



Order

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January 26, 2023

VIA ECF

Hon. Douglas E. Arpert, U.S.M.J.
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

**Re: OANDA Corporation v. GAIN Capital Holdings, Inc., et al.
No. 3:20-cv-05784-ZNQ-DEA**

Dear Judge Arpert:

We, along with our co-counsel from Koning Zollar LLP, represent Plaintiff OANDA Corporation in this matter. Plaintiff and Defendant GAIN Capital Holdings, Inc. have met and conferred about a proposed Case Management Order, in accordance with this Court's Text Order of January 9, 2023 (D.E. 159) and have agreed to the following case schedule. The dates below are keyed off the later of: (a) issuance of a final *Markman* order; or (b) issuance of an order deciding GAIN's pending Rule 12(c) motion.

Event	Deadline
Parties to meet and confer re case schedule in light of issued orders	Within 7 days after <i>Markman</i> Order
Settlement Conference	Within 30 days after <i>Markman</i> Order
Status Conference with Judge Arpert	Approximately 30 days after <i>Markman</i> Order, at the convenience of the Court
Disclosure of advice of counsel (LPR 3.8)	45 days after <i>Markman</i> Order
Substantial completion of document production and certification of substantial completion (LPR 2.1(a)(6))	150 days after <i>Markman</i> Order
Close of Fact Discovery	240 days after <i>Markman</i> Order
Expert Report: Opening (by burden of proof)	60 days after close of fact discovery
Expert Report: Rebuttal	60 days after opening reports
Expert Report: Reply	45 days after rebuttal
Expert Report: Plaintiff's Reply on 2d Considerations	45 days after Reply

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Event	Deadline
Close of expert discovery, including depositions	45 days after last reply report
Settlement conference	30 days after close of expert discovery
Status conference	TBD (after settlement conference)
Deadline to file dispositive motions	45 days after close of expert discovery; subsequent briefing schedule TBD
Deadline to file motions in limine and subsequent briefing schedule	TBD
Deadline to file pre-trial order	TBD
Final Pretrial conference	TBD
Trial	TBD

If this schedule is acceptable to Your Honor, we ask that this letter be endorsed “So Ordered” and placed on the docket. We appreciate the Court’s attention to this matter.

Respectfully submitted,

/s/ Cynthia S. Betz

Cynthia S. Betz

cc: All Counsel of Record (via ECF)

SO ORDERED this 1st day of February 2023:



Hon. Douglas E. Arpert, U.S.M.J.