

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

M2M SOULTIONS LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 12-32-RGA
	:	
ENFORA INC., et al.,	:	
	:	
Defendants.	:	

**MEMORANDUM ORDER**

Plaintiff asked for a continuance. (D.I. 205). Defendants oppose. (D.I. 206).

Trial is scheduled for April 11, 2016, more than two months from now. It has been on the schedule, without objection, since March 17, 2015. (D.I. 137). The Telit case, scheduled for trial on March 28, 2016, was also set on March 17, 2015. Thus, whatever logistical difficulties Plaintiff's counsel has, they have existed for more than ten months, and it is too late to raise them now. I also note that lead counsel's firm's website states that the firm has "nearly 200 attorneys in our IP Department." If help is needed, resources appear to be available.

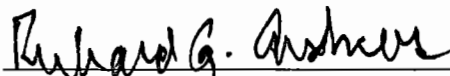
Plaintiff states that it would not be "productive or efficient" to get ready for trial when I have not decided various pretrial issues. First, I would expect counsel will be able to make informed decisions about what is likely, and, in any event, assume that I will decide the summary judgment issues in such a way that we will have a trial on infringement and invalidity. *Daubert* issues are likely to be resolved similarly to those in the Telit case, which should be forthcoming shortly. I do not expect to schedule any hearings or arguments on the remaining issues in this

case. Second, the parties should meet and confer in regard to the Cinterion license agreement, and decide on a schedule to exchange supplemental damages reports.

Finally, I agree with Defendants that Dr. Wesby's work schedule does not take precedence over the trial date. I also note that Plaintiff does not seem to be trying very hard to come up with an alternative. For example, perhaps she could give a trial deposition while she's here for the Telit case. She has already been deposed at length, and maybe that could be used. In addition, I note that inventor testimony is optional. I'm sure counsel can think of some other alternatives to postponing the trial.

The request for a continuance is **DENIED**.

IT IS SO ORDERED this 3 day of February 2016.

  
United States District Judge