

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHOLEM WEISNER, :
: :
Plaintiff, : **ORDER**
: :
-against- : 20 Civ. 2862 (AKH)
: 23 Civ. 8186 (AKH)
: :
GOOGLE LLC and SHMUEL NEMANOV. :
: :
Defendant and Involuntary Party. :
: :
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ALVIN K. HELLERSTEIN, U.S.D.J.:

The Defendant's motion to conduct discovery relating to the issue of claimed patent abandonment is resolved as follows:

1. The Defendant may take the depositions of the two attorneys who prosecuted the patents, Steven Horowitz and a Mr. Friedman, both of whom live in Israel, provided that they complete such by January 17, 2024. If Defendant wishes to move to amend its answer to add this defense in light of the discovery obtained, it shall do so by January 26, 2024.
2. All discovery shall end by January 17, 2024.
3. If the Plaintiff has additional documents required to be produced, all such production must be made by November 29, 2023. If, by reason of deposition, additional documents are discovered, an appropriate sanction will be considered.

The parties will meet again on January 31, 2024 at 2:30 p.m. Regarding the new case, *Weisner v. Google*, 23 Civ. 8186, the Defendant shall move or answer by December 4, 2023. If a motion to dismiss is filed, the Plaintiff has until January 16, 2024 to file an opposition. Defendant's reply shall be due by February 16, 2024. This case will proceed on its own track

independent of the old case, provided that all depositions taken in the old case will be usable in the new case.

SO ORDERED.

Dated: November 15, 2023
New York, New York

____/s/ Alvin K. Hellerstein_____
ALVIN K. HELLERSTEIN
United States District Judge