

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

EVS CODEC TECHNOLOGIES, LLC,  
and SAINT LAWRENCE  
COMMUNICATIONS, LLC,

Plaintiffs,

V.

ZTE CORPORATION and  
ZTE USA, INC.,

Defendants.

§ § § § § § § § § § § § § § § §

Civil Action No. 3:19-CV-0385-M

## ORDER

Before the Court is the “Motion for Continuance of December 14, 2020 Trial Date and to Move Remaining Pretrial Deadlines” (ECF No. 187), filed by Defendants ZTE Corporation and ZTE (USA), Inc. (collectively, “ZTE”). ZTE asserts that three of its key trial witnesses, who are Chinese nationals and reside and work in China, are presently unable to travel from China to the United States due to the United States’ COVID-19 travel ban. Therefore, ZTE request a 120-day continuance of the trial date and remaining pretrial deadlines.

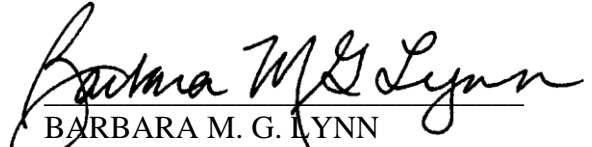
Plaintiffs EVS Codec Technologies, LLC (“EVS”) and Saint Lawrence Communications, LLC (“SLC”) oppose ZTE’s Motion. Plaintiffs argue that ZTE’s witnesses who reside and work in China can testify remotely. Plaintiffs further claim that most of the witnesses’ purported testimony is improper expert opinion testimony that should be excluded and that the witnesses are not necessary for ZTE to present its defense. Plaintiffs contend that, regardless of the travel ban, there is a substantial risk that these witnesses will not be able to secure U.S. visas to appear at trial. Plaintiffs ask that the Court, at a minimum, deny ZTE’s Motion because it is speculative and premature given that conditions related to the COVID-19 pandemic continue to rapidly

evolve. Finally, Plaintiffs request that the pretrial deadlines remain the same, even if the Court continues the trial date.

After considering the parties' arguments, the Court GRANTS ZTE's Motion to Continue. The Court will enter a separate Third Amended Scheduling Order resetting the trial date and the remaining pretrial deadlines. Barring extraordinary circumstances that the Court cannot currently foresee, this is the last continuance that will be granted.

**SO ORDERED.**

October 6, 2020.

  
BARBARA M. G. LYNN  
CHIEF JUDGE