

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

TQ DELTA, LLC, Plaintiff,	§	
	§	
	§	JURY TRIAL DEMANDED
	§	
v.	§	
	§	
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COMMSCOPE HOLDING COMPANY, INC., COMMSCOPE INC., ARRIS INTERNATIONAL LIMITED, ARRIS GLOBAL LTD., ARRIS US HOLDINGS, INC., ARRIS SOLUTIONS, INC., ARRIS TECHNOLOGY, INC., and ARRIS ENTERPRISES, LLC,	§ § § § § § § § §	Civil Action 2:21-cv-310-JRG (Lead Case)
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NOKIA CORP., NOKIA SOLUTIONS AND NETWORKS OY, and NOKIA OF AMERICA CORP.	§ § § § § §	Civil Action No. 2:21-cv-309-JRG (Member Case)
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Defendants.	§	

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:

Court's Date	Amended Date	Event
January 2, 2023	No change	*Jury Selection – 9:00 a.m. in Marshall, Texas
December 5, 2022	No change	* 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*.

November 28, 2022	No change	*Pretrial Conference – 9 a.m. in Marshall, Texas before Judge Rodney Gilstrap
November 21, 2022	No change	*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.
November 21, 2022	No change	*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
November 14, 2022	No change	*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 .
November 7, 2022	No change	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.
November 7, 2022	No change	Serve Objections to Rebuttal Pretrial Disclosures
October 31, 2022	No change	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
October 17, 2022	No change	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof

October 11, 2022	No change	*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.
September 26, 2022	No change	*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.
September 26, 2022	No change	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. <u>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.</u>
September 19, 2022	No change	Deadline to Complete Expert Discovery
September 6, 2022	No change	Serve Disclosures for Rebuttal Expert Witnesses
August 15, 2022	No change	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
August 15, 2022	No change	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.

June 24, 2022	No change	Comply with P.R. 3-7 (Opinion of Counsel Defenses)
June 3, 2022	No change	*Claim Construction Hearing – 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
May 20, 2022	No change	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
May 13, 2022	No change	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
May 6, 2022	No change	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
April 22, 2022	April 26, 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).
April 22, 2022	No change	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.
April 8, 2022	No change	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
April 1, 2022	No change	File Response to Amended Pleadings
March 18, 2022	No change	*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.
March 11, 2022	March 12, 2022	Comply with P.R. 4-3 (Joint Claim Construction Statement)

February 18, 2022	March 3, 2022	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
January 28, 2022	February 10, 2022	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
December 30, 2021	January 13, 2022	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions ³
December 30, 2021	January 13, 2022	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
December 9, 2021	No change	*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.
December 2, 2021	No change	*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.
November 26, 2021	January 30, 2022	Join Additional Parties
November 4, 2021	No change	Comply with P.R. 3-1 & 3-2 (Infringement Contentions)

(*) indicates a deadline that cannot be changed without showing good cause. Good cause is not shown merely by indicating that the parties agree that the deadline should be changed.

ADDITIONAL REQUIREMENTS

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>]

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