

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

APPLIED MATERIALS, INC.,

Plaintiff,

v.

DEMARAY LLC,

Defendant.

Case No. 20-cv-09341-EJD (NC)

**CASE MANAGEMENT
SCHEDULING ORDER**

After considering the case schedules proposed by the parties, at ECF 116, the Court
RECOMMENDS that Judge Edward J. Davila set the following deadlines in this case¹:

1. FURTHER CASE MANAGEMENT CONFERENCE: **August 25, 2022, at 10:00 a.m.** The parties must file a joint case management statement by **August 18, 2022**, in accordance with Civil L.R. 16-10(d).
2. DISCLOSURE OF ASSERTED CLAIMS & INFRINGEMENT CONTENTIONS (PATENT L.R. 3-1): **October 14, 2022.**
3. INVALIDITY CONTENTIONS (PATENT L.R. 3-3): **November 28, 2022.**
4. DAMAGES CONTENTIONS (PATENT L.R. 3-8): **January 17, 2023.**
5. RESPONSIVE DAMAGES CONTENTIONS (PATENT L.R. 3-9): **February 16, 2023.**
6. PROPOSED TERMS FOR CONSTRUCTION (PATENT L.R. 4-1): **November 18, 2022.**

¹ The Court does not propose deadlines for filing a protective order and a motion for leave to amend, as these events have already occurred. ECF 123; ECF 133. The Court does not

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- 1 7. PRELIMINARY CLAIM CONSTRUCTIONS & EXTRINSIC EVIDENCE
2 (PATENT L.R. 4-2): **December 9, 2022.**
- 3 8. JOINT CLAIM CONSTRUCTION PREHEARING STATEMENT & EXPERT
4 REPORTS (PATENT L.R. 4-3): **January 27, 2023.**
- 5 9. COMPLETION OF CLAIM CONSTRUCTION DISCOVERY: **February 27,**
6 **2023.**
- 7 10. OPENING CLAIM CONSTRUCTION BRIEF: **March 13, 2023.**
- 8 11. RESPONSIVE CLAIM CONSTRUCTION BRIEF: **March 27, 2023.**
- 9 12. REPLY CLAIM CONSTRUCTION BRIEF: **April 3, 2023.**
- 10 13. SUR REPLY CLAIM CONSTRUCTION BRIEF: **April 10, 2023.**
- 11 14. CLAIM CONSTRUCTION HEARING: **April 27, 2023, at 9:00 a.m.**
- 12 15. POST-CLAIM CONSTRUCTION STATUS CONFERENCE: **June 1, 2023,**
13 **10:00 a.m..**
- 14 16. ADVICE OF COUNSEL (PATENT L.R. 3-7): **June 1, 2023.**
- 15 17. LAST DAY TO MOVE OR AMEND PLEADINGS OR ADD PARTIES: **June**
16 **1, 2023.**
- 17 18. JOINT TRIAL SETTING CONFERENCE: **July 13, 2023, at 11:00 a.m.** The
18 parties must file a joint trial setting conference statement by **July 3, 2023.**
- 19 19. FACT DISCOVERY: Fact discovery must be completed by **August 14, 2023.**
- 20 20. EXPERT WITNESSES:
 - 21 ○ Disclosure of expert testimony and reports under Federal Rule of Civil
22 Procedure 26(a)(2) must be made by **September 11, 2023.**
 - 23 ○ Disclosure of rebuttal expert reports must be made by **October 9, 2023.**
 - 24 ○ Parties must complete all discovery of expert witnesses under Federal
25 Rule of Civil Procedure 26(b)(4) by **November 6, 2023.**
- 26 21. DISPOSITIVE MOTIONS: Parties must file and serve all dispositive motions
27 by **December 4, 2023.**
- 28 22. PRETRIAL DEADLINES: The deadlines for pretrial disclosures, objections,
motions in limine, and pretrial filings will be set at the Trial Setting Conference.

IT IS SO ORDERED.

Dated: July 14, 2022


NATHANAEL M. COUSINS