

**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.*

**Lead Case No. 2:23-cv-00059-JRG-RSP  
Member Case No. 2:23-cv-00062-JRG-  
RSP**

**TOUCHSTREAM TECHNOLOGIES, INC.,**

*Plaintiff,*

**v.**

**COMCAST CABLE COMMUNICATIONS,  
LLC D/B/A XFINITY, et al.,**

*Defendants.*

**JURY TRIAL DEMANDED**

**TOUCHSTREAM'S UNOPPOSED MOTION FOR LEAVE TO FILE MOTION TO  
COMPEL DISCOVERY ON COMCAST'S SUPPLEMENTAL DISCLOSURES**

Touchstream moves for leave to file a motion to compel additional discovery on Comcast's supplemental disclosures. On December 11, Comcast provided supplemental discovery, and on January 28, per the agreement of the parties and by Order of the Court, the parties conducted a deposition regarding that supplement. Dkt. 290.

Good cause exists to allow Touchstream to seek the Court's assistance in completing discovery on this matter, as the parties have worked diligently to resolve the matter but remain at impasse on what discovery is proper. As Touchstream will outline in its motion, this discovery

concerns events that occurred recently, well after the close of fact discovery, and bear on important issues relevant to trial.

Touchstream conferred with Comcast counsel, who confirmed they do not oppose this Motion for Leave and will respond within one (1) week.

Date: February 6, 2025

Respectfully submitted,

/s/ Ryan Dykal

Lead Counsel

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*Counsel for Plaintiff Touchstream  
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### **CERTIFICATE OF CONFERENCE**

Counsel for Touchstream has complied with the meet and confer requirement in Local Rule CV- 7(h) and confirm that this Motion is unopposed. Counsel for Touchstream, and counsel for Comcast met and conferred by electronic mail on the subject of this Motion on February 6, 2025. Counsel for Comcast confirmed they do not oppose.

Dated: February 6, 2025

/s/ Ryan Dykal  
Ryan D. Dykal

### **CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 6 day of February, 2025.

Dated: February 6, 2025

/s/ Ryan Dykal  
Ryan D. Dykal