

**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.

TOUCHSTREAM TECHNOLOGIES, INC.,

Plaintiff,

V.

COMCAST CABLE COMMUNICATIONS,
LLC, d/b/a XFINITY, et al.,

Defendants.

Lead Case No. 2:23-cv-00059-JRG

Member Case No. 2:23-cv-00062-JRG

JOINT MOTION TO TAKE DEPOSITION OUT OF TIME

Plaintiff Touchstream Technologies, Inc. (“Touchstream”) and Defendants Comcast Cable Communications, LLC, d/b/a Xfinity; Comcast Corporation; Comcast Cable Communications Management, LLC; and Comcast of Houston, LLC, (collectively “Comcast”) file this Joint Motion to take the deposition of Linda Yaccarino out of time.

Fact discovery in this case is scheduled to close on June 11, 2024. Linda Yaccarino is a third-party witness whom the parties subpoenaed for a deposition on an agreed date of June 7, 2024. On June 6, counsel for Ms. Yaccarino informed the parties that Ms. Yaccarino had a conflict arise and requested that the parties move her deposition to a date after June 20. Both parties and Ms. Yaccarino have now agreed to conduct the deposition on June 28. Thus, the parties respectfully request that the deadline to take Ms. Yaccarino's deposition be extended up to and including June 28, 2024. This request would not affect any other deadlines and would not require modification to the Court's overall schedule for the case.

Dated: June 6, 2024

Respectfully submitted,

/s/ Ryan Dykal

Ryan Dykal
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, DC 20005
rdykal@bsflp.com

Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Tel: (903) 934-8450
Fax: (903) 934-9257
melissa@gillamsmithlaw.com

*Counsel for Plaintiff Touchstream
Technologies, Inc.*

/s/ David J. Lisson

David J. Lisson (CA Bar No. 250994)
DAVIS POLK & WARDWELL LLP
1600 El Camino Real
Menlo Park, CA 94025
david.lisson@davispolk.com

Deron Dacus (State Bar No. 00790553)
THE DACUS FIRM, P.C.
821 ESE Loop 323, Suite 430
Tyler, TX 75701
Tel: (903) 705-1117
Fax: (903) 581-2543
ddacus@dacusfirm.com

Counsel for Comcast Defendants

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and that this is a joint motion.

/s/ David J. Lisson

David J. Lisson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document is being served through CM/ECF on June 6, 2024.

/s/ David J. Lisson

David J. Lisson