

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

BILLJCO, LLC)	
)	CASE NO: 2:21-cv-00181-JRG
v.)	(Lead Case)
)	
CISCO SYSTEMS, INC.)	
)	
)	

BILLJCO, LLC)	
)	
v.)	CASE NO: 2:21-cv-00183-JRG
)	(Member Case)
HEWLETT PACKARD ENTERPRISE)	
COMPANY, ARUBA NETWORKS, LLC)	
)	
)	

DOCKET CONTROL ORDER

In accordance with the scheduling conference held in this case, it is hereby **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

AMENDED DATE	ORIGINAL DATE	
	August 8, 2022	*Jury Selection - 9:00 a.m. in Marshall, Texas
	July 11, 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

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

	July 5, 2022	*Pretrial Conference - 9:00 a.m. in Marshall, Texas before Judge Roy Payne
	June 27, 2022	*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.
	June 27, 2022	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
	June 20, 2022	*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, Shawn McRoberts, at shawn_mcroberts@txed.uscourts.gov .
	June 13, 2022	File Motions <i>in Limine</i> The parties shall limit their motions <i>in 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.
	June 13, 2022	Serve Objections to Rebuttal Pretrial Disclosures
	June 6, 2022	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
	May 23, 2022	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof

	May 16, 2022	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed prior 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.
	May 2, 2022	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV56 and Local Rule CV-7. Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among parties.
	April 25, 2022	Deadline to Complete Expert Discovery
	April 11, 2022	Serve Disclosures for Rebuttal Expert Witnesses
	March 21, 2022	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
	March 21, 2022	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof

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.

	March 10, 2022	Comply with P.R. 3-7 (Opinion of Counsel Defenses)
	February 17, 2022	*Claim Construction Hearing - 9:00 a.m. in Marshall, Texas before Judge Roy Payne
	February 3, 2022	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
	January 27, 2022	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
	January 20, 2022	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
	January 6, 2022	Comply with P.R. 4-5(a) (Opening Claim Construction Brief) and Submit Technical Tutorials (if any)
January 21, 2022	January 6, 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 23, 2021	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
	December 16, 2021	File Response to Amended Pleadings
	December 2, 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.

December 3, 2021	November 26, 2021	Comply with P.R. 4-3 (Joint Claim Construction Statement)
November 11, 2021	November 4, 2021	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
October 28, 2021	October 14, 2021	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
	November 10, 2021	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions ³
	November 10, 2021	Comply with P.R. 3-3 & 3-4 (Invalidity 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 13, 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

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<http://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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