

FILED

June 08, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**IN THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT
OF TEXAS WACO DIVISION**

BY: J. Galindo-Beaver
DEPUTY

**AMENDED STANDING ORDER REGARDING MOTION FOR INTER-DISTRICT
TRANSFER**

Henceforth, all parties who have filed motion(s) for inter-district transfer are required to provide the Court with a status report with respect to whether the motion(s) has been fully briefed and ready for resolution no later than six weeks prior to the date of the Markman hearing¹ that is scheduled in that case.

With respect to any parties who have such motion(s) pending at the time of the entry of this Standing Order and a Markman hearing scheduled for a date that is less than 6 weeks from the date of the entry of this Order, the Court **ORDERS** the party who has filed the motion to provide the same status report as quickly as is reasonable, but in no case more than five business days after the entry of this Order.

When there is a pending inter-district transfer, the Court will either promptly enter an order resolving the pending motion(s) prior to the Markman hearing or it will postpone the Markman hearing until it has had the opportunity to do so. The Court will not conduct a Markman hearing until it has resolved the pending motion to transfer. Whenever a Markman hearing is postponed pursuant to this Order, Fact Discovery will begin one day after the originally scheduled Markman Hearing date.

A motion for inter-district transfer may be filed within eight weeks of the scheduled date for the Markman hearing only with a showing of good cause for any delay and leave of court.

¹ To the extent there are multiple Markman hearings, the status report is due six weeks before the first scheduled Markman hearing.

SIGNED this 8th day of June, 2021.

A handwritten signature in black ink that reads "Alan D. Albright". The signature is written in a cursive style with a large initial "A".

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

FILED

June 16, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

BY: J. Galindo-Beaver
DEPUTY

**AMENDED STANDING ORDER REGARDING
NOTICE OF READINESS FOR PATENT CASES**

In all patent cases pending before the undersigned, the Parties are directed to jointly file the Case Readiness Status Report (“CRSR”) in the format attached as Exhibit A: (a) within seven (7) days after the defendant (or at least one defendant among a group of related defendants sued together) has responded to the initial pleadings in cases where there are no CRSR Related Cases as defined below¹, or (b) when there are CRSR Related Cases, within seven (7) days after the last defendant (or last defendant group when at least one defendant among the group has responded) among the CRSR Related Cases has responded to the initial pleadings. The CRSR shall be filed in each case and, with regard to CRSR Related Cases, it shall identify all other CRSR Related Cases.

The Parties are directed to meet and confer before jointly filling the CRSR. Plaintiff shall be responsible for ensuring the prompt filing of the CRSR. Plaintiff shall also email the Court (TXWDml_LawClerks_JudgeAlbright@txwd.uscourts.gov) a courtesy copy of the CRSR and shall also copy the Defendant(s). If the parties have any pre-*Markman* issues in need of resolution, the parties are directed to email the Court a joint submission of the parties’ positions after filing the CRSR so the Court can consider whether to hold a telephonic hearing to resolve these issues.

Once the CRSR has been filed, the Case Management Conference (“CMC”) shall be deemed to occur fourteen (14) days after the filing date of the CRSR. With regard to CRSR

¹ For purposes of this Order, cases shall be considered CRSR Related Cases when: (1) they are filed within thirty (30) days after the first case is filed, and (2) they share at least one common asserted patent.

Related Cases, if the CRSRs are not all submitted on the same date, the CMC shall be deemed to occur fourteen (14) days after the last CRSR in those CRSR Related Cases is filed. The Court intends to coordinate the CRSR Related Cases on the same schedule with a single *Markman* hearing, so the parties should plan accordingly. In all cases, the *Markman* hearing shall be initially scheduled for twenty-three (23) weeks after the CMC and should be included in the parties' proposed Scheduling Order in accordance with the Court's Order Governing Proceedings.

This Order shall apply to all cases where the CRSR has not already been filed as of the date of this Order. In any case where the parties have submitted their CRSR before the date of this Order but have not received an order setting their CMC, the CMC for that case (or cases) will be deemed to occur fourteen (14) days after the date of this Order. To the extent that the CRSR in a case (or related cases) is overdue pursuant to this Order, the parties are directed to file the CRSR within seven (7) days after the date of this Order. If after entry of this Order there are any cases awaiting a CMC where the CMC will not be set by operation of this Order, the parties should contact the Court for guidance.

If any party believes that the operation of this Order will cause undue prejudice, that party may contact the Court to seek appropriate relief.

SIGNED this 16th day of June, 2021.

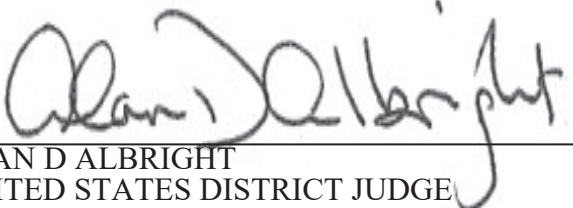

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Exhibit A

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