

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

BRIGHT DATA LTD.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 2:21-CV-00225-JRG-RSP
	§	
NETNUT LTD.,	§	
	§	
Defendant.	§	

DOCKET CONTROL ORDER

Before the Court is the Joint Motion for Entry of Agreed Docket Control Order filed by Plaintiff Bright Data Ltd. and Defendant NetNut Ltd. The Court **GRANTS** the Motion. Accordingly, it is hereby **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

Date	Amended Date	Event
September 12, 2022		*Jury Selection – 9:00 a.m. in Marshall, Texas
August 15, 2022		*If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date. ¹
August 9, 2022		*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Roy Payne
August 1, 2022		*Notify Court of Agreements Reached During Meet and Confer

¹ The Parties are referred to the Court’s Standing Order Regarding Use of Juror Questionnaires in Advance of *Voir Dire*.

Date	Amended Date	Event
		The parties are ordered to meet and confer on any outstanding objections of motions in <i>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 1, 2022		*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions in <i>limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
July 25, 2022		*File Notice of Request for Daily Transcript of 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, Shawn McRoberts, at shawn_mcroberts@txed.uscourts.gov .
July 18, 2022	July 20, 2022	File Motions in <i>Limine</i> The parties shall limit their motions in <i>limine</i> 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 18, 2022	July 20, 2022	Serve Objections to Rebuttal Pretrial Disclosures
July 11, 2022	July 13, 2022	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
June 27, 2022	June 29, 2022	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
June 20, 2022		*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-

Date	Amended Date	Event
		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 6, 2022		*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 6, 2022		*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>
May 31, 2022		Deadline to Complete Expert Discovery
May 16, 2022	May 18, 2022	Serve Disclosures for Rebuttal Expert Witness
April 25, 2022	April 27, 2022	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
April 25, 2022	April 13, 2022	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
March 9, 2022	April 6, 2022	*Claim Construction Hearing – 9:00 a.m. in Marshall, Texas before Judge Roy Payne
March 30, 2022		Comply with P.R. 3-7 (Opinion of Counsel Defenses)

² The parties are directed to Local Rule CV-7(d), which provides in part that “[a] party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not controvert the facts set out by movant and has no evidence to offer in opposition to the motion.” If the deadline under Local Rule CV-7(e) exceeds the deadline for Response to Dispositive Motions, the deadline for Response to Dispositive Motions controls.

Date	Amended Date	Event
February 23, 2022	March 23, 2022	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
February 16, 2022	March 16, 2022	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
February 9, 2022	March 9, 2022	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
January 26, 2022	February 23, 2022	Comply with P.R. 4-5(a) (Opening Claim Construction Brief) and Submit Technical Tutorials (if any) Good cause must be shown to submit technical tutorials after the deadline to comply with P.R. 4-5(a).
January 12, 2022	February 9, 2022	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
January 26, 2022		Deadline to Substantially Complete Document Production and Exchange Privilege Logs Counsel are expected to make good faith efforts to produce all required documents as soon as they are available and not wait until the substantial completion deadline.
December 15, 2021	January 26, 2022	Comply with P.R. 4-3 (Joint Claim Construction Statement)
November 24, 2021	January 5, 2022	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
January 5, 2022		File Response to Amended Pleadings
December 22, 2021		*File Amended Pleadings It is not necessary to seek leave of Court to amend pleadings prior to this deadline unless the amendment seeks to assert additional patents.

Date	Amended Date	Event
November 10, 2021	December 17, 2021	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions ³
November 10, 2021	December 17, 2021	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
	December 15, 2021	Serve E-mail production requests subject to the ESI Order
November 3, 2021	December 8, 2021	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
	December 8, 2021	Exchange list of e-mail custodians subject to the ESI Order
	December 8, 2021	Comply with P.R. 3-1 & 3-2 (Supplemental Infringement Contentions)
October 20, 2021		*File Proposed Protective Order and Comply with Paragraphs 1 & 3 of the Discovery Order (Initial and Additional Disclosures) The Proposed Protective Order shall be filed as a separate motion with the caption indicating whether or not the proposed order is opposed in any part.
October 20, 2021		*File Proposed Docket Control Order and Proposed Discovery Order The Proposed Docket Control Order and Proposed Discovery Order shall be filed as separate motions with the caption indicating whether or not the proposed order is opposed in any part.
October 6, 2021		Join Additional Parties
September 15, 2021		Comply with P.R. 3-1 & 3-2 (Infringement Contentions)

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<https://www.txed.uscourts.gov/sites/default/files/judgeFiles/EDTX%20Standing%20Order%20Re%20Subject%20Matter%20Eligibility%20Contentions%20.pdf> [https://perma.cc/RQN2-YU5P]

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