

**U.S. District Court  
Eastern District of TEXAS [LIVE] (Marshall)  
CIVIL DOCKET FOR CASE #: 2:23-cv-00434-JRG**

Emerging Automotive LLC v. Toyota Motor North America, Inc. et al  
**PURSUANT TO COURT ORDER, DOCKET IN LEAD  
CASE 2:23CV437**

**Assigned to: District Judge Rodney Gilstrap**

**Lead case: [2:23-cv-00437-JRG](#)**

**Member case: ([View Member Case](#))**

**Related Case: [2:23-cv-00437-JRG](#)**

**Cause: 35:271 Patent Infringement**

Date Filed: 09/20/2023

Jury Demand: Plaintiff

Nature of Suit: 830 Patent

Jurisdiction: Federal Question

**Plaintiff**

**Emerging Automotive LLC**

represented by **Aaron R Hand**

Bunsow, De Mory LLP-Redwood

701 El Camino Real

Redwood City, CA 94063

650.351.7244

Fax: 650.684.1294

Email: [ahand@bdiplaw.com](mailto:ahand@bdiplaw.com)

*ATTORNEY TO BE NOTICED*

**Brenda Entzminger**

Bunsow, De Mory LLP-Redwood

701 El Camino Real

Redwood City, CA 94063

650-351-7248

Fax: 415-426-4744

Email: [bentzminger@bdiplaw.com](mailto:bentzminger@bdiplaw.com)

*ATTORNEY TO BE NOTICED*

**Jerry Tice , II**

Bunsow DE Mory LLP

701 El Camino Real

Redwood City, CA 94063

650-351-7248

Fax: 415-426-4744

Email: [jtice@bdiplaw.com](mailto:jtice@bdiplaw.com)

*ATTORNEY TO BE NOTICED*

**Marc Belloli**

Bunsow De Mory LLP

701 El Camino Real

Redwood City, CA 94063

650-351-7248

Fax: 415-426-4744

Email: mbelloli@bdiplaw.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Margaret Elizabeth Day**  
Bunsow De Mory LLP  
701 El Camino Real  
Redwood City, CA 94063  
650-351-7248  
Fax: 415-426-4744  
Email: eday@bdiplaw.com  
*ATTORNEY TO BE NOTICED*

**Andrea Leigh Fair**  
Miller Fair Henry PLLC  
1507 Bill Owens Parkway  
Longview, TX 75604  
903-757-6400  
Email: andrea@millerfairhenry.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Toyota Motor North America, Inc.**

represented by **Michael Charles Smith**  
Scheef & Stone, LLP - Marshall  
P O Box 1556  
Marshall, TX 75671-1556  
903-938-8900  
Email: michael.smith@solidcounsel.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Toyota Motor Sales, U.S.A. Inc.**

represented by **Michael Charles Smith**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Toyota Motor Corporation**

represented by **Michael Charles Smith**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/20/2023	<a href="#">1</a>	COMPLAINT against Toyota Motor Corporation, Toyota Motor North America, Inc., Toyota Motor Sales, U.S.A. Inc. ( Filing fee \$ 402 receipt number ATXEDC-9714527.), filed by Emerging Automotive LLC. (Attachments: # <a href="#">1</a> Civil Cover Sheet, # <a href="#">2</a> Exhibit A - U.S. Patent No. 10,407,026, # <a href="#">3</a> Exhibit B - 026 Claim Chart, # <a href="#">4</a> Exhibit C - U.S. Patent No. 11,738,659, # <a href="#">5</a> Exhibit D - 659 Claim Chart, # <a href="#">6</a> Exhibit E - U.S. Patent No. 9,365,188, # <a href="#">7</a> Exhibit F - 188 Claim Chart, # <a href="#">8</a> Exhibit G - U.S. Patent No. 9,171,268, # <a href="#">9</a> Exhibit H - 268 Claim Chart, # <a href="#">10</a> Exhibit I - U.S. Patent No. 11,396,244, # <a href="#">11</a> Exhibit J - 244 Claim Chart)(Fair, Andrea) (Entered: 09/20/2023)

09/20/2023	<a href="#">2</a>	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Fair, Andrea) (Entered: 09/20/2023)
09/20/2023	<a href="#">3</a>	DEMAND for Trial by Jury by Emerging Automotive LLC. (Fair, Andrea) (Entered: 09/20/2023)
09/20/2023	<a href="#">4</a>	Fed. R. Civ. P. 7.1(a)(1) Disclosure Statement filed by Emerging Automotive LLC (Fair, Andrea) (Entered: 09/20/2023)
09/20/2023		Case Assigned to District Judge Rodney Gilstrap. (nkl, ) (Entered: 09/20/2023)
09/20/2023		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <a href="#">Consent to Proceed Before Magistrate Judge</a> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (nkl, ) (Entered: 09/20/2023)
09/20/2023	<a href="#">5</a>	SUMMONS Issued as to Toyota Motor North America, Inc., Toyota Motor Sales, U.S.A. Inc.. (Attachments: # <a href="#">1</a> Additional Attachment(s))(ch, ) (Entered: 09/20/2023)
09/22/2023	<a href="#">6</a>	SUMMONS Returned Executed by Emerging Automotive LLC. Toyota Motor North America, Inc. served on 9/21/2023, answer due 10/12/2023; Toyota Motor Sales, U.S.A. Inc. served on 9/21/2023, answer due 10/12/2023. (Attachments: # <a href="#">1</a> Additional Attachment(s))(Fair, Andrea) Modified on 9/26/2023 (nkl, ). Modified on 10/2/2023 (nkl, ). (Entered: 09/22/2023)
10/11/2023	<a href="#">7</a>	<b>DEFICIENT DOCUMENT</b>  JOINT MOTION for Extension of Time to File Response/Reply as to <a href="#">1</a> Complaint,, by Toyota Motor Corporation, Toyota Motor North America, Inc., Toyota Motor Sales, U.S.A. Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Smith, Michael) Modified on 10/11/2023 (nkl, ). (Entered: 10/11/2023)
10/11/2023		NOTICE of Deficiency regarding the JOINT MOTION for Extension of Time to File Response/Reply submitted document <a href="#">7</a> does not contain a Certificate of Conference. Correction should be made by one business day. (nkl, ) (Entered: 10/11/2023)
10/11/2023	<a href="#">8</a>	JOINT MOTION for Extension of Time to File Response/Reply as to <a href="#">1</a> Complaint,, by Toyota Motor Corporation, Toyota Motor North America, Inc., Toyota Motor Sales, U.S.A. Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Smith, Michael) (Entered: 10/11/2023)
10/11/2023	<a href="#">9</a>	<b>FILED IN ERROR PER ATTORNEY</b>  UNOPPOSED MOTION for Leave to File Excess Pages <i>IN SUMMARY JUDGMENT BRIEFING</i> by Toyota Motor Corporation, Toyota Motor North America, Inc., Toyota Motor Sales, U.S.A. Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Smith, Michael) Modified on 10/12/2023 (nkl, ). (Entered: 10/11/2023)
10/12/2023		<b>***FILED IN ERROR PER ATTORNEY. Document # 9, UNOPPOSED MOTION for Leave to File Excess Pages IN SUMMARY JUDGMENT BRIEFING. PLEASE IGNORE.***</b> (nkl, ) (Entered: 10/12/2023)
10/12/2023	<a href="#">10</a>	NOTICE of Attorney Appearance by Jerry Tice, II on behalf of Emerging Automotive LLC (Tice, Jerry) (Entered: 10/12/2023)

10/12/2023	<a href="#">11</a>	NOTICE of Attorney Appearance by Aaron R Hand on behalf of Emerging Automotive LLC (Hand, Aaron) (Entered: 10/12/2023)
10/12/2023	<a href="#">12</a>	NOTICE of Attorney Appearance by Margaret Elizabeth Day on behalf of Emerging Automotive LLC (Day, Margaret) (Entered: 10/12/2023)
10/12/2023	<a href="#">13</a>	NOTICE of Attorney Appearance by Brenda Entzminger on behalf of Emerging Automotive LLC (Entzminger, Brenda) (Entered: 10/12/2023)
10/12/2023	<a href="#">14</a>	NOTICE of Attorney Appearance - Pro Hac Vice by Marc Belloli on behalf of Emerging Automotive LLC. Filing fee \$ 100, receipt number ATXEDC-9754788. (Belloli, Marc) (Entered: 10/12/2023)
10/13/2023	<a href="#">15</a>	ORDER granting <a href="#">8</a> JOINT MOTION for Extension of Time to File Response/Reply as to <a href="#">1</a> Complaint. Signed by District Judge Rodney Gilstrap on 10/12/2023. (nkl, ) (Entered: 10/13/2023)
10/13/2023		Answer Due Deadline Updated for Toyota Motor Corporation to 1/10/2024; Toyota Motor North America, Inc. to 1/10/2024; Toyota Motor Sales, U.S.A. Inc. to 1/10/2024. (nkl, ) (Entered: 10/13/2023)
12/13/2023	<a href="#">16</a>	CONSOLIDATION ORDER - The above-captioned cases are hereby ORDERED to be CONSOLIDATED for all pretrial issues with the LEAD CASE, Case No. 2:23-cv-00437. All parties are instructed to file any future filings in the LEAD CASE. Individual cases remain active for trial. Signed by District Judge Rodney Gilstrap on 12/13/2023. (ch, ) (Entered: 12/13/2023)
05/21/2025	<a href="#">17</a>	FIRST AMENDED DOCKET CONTROL ORDER: Pretrial Conference set for 6/12/2025 at 09:00 AM before District Judge Rodney Gilstrap.. Signed by District Judge Rodney Gilstrap on 05/20/2025. (mdj) (Entered: 05/21/2025)

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