

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| |
|--|
| ELM 3DS INNOVATIONS, LLC, Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD., et al., Defendants. |
|--|

C.A. No. 14-cv-1430-LPS

JURY TRIAL DEMANDED

STIPULATION TO AMEND SCHEDULING ORDER

WHEREAS, the Court entered Amended Scheduling Orders on May 9, 2018 (D.I. 176), January 15, 2020 (Docket Text Order), March 26, 2020 (Docket Text Order), July 16, 2020 (D.I. 316), October 7, 2020 (Docket Text Order), January 7, 2021 (*id.*, Docket Text Order), and July 22, 2021 (Docket Text Order);

WHEREAS, the parties have not yet completed fact discovery in this case;
NOW THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, to amend the scheduling order as follows:

| Event | Current Deadline | Extended Deadline |
|---|-------------------------|--------------------------|
| Samsung to substantially complete discovery on representative products, including document production, production of samples, and interrogatory supplementation. | 9/15/2021 | 2/18/2022 |
| Elm's deadline to serve interrogatories and Rule 30(b)(6) deposition notices relating to Samsung's representative products (the parties' respective deadlines to serve interrogatories and Rule 30(b)(6) deposition notices for all other issues in the Samsung case and for all issues in the Micron case have passed) | 10/7/2021 | 3/14/2022 |
| Elm's deadline to serve fact-deposition notices on Samsung | 10/7/2021 | 3/14/2022 |
| Fact discovery closes | 11/5/2021 | 4/14/2022 |
| Elm elects no more than 36 total claims and provide final infringement contentions | 11/23/2021 | 5/3/2022 |
| Defendants' responses to contention interrogatories related to infringement | 12/10/2021 | 5/20/2022 |
| Defendants elect no more than 36 prior art references and provide final invalidity contentions | 12/22/2021 | 6/3/2022 |
| Elm's responses to contention interrogatories related to invalidity | 1/7/2022 | 6/17/2022 |
| Opening expert reports | 1/21/2022 | 7/8/2022 |
| Responsive expert reports | 2/18/2022 | 8/12/2022 |
| Expert discovery closes | 3/11/2022 | 9/2/2022 |
| Case dispositive and Daubert motions | 3/25/2022 | 9/16/2022 |
| Responses to case dispositive and Daubert motions | 4/29/2022 | 10/21/2022 |

| Event | Current Deadline | Extended Deadline |
|---|---|--------------------------|
| Replies to case dispositive and Daubert motions | 5/11/2022 | 11/2/2022 |
| Hearing on pending dispositive and Daubert motions | TBD | TBD |
| Rule 16 Conference | TBD | TBD |
| Deadline for Elm to provide a draft pretrial order to all other parties | 30 days before the pretrial order is to be filed with the Court | No Change |
| Deadline for all other parties to provide Elm and each other party with their responses to Elm's draft order | 14 days before the pretrial order is to be filed with the Court | No Change |
| Pretrial conference | TBD | TBD |
| Jury trial | TBD | TBD |
| Deadline for the parties to jointly submit a form of order to enter judgment on the verdict and to submit a joint status report (should they wish to file one), indicating among other things how the case should proceed and listing any post-trial motions each party intends to file | 7 days after each jury verdict | No Change |

December 23, 2021

/s/ Michael J. Farnan

Brian E. Farnan (#4089)
Michael J. Farnan (#5165)
FARNAN LLP
919 North Market Street
12th Floor
Wilmington, DE 19801
Tel: (302) 777-0300
Fax: (302) 777-0301
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

*Attorneys for Plaintiff Elm 3DS
Innovations, LLC*

Respectfully submitted,

/s/ Adam W. Poff

Adam W. Poff (#3990)
Pilar G. Kraman (#5199)
YOUNG CONAWAY STARGATT &
TAYLOR, LLP
Rodney Square
1000 North King Street
Wilmington, DE 19801
Telephone: (302) 571-6600
apoff@ycst.com
pkraman@ycst.com

*Attorneys for Defendants Samsung Electronics Co.,
Ltd., Samsung Semiconductor, Inc., Samsung
Electronics America, Inc., and Samsung Austin
Semiconductor, LLC*

IT IS SO ORDERED

Date: _____

The Honorable Leonard P. Stark