

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SEVEN NETWORKS, LLC,

Plaintiff,

v.

APPLE INC,

Defendant.

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CIVIL ACTION NO. 2:19-CV-00115-JRG

ORDER

Before the Court is the parties’ Joint Motion to Amend the Docket Control Order (the “Motion”). (Dkt. No. 113.) In the Motion, the parties request a 45 day extension in light of the global health crisis related to the novel coronavirus (“COVID-19”) pandemic. (*Id.* at 1.) The parties note that in light of the pandemic and associated shelter-in-place orders, the parties are having difficulty conducting depositions and reviewing source code. (*Id.* at 5-7.) The Court urges that the parties explore conducting electronic depositions, noting that nothing precludes the parties from requesting relief to reconduct depositions in a more favorable format at a later date.

Having considered the Motion, the Court is of the opinion that it should be and hereby is **GRANTED**. It is therefore **ORDERED** that the below schedule of deadlines is in effect until further order of this Court.

PREVIOUS DEADLINE	NEW DEADLINE	EVENT
September 14, 2020	November 2, 2020	*Jury Selection – 9:00 a.m. in Marshall, Texas

August 10, 2020	September 24, 2020	*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
August 3, 2020	September 17, 2020	*Notify Deputy Clerk in Charge regarding the date and time by which juror questionnaires shall be presented to accompany by jury summons if the Parties desire to avail themselves the benefit of using juror questionnaires ¹
August 3, 2020	September 17, 2020	*Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
August 3, 2020	September 17, 2020	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions in Limine, Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
July 27, 2020	September 10, 2020	*File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov .

July 21, 2020	September 3, 2020	File Motions in Limine The parties shall limit their motions in limine to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
July 21, 2020	September 3, 2020	Serve Objections to Rebuttal Pretrial Disclosures
July 9, 2020	August 24, 2020	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
June 29, 2020	August 13, 2020	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
June 22, 2020	August 6, 2020	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. ² Motions for Summary Judgment shall comply with Local Rule CV-56.
June 8, 2020	July 23, 2020	*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions) No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.

June 8, 2020	July 23, 2020	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</p>
June 8, 2020	July 23, 2020	Deadline to Complete Expert Discovery
May 18, 2020	July 2, 2020	Serve Disclosures for Rebuttal Expert Witnesses
April 24, 2020	June 8, 2020	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
April 17, 2020	June 1, 2020	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
June 25, 2020	August 10, 2020	<p>Deadline to Complete Mediation</p> <p>The parties are responsible for ensuring that a mediation report is filed no later than 5 days after the conclusion of mediation.</p>
14 days after service of Final Election of Asserted Claims		Final Election of Asserted Prior Art
14 days after Final Election of Asserted Claims		Deadline for Parties to file Stipulation as to Representative Products
April 6, 2020	May 21, 2020	Comply with P.R. 3-7 (Opinion of Counsel Defenses)

7 days after Claim Construction Order		Final Election of Asserted Claims
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So ORDERED and SIGNED this 27th day of March, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE