

In the United States Court of Federal Claims

No. 19-859
(Filed: 27 May 2022)

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*****
E-NUMERATE SOLUTIONS, INC., and *
E-NUMERATE, LLC, *
*
Plaintiffs, *
*
v. *
*
THE UNITED STATES, *
*
Defendant *
*
*****
    
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ORDER

On 27 May 2022, plaintiffs filed an unopposed motion to amend the Court’s previous scheduling order, ECF No. 85. *See* Pl.’s Unopposed Mot. to Amend the Scheduling Order, ECF No. 86. Plaintiffs explain their trial counsel has been affected by illnesses and pressing deadlines in other cases which caused plaintiffs’ counsel to delay work on responding to the government’s claim construction briefs. *Id.* at 1–2. According to plaintiffs, the government does not oppose plaintiffs’ current motion but intends to oppose further extensions absent good cause. *Id.* at 2.

For good cause shown, the Court **GRANTS** plaintiffs’ motion to amend the current scheduling order and **ADOPTS** the following modified claim construction briefing schedule:

| Event | Prior Deadline | New Deadline |
|--|----------------|--------------|
| Plaintiffs file their reply claim construction briefs | 27 May 2022 | 1 June 2022 |
| The government files its surreply claim construction briefs | 24 June 2022 | 1 July 2022 |
| Plaintiffs file their surreply claim construction brief regarding indefiniteness terms | 8 July 2022 | 15 July 2022 |
| The parties submit the joint claim construction statement and propose dates for the <i>Markman</i> hearing | 15 July 2022 | 22 July 2022 |

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|--|-----------------|-----------------|
| If desired, parties may submit joint technical tutorial to the Court | 22 July 2022 | 10 August 2022 |
| <i>Markman</i> hearing | To be scheduled | To be scheduled |
| Deadline for the government to produce technical documents for additional agencies named in the second amended complaint | 29 July 2022 | 17 August 2022 |

IT IS SO ORDERED.

s/ Ryan T. Holte
RYAN T. HOLTE
Judge