



ATLANTA

CINCINNATI

COLUMBUS

NEW YORK

CHICAGO

CLEVELAND

DAYTON

WASHINGTON, D.C.

August 16, 2022

VIA ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, New York 10007

APPLICATION GRANTED
SO ORDERED 

VERNON S. BRODERICK

U.S.D.J. 08/17/22

The parties are directed, on or before August 22, 2022, to submit a revised Case Management Plan and Scheduling Order reflecting the new discovery deadlines.

Re: *Spectrum Dynamics Medical Limited v. General Electric Company, et al.*,
Case No.: 18-cv-11386 (VSB)

Dear Judge Broderick:

We write jointly with counsel for Plaintiff pursuant to Your Honor's Order dated November 5, 2020. (Doc. 129 at 2.) In that Order, the Court scheduled a "post-discovery conference" for August 31, 2022 and directed the parties to submit a joint letter two weeks prior to that date describing, *inter alia*, the status of the case and whether either party intends to file a dispositive motion. (*Id.*) Given the current status of the case, including that discovery is ongoing and the close of discovery has been extended to July 5, 2023 (*see* Doc. 510), the parties respectfully request that the Court adjourn the presently scheduled post-discovery conference until a date after the close of all discovery.

At the time the Court entered the Order, discovery was scheduled to close on August 12, 2022. (Doc. 129 at 2.) Since then, however, the close of discovery has been extended multiple times, most recently to July 5, 2023. (*See* Doc. 510.) Additionally, the following motions and matters remain pending:

- Defendants' Motion to Dismiss in Part Plaintiff's Counter-Counterclaims (Doc. 107, 108);
- Plaintiff's Motion for Preliminary Injunction (Doc. 355, 356); and
- Construction of the asserted claims of Defendant General Electric Company's U.S. Patent No. 9,295,439.

The parties anticipate that adjourning the August 31, 2022 conference to a date after the close of all discovery and after the foregoing motions and matters are resolved will better serve the Court's original and stated purpose for that conference.

We appreciate your continued attention to this matter.

Jesse.Jenike-Godshalk@ThompsonHine.com Fax: 513.241.4771 Phone: 513.352.6702

THOMPSON HINE LLP
ATTORNEYS AT LAW

312 Walnut Street, Suite 2000
Cincinnati, Ohio 45202-4024

www.ThompsonHine.com
O: 513.352.6700
F: 513.241.4771



Respectfully,

/s/ Jesse Jenike-Godshalk

THOMPSON HINE LLP

Marla R. Butler
Two Alliance Center
3560 Lenox Road NE, Suite 1600
Atlanta, Georgia 30326
Tel.: (404) 541-2900
Fax: (404) 541-2905
Marla.Butler@ThompsonHine.com

Jesse Jenike-Godshalk (*pro hac vice*)
312 Walnut Street, Suite 2000
Cincinnati, Ohio 45202
Tel.: (513) 352-6700
Fax: (513) 241-4771
Jesse.Godshalk@ThompsonHine.com

Jeffrey Metzcar (*pro hac vice*)
Discovery Place
10050 Innovation Drive
Miamisburg, Ohio 45342
Tel. (937) 443-6841
Fax (937) 430-3781
Jeff.Metzcar@thompsonhine.com

Brian Lanciault
335 Madison Avenue, 12th Floor
New York, New York 10017
Tel.: (212) 344-5680
Fax: (212) 344-6101
Brian.Lanciault@ThompsonHine.com

*Attorneys for Defendants
General Electric Company, GE Healthcare,
Inc., GE Medical Systems Israel Ltd., Jean-
Paul Bouhnik, Sergio Steinfeld,
Arie Eshco, and Nathan Hermony and for Non-
Party Yaron Hefetz*

/s/Esha Bandyopadhyay

FISH & RICHARDSON P.C.

Esha Bandyopadhyay. (*pro hac vice*)
500 Arguello Street, Suite 400
Redwood City, California 94063
(650) 839-5070
bandyopadhyay@fr.com

Michael Autuoro
7 Times Square, 20th Floor
New York, New York 10036
(212) 765-5070
autuoro@fr.com

Adam J. Kessel (*pro hac vice*)
Philip K. Chen (*pro hac vice*)
One Marina Park Drive
Boston, Massachusetts 02210
(617) 542-5070
kessel@fr.com
pchen@fr.com

Roger A. Denning (*pro hac vice*)
12860 El Camino Real, Suite 400
San Diego, California 94063
(858) 678-5070
denning@fr.com

*Attorneys for Plaintiff Spectrum Dynamics
Medical Limited*