reasoning therein, and the Court’s schedule, the Court is of the opinion that the Motion should be and hereby is **GRANTED-AS-MODIFIED**.

Accordingly, it is **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

<b>Current Date<sup>1</sup></b>	<b>New Date</b>	<b>Event Description</b>
September 14, 2020	October 5, 2020	*Jury Selection – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap
N/A	August 31, 2020	If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date. <sup>2</sup>
August 10, 2020	August 31, 2020	*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap
August 3, 2020	August 24, 2020	*Notify Court of Agreements Reached During Meet and Confer  The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
August 3, 2020	August 21, 2020	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
July 27, 2020	August 17, 2020	*File Notice of Request for Daily Transcript or Real Time Reporting.  If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov.

<sup>1</sup> Current Date reflects dates in the current Docket Control Order. (Dkt. No. 39.)

<sup>2</sup> The Parties are referred to the Court’s Standing Order Regarding Use of Juror Questionnaires in Advance of *Voir Dire*.


July 16, 2020	August 12, 2020	File Motions <i>in Limine</i>  The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
July 16, 2020	August 12, 2020	Serve Objections to Rebuttal Pretrial Disclosures
July 9, 2020	August 5, 2020	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
June 25, 2020	July 26, 2020	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
June 22, 2020	July 23, 2020	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. <sup>3</sup> Motions for Summary Judgment shall comply with Local Rule CV-56.
June 8, 2020	July 9, 2020	*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)  No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.

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<sup>3</sup> The parties are directed to Local Rule CV-7(d), which provides in part that “[a] party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not controvert the facts set out by movant and has no evidence to offer in opposition to the motion.” If the deadline under Local Rule CV 7(e) exceeds the deadline for Response to Dispositive Motions, the deadline for Response to Dispositive Motions controls.

June 8, 2020	July 9, 2020	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u></p>
May 28, 2020	June 30, 2020	Deadline to Complete Expert Discovery
May 14, 2020	June 16, 2020	Serve Disclosures for Rebuttal Expert Witnesses
April 23, 2020	June 1, 2020	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
April 23, 2020	June 1, 2020	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof

**So ORDERED and SIGNED this 13th day of April, 2020.**

  
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 RODNEY GILSTRAP  
 UNITED STATES DISTRICT JUDGE