

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:10cv023580-Civ-RNS

MOTOROLA MOBILITY, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

APPLE INC.,

Counterclaim Plaintiff,

v.

MOTOROLA, INC. and
MOTOROLA MOBILITY, INC.,

Counterclaim Defendants.

JURY TRIAL DEMANDED

JOINT MOTION TO VACATE DEADLINES IN SCHEDULING ORDER

Pursuant to the Court’s April 19, 2012 Order Allowing Apple to File Amended Answer; Vacating Order Striking Motorola’s Supplemental Infringement Contentions; and Directing the Parties to Meet-and-Confer Regarding Procedural Schedule, which was electronically filed on April 23, 2012, D.E. 327, Apple, Inc. (“Apple”) and Motorola Solutions, Inc. and Motorola Mobility, Inc. (“Motorola”) (collectively, the “Parties”) were directed to meet and confer within twenty days regarding an appropriate amended procedural schedule and whether this case should be consolidated in whole or in part with the 2012 case also pending before this Court. These discussions have begun and are continuing and the Parties will report to the Court on the status of these discussions by May 10, 2012. In light of this, the Parties jointly request that the Court

enter an order vacating the upcoming deadlines while the Parties continue their discussions in the hopes of reaching an agreed-upon procedural schedule. In support of their motion, the Parties state that:

1. The Parties agree that additional time is needed for fact and expert discovery in light of the Court's April 19, 2012 Order. However, the Parties currently disagree on the amount of additional time required and the extent to which the two cases should be consolidated, but will continue to attempt to reach agreement.
2. At least some of the upcoming deadlines in the current procedural schedule are likely to pass before the Parties conclude their discussions. Specifically, the close of fact discovery is currently scheduled for May 4, 2012 and the parties are scheduled to serve their opening expert reports on May 11, 2012. In addition, the remaining deadlines concerning expert discovery and dispositive motions will need to be extended as well.

These deadlines are summarized in the table below:

Event	Current Deadline
Close of fact discovery	5/4/12
Opening expert reports	5/11/12
Rebuttal expert reports	6/8/12
Close of expert discovery	7/3/12
Deadline to file dispositive motions	7/13/12
Deadline to file pretrial motions	7/20/12

WHEREFORE, the Parties respectfully request that the Court enter an order vacating the aforementioned deadlines in the procedural schedule.

Dated: May 4, 2012

Respectfully submitted,

<p><i>/s/ Edward M. Mullins</i></p> <p>Edward M. Mullins emullins@astidavis.com Annette C. Escobar aescobar@astidavis.com Hal M. Lucas hlucas@astidavis.com ASTIGARRAGE DAVIS MULLINS & GROSSMAN, P.A. 701 Brickell Avenue, 16th Floor Miami, Florida 33131 Telephone: (305) 372-8282 Facsimile: (305) 372-8202</p> <p><i>Attorneys for Motorola Mobility, Inc. and Motorola Solutions, Inc.</i></p>	<p><i>/s/ Christopher R. J. Pace</i></p> <p>Christopher R. J. Pace christopher.pace@weil.com Edward Soto edward.soto@weil.com WEIL, GOTSHAL & MANGES LLP 1395 Brickell Avenue Suite 1200 Miami, Florida 33131 Telephone: (305) 577-3100 Facsimile: (305) 374-7159</p> <p><i>Attorneys for Apple Inc.</i></p>
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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to received electronically Notices of Electronic Filing.

/s/ Christopher R. J. Pace
Christopher R. J. Pace (Fla. Bar No. 0721166)

SERVICE LIST
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Case No. 1:10cv023580-Civ-RNS
United States District Court, Southern District of Florida

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