

Appeal No. 23-109

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**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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In re WAVERLY LICENSING LLC  
*Petitioner.*

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On Petition for Writ of Mandamus to the United States District Court for  
the District of Delaware in Nos. 1:22-cv-00420-CFC and 1:22-cv-00422-  
CFC, Chief Judge Colm F. Connolly.

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**RESPONDENT AT&T MOBILITY LLC'S RESPONSE PURSUANT  
TO ORDER ON PETITION FOR WRIT OF MANDAMUS**

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December 9, 2022

## **RESPONSE**

Defendant AT&T Mobility LLC (“AT&T Mobility”) provides the following response pursuant to this Court’s December 2, 2022 Order concerning the petition filed by Waverly Licensing LLC (“Waverly”) for a writ of mandamus directing the United States District Court for the District of Delaware to vacate its September 21, 2022 order setting an evidentiary hearing for December 6, 2022, and to otherwise end proceedings relating to the district court’s standing orders of April 18, 2022. AT&T Mobility and Waverly have resolved their dispute and filed a stipulation of dismissal of Case No. 1:22-cv-00420-CFC (D.I. 28). AT&T Mobility takes no position on Waverly’s petition because, consistent with the resolution reached in this litigation, and solely with respect to this litigation—which the parties resolved prior to the Court’s December 2, 2022 Order—AT&T Mobility does not intend to oppose the Court’s entry of dismissal as set forth above, to take any action to vacate or modify the dismissal order, or to appeal or otherwise challenge any order or judgment in this litigation.

Dated: December 9, 2022

Respectfully submitted,

*/s/ Christopher D. Bright*

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## CERTIFICATE OF COMPLIANCE

I hereby certify that:

1. This Response complies with the type-volume limitation of Fed. Cir. R. 32(b)(1) because this Response contains 170 words, excluding the parts of the Response exempted by Fed. R. App. P. 32(f) and Fed. Cir. R. 32(b)(2).
2. This Response complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this response has been prepared in a proportionately spaced typeface using Microsoft Office Word in Georgia font, size 14.

*/s/ Christopher D. Bright*

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