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August 26, 2025

The Honorable Gregory B. Williams
United States District Court
844 N. King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Baby Jogger, LLC v. EvenFlo Company, Inc.*,
C.A. No. 24-723-GBW

Dear Judge Williams:

I am Delaware counsel for Plaintiff, Baby Jogger, and I write regarding the parties' dispute with regards to a Rule 26(f) conference and submission of a proposed scheduling order.

Plaintiff's Position:

Plaintiff respectfully requests the entry of an Order directing the parties to submit a proposed scheduling order in this action for the Court's consideration. Counsel conferred regarding Plaintiff's request. Counsel for Defendant indicated that it intends to seek a motion to stay the district court litigation pending the PTAB's institution decision on recently filed IPRs for each Asserted Patent. Plaintiff will oppose that motion at this stage, as it does not agree that a stay will meaningfully conserve judicial and party resources, avoid duplicative proceedings, and promote efficiency, particularly prior to any institution decision. The parties plan to meet and confer to discuss that motion this week.

Defendant's Position:

This case was filed in June 2024. More than a year later—on August 11, 2025—Plaintiff's counsel for the first time contacted Defendant's counsel to request a Rule 26(f) conference and submission of a proposed scheduling order. Defendant immediately responded the same day, noting that inter partes review ("IPR") petitions had been filed over two months earlier challenging the validity of all five Asserted Patents. Defendant further explained that the PTAB will issue institution decisions by January 2026 and that a stay of this litigation pending those decisions would conserve judicial and party resources, avoid duplicative proceedings, and promote efficiency. Plaintiff responded on August 19 that it would oppose any motion to stay.

Should the Court wish to discuss, counsel are available at the Court's convenience.

Respectfully,

/s/ Andrew C. Mayo

Andrew C. Mayo (#5207)

cc: All counsel of record (via electronic mail)
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MOCKINGBIRD ET AL. EX1070
MOCKINGBIRD ET AL. V. BABY JOGGER
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