

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

HEADWATER RESEARCH, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 7:25-cv-00371-ADA

JOINT MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Headwater Research, LLC (“Headwater”) and Defendant Apple Inc. (“Apple”) (collectively, the “Parties”) have settled their respective claims for relief asserted in this litigation. Accordingly, the Parties respectfully request that all claims for relief asserted against Apple by Headwater are dismissed, with prejudice; that all counterclaims asserted by Apple against Headwater are dismissed, without prejudice; and, the Parties further request that all attorneys’ fees, costs of court, and expenses be borne by each Party incurring the same.

WHEREFORE, the Parties respectfully request that the Court enter the Proposed Order submitted with this motion.

Dated: October 30, 2025

/s/ Marc Fenster
Marc Fenster
CA State Bar No. 181067
Email: mfenster@raklaw.com
Reza Mirzaie
CA State Bar No. 246953

Respectfully submitted,

/s/ Cosmin Maier
Deron R. Dacus
State Bar No. 00790553
The Dacus Firm, P.C.
821 ESE Loop 323, Suite 430
Tyler, TX 75701

Email: rmirzaie@raklaw.com

Brian Ledahl

CA State Bar No. 186579

Email: bledahl@raklaw.com

Dale Chang

CA State Bar No. 248657

Email: dchang@raklaw.com

Kristopher Davis

CA State Bar No. 329627

Email: kdavis@raklaw.com

James N. Pickens

CA State Bar No. 307474

Email: jpickens@raklaw.com

James S. Tsuei

CA State Bar No. 285530

Email: jtsuei@raklaw.com

Jason M. Wietholter

CA State Bar No. 337139

Email: jwietholter@raklaw.com

RUSS AUGUST & KABAT

12424 Wilshire Blvd. 12th Floor

Los Angeles, CA 90025

Telephone: 310-826-7474

Qi (Peter) Tong

TX State Bar No. 24119042

Email: ptong@raklaw.com

RUSS AUGUST & KABAT

8080 N. Central Expy., Suite 1503

Dallas, TX 75206

Telephone: 310-826-7474

Attorneys for Headwater Research LLC

Phone: (903) 705-1117

ddacus@dacusfirm.com

John M. Desmarais (admitted *pro hac vice*)

Cosmin Maier (admitted *pro hac vice*)

Kerri-Ann Limbeek (admitted *pro hac vice*)

Michael Wueste (admitted *pro hac vice*)

Benjamin Rodd (admitted *pro hac vice*)

Peter Kotecki (admitted *pro hac vice*)

DESMARAIS LLP

230 Park Avenue

New York, NY 10169

Tel: 212-351-3400

Fax: 212-351-3401

JDesmarais@desmaraisllp.com

CMaier@desmaraisllp.com

KLimbeek@desmaraisllp.com

MWueste@desmaraisllp.com

BRodd@desmaraisllp.com

PKotecki@desmaraisllp.com

Thomas Derbish (admitted *pro hac vice*)

DESMARAIS LLP

1899 Pennsylvania Avenue NW, Suite 400

Washington, DC 20006

Tel: (202) 451-4920

Fax: (202) 451-4901

TDerbish@desmaraisllp.com

YuKai Bao (admitted *pro hac vice*)

DESMARAIS LLP

101 California Street, Suite 3070

San Francisco, CA 94111

Tel: (415) 573-1900

Fax: (415) 573-1901

YBao@desmaraisllp.com

Attorneys for Defendant Apple Inc.

CERTIFICATE OF CONFERENCE

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred, and the requested motion is joint.

/s/ Marc Fenster
Marc Fenster

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served on October 30, 2025, with a copy of this document via the Court's CM/ECF.

/s/ Marc Fenster
Marc Fenster