

**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	)	
	)	
	)	

---

**FIRST AMENDED 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 <b>Marshall, Texas</b>
	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. <sup>1</sup>

---

<sup>1</sup> 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 <b>Marshall, Texas</b> before Judge Rodney Gilstrap
	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 <a href="mailto:shawn_mcroberts@txed.uscourts.gov">shawn_mcroberts@txed.uscourts.gov</a> .
	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. <sup>2</sup> 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

<sup>2</sup> 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 <b>Marshall, Texas</b> before Judge Rodney Gilstrap
	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 <sup>3</sup>
	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

---

3

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

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.