

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 9:19-cv-81160

APPLE INC.,

Plaintiff,

v.

CORELLIUM, LLC,

Defendant.

**PLAINTIFF APPLE INC.'S MOTION FOR REFERRAL TO SETTLEMENT
CONFERENCE AND INCORPORATED MEMORANDUM OF LAW**

Plaintiff Apple Inc., by and through undersigned counsel, respectfully moves this Court for an order referring this case for a settlement conference before a Magistrate or Senior Judge. In support of this request, Apple states as follows:

1. Under this Court's June 24, 2021 Order, ECF No. 961, this case is now on a two-week calendar beginning on July 19, 2021, with a calendar call on July 13, 2021.
2. In January 2020, the parties engaged in mediation, which did not result in a settlement. *See* ECF No. 111-1.
3. In light of the upcoming trial, and as contemplated by Local Rule 16.1(d)(1), the parties have continued to engage in settlement discussions. To date, however, those discussions have not resulted in a settlement.
4. Apple believes that the assistance of a Magistrate or Senior Judge would facilitate the parties' discussions and could assist the parties in identifying a mutually agreeable resolution of this dispute short of trial. Given Magistrate Judge Matthewman's familiarity with this action and the parties' respective positions, Apple believes he is best positioned to facilitate a settlement

conference. Apple is, however, open to proceeding before any Magistrate or Senior Judge to whom the Court, in its discretion, may choose to refer this matter for a settlement conference.

5. A referral to a settlement conference would serve the interests of all parties by conserving resources, and potentially allowing the Court and parties to avoid the burden of a likely 10-day jury trial.

LOCAL RULE 7.1(A)(3) CERTIFICATION

Pursuant to Local Rule 7.1(a)(3), the undersigned counsel verifies that counsel for Plaintiff conferred via telephone and email with counsel for Defendant on July 12, 2021, regarding this Motion. Defendant does not oppose the request for a settlement conference, but only if the conference does not change the current trial date.

Dated: July 12, 2021

Respectfully Submitted,

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