

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OCLC, Inc.,

Plaintiff,

v.

CLARIVATE, PLC, *et al.*,

Defendants.

Case No. 2:22-cv-2470-JLG-KAJ

Judge James L. Graham

Magistrate Judge Kimberly A. Jolson

JOINT MOTION TO CONTINUE PRELIMINARY INJUNCTION HEARING

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and for good cause, Plaintiff OCLC, Inc. and Defendants Clarivate, PLC, Clarivate Analytics (US) LLC, ProQuest LLC, and Ex Libris (USA), Inc. (collectively, the “Parties”) jointly request a continuation until either September 20-21 or September 21-22, 2022, of the hearing on Plaintiff’s Motion for Preliminary Injunction, which is currently set for August 10-11, 2022, and an extension of the temporary restraining order (“TRO”) until Plaintiff’s Motion for Preliminary Injunction is resolved. The Parties request this continuance not for purposes of delay but in order to allow adequate time to pursue settlement negotiations.

On or around July 22, 2022, the Parties indicated a mutual desire to arrange a conference between high level representatives of the Parties for the purpose of exploring a potential settlement of the Parties’ dispute. Given the logistics involved, the earliest available date on which the Parties could organize such a conference with key players in person was August 11, 2022. Because of the resulting conflict with the currently scheduled preliminary injunction hearing and, moreover, because the Parties believe that their efforts toward exploring a potential

settlement are best served by pausing their hearing preparations and instead focusing their energies on settlement discussions, the Parties wish to continue the preliminary injunction hearing to a date that is mutually agreeable to the Parties and to the Court.

After consultation among the Parties and with the Court, the Parties propose that the preliminary injunction hearing be continued until either September 20-21 or September 21-22, 2022 and that the Court extend the TRO until the Motion for Preliminary Injunction is resolved. The Parties have worked diligently to explore additional potential dates, both earlier and later, but due to witness availability, conflicting trial dates, and the Jewish high holidays, among other scheduling difficulties, they have been unable to identify any further mutually available dates within a reasonable timeframe. In the event that the Court does not grant this motion and/or cannot continue the hearing to the dates requested above, the Parties respectfully request a brief telephonic status conference with the Court to identify alternative dates.

A proposed order granting this motion is attached for the Court's convenience. Once this motion is resolved, the parties will submit a revised discovery schedule for Magistrate Judge Jolson's approval.

Respectfully submitted,

/s/ Traci L. Martinez

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of this document was served via the Court's CM/ECF system on August 1, 2022 and has thus been served automatically on all counsel of record.

/s/ Rachael L. Rodman

Trial Attorney for Defendants