

Plaintiff Philips North America LLC (“Philips”) and Defendant Fitbit, Inc. (“Fitbit”) respectfully jointly move the Court to extend certain deadlines set forth in the Scheduling Order, (Dkt Nos. 115 and 116), as proposed in the table below. The realities of attorney, client, and expert witness schedules in a work-from home situation during the COVID-19 pandemic continue to complicate efforts to comply with the existing schedule. The proposed revised schedule addresses some of those complications, and provides the parties with the ability to potentially craft their completion of discovery with the further expected guidance of the Court’s rulings on the pending Motion to Dismiss and Claim Construction order.

For good cause shown, the parties request the Court amend the Scheduling Order as follows:

Event	Previous Deadline (Dkt Nos. 115/116)	Proposed Dates
Fact Discovery.		
Close of fact discovery	December 11, 2020	February 23, 2020
Supplemental disclosures under Rule 26(e)	December 11, 2020	January 22, 2021
Deadline for fact discovery motions	December 18, 2020	March 3, 2021
Expert Discovery.		
Opening expert reports regarding issues as to which a party bears the burden shall be filed	January 22, 2021	March 30, 2021
Rebuttal expert reports	March 4, 2021	May 11, 2021
Close of expert discovery, including expert depositions	April 2, 2021	June 8, 2021
Deadline for expert discovery motions	April 9, 2021	June 15, 2021

Dispositive Motions. Dispositive motions, such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings	May 21, 2021	July 27, 2021
Initial Pretrial Conference.	September 17, 2021	November 19, 2021 or at the Court's convenience.

Dated: December 3, 2020

PHILIPS NORTH AMERICA LLC,

By its attorneys,

/s/ Ruben J. Rodrigues

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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above document was served on December 3, 2020 on counsel for Defendant via electronic mail.

/s/ Ruben J. Rodrigues