

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TOUCHSTREAM TECHNOLOGIES,
INC.,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,
et al.,

Defendants.

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CASE NO. 2:23-cv-00059-JRG-RSP
(Lead Case)

ORDER

Before the Court is the Motion to Strike the Opinions of Dr. Russell W. Mangum III filed by the Charter Defendants. Dkt. No. 95. The Court considered and denied the Comcast Defendants' separate Motion to Strike the Opinions of Dr. Mangum. Dkt. No. 239. The Court finds that this Motion raises identical issues as Comcast's.¹ Compare Dkt. No. 83, with Dkt. No. 95. Both motions raise the issues of failure to account for use, failure to apportion the Quadriga Agreement, and improper reliance on the *Google* matter. Accordingly, for the reasons provided in Dkt. No. 239, this Motion is **DENIED**.

SIGNED this 2nd day of January, 2025.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

¹ Charter raises one distinct issue: Dr. Mangum's purported reliance on documents that were not produced in discovery. Dkt. No. 95 at 14. In support of this assertion, Charter cites a string of relativity numbers that are cited in the appendix to Dr. Mangum's report. *Id.* Charter does not assert that any of Dr. Mangum's opinions contained in his report rely on these documents. The Court finds that Charter has not demonstrated its entitlement to relief based on this cursory showing.