

The Honorable Barbara J. Rothstein

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THROUGHPUTER, INC.,
Plaintiff,
v.
MICROSOFT CORPORATION,
Defendant.

Case No. 2:22-cv-00344-BJR

**JOINT MOTION TO MODIFY
SCHEDULING ORDER AND ORDER**

Pursuant to LCR 16(b)(6), Plaintiff ThroughPuter, Inc. and Defendant Microsoft Corporation (collectively, the “Parties”), by and through their undersigned counsel, hereby respectfully move the Court to extend certain dates in the Scheduling Order (Dkt. 126). The Parties have met and conferred and agreed on the proposed modification to the case schedule as identified below.

Event	Original Date (Dkt. 126)	Proposed Date
Exchange of Preliminary Claim Construction and Extrinsic Evidence	January 28, 2025	January 31, 2025

The Parties respectfully submit that there is good cause for their proposed extension and are not requesting modification of any other deadlines in the case. The Parties’ proposed schedule adjustment does not require rescheduling any previously scheduled Court appearances.

1 This request is not made in bad faith or to cause undue delay. In view of the foregoing, the
2 Parties respectfully request that the Court grant this joint motion and modify the Scheduling Order
3 as proposed herein.

4 Presented by:

5 Dated: January 27, 2025

6 /s/ Cook Alciati
Lawrence D. Graham, WSBA No. 25402
7 LOWE GRAHAM JONES PLLC
1325 Fourth Avenue, Suite 1130
8 Seattle, Washington 98101
T: 206.381.3300
9 F: 206.381.3301
E: Graham@LoweGrahamJones.com

10 Cook Alciati (*pro hac vice*)
11 Joanne S. Richards (*proc hac vice*)
Robert J. Morad (*proc hac vice*)
12 GARDELLA GRACE, P.A.
80 M Street SE, 1st Floor
13 Washington D.C. 20003
T: (703) 721-8379
14 F: (703) 740-4541
E: calciati@gardellagrace.com
15 jrichards@gardellagrace.com
rmorad@gardellagrace.com

16 Thomas F. Fleming (*proc hac vice*)
17 GUNSTER, YOAKLEY & STEWART
5551 Ridgewood Dr.
18 Naples, FL 34108
T: (239) 397-5706
19 E: thomasfleming@gunster.com

20 *Attorneys for Plaintiff*
ThroughPuter, Inc.

6 /s/ Patty A. Eakes (with permission)
Patricia A. Eakes, WSBA No. 18888
7 Ari M. Sillman, WSBA No. 60798
MORGAN, LEWIS & BOCKIUS LLP
1301 Second Avenue, Suite 3000
8 Seattle, WA 98101
T: (206) 274-6400
9 E: patty.eakes@morganlewis.com
ari.sillman@morganlewis.com

Ahmed J. Davis (*pro hac vice*)
FISH & RICHARDSON P.C.
1000 Maine Avenue, SW, Suite 1000
Washington, DC 20024
T: (202) 783-5070
E: adavis@fr.com

John S. Goetz (*pro hac vice*)
Excylyn J. Hardin-Smith (*amitted pro hac vice*)
FISH & RICHARDSON P.C.
7 Times Square, 20th Floor
New York, NY 10036
T: (212) 765-5070
E: goetz@fr.com
Hardin-Smith@fr.com

Matthew A. Colvin (*pro hac vice*)
FISH & RICHARDSON P.C.
1717 Main Street, Suite 5000
Dallas, TX 75201
T: (214) 747-5070
E: colvin@fr.com

Attorneys for Defendant
Microsoft Corporation

ORDER

IT IS SO ORDERED.

DATED this 28th day of January, 2025.



The Honorable Barbara J. Rothstein
SENIOR UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24