

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

AIRE TECHNOLOGY LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:21-cv-01101-ADA

**JURY TRIAL DEMANDED**

**SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court ORDERS that the following schedule will govern deadlines up to and including the trial of this matter:

<b>Deadline</b>	<b>Item</b>
October 4, 2022	Deadline to add parties.
November 29, 2022	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to Infringement or Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
November 29, 2022	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
February 7, 2023	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue to triable limits (10 hours of trial per side).
February 28, 2023	Deadline for the second of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue to triable limits. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.
March 7, 2023	Close of Fact Discovery Parties shall exchange preliminary exhibit lists and witness lists. The preliminary exhibit lists and witness lists may be freely amended in good faith so long as the amendments do not amount to transfer motion gamesmanship.
March 21, 2023	Deadline for Plaintiff's replacement transfer opposition brief (15 pages).
April 4, 2023	Deadline for Defendant's replacement transfer reply brief (15 pages).
April 18, 2023	Deadline for Plaintiff's replacement transfer sur-reply brief (10 pages).
May 16, 2023	Markman hearing delayed to this date.
May 30, 2023	Opening Expert Reports.
July 6, 2023	Rebuttal Expert Reports.
August 3, 2023	Close of Expert Discovery.

Deadline	Item
August 24, 2023	Dispositive motion deadline and <i>Daubert</i> motion deadline. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).
September 14, 2023	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
September 21, 2023	Serve objections to pretrial disclosures/rebuttal disclosures.
September 28, 2023	Serve objections to rebuttal disclosures; file Motions <i>in limine</i> .
October 5, 2023	File Joint Pretrial Order and Pretrial Submissions (jury instructions, final exhibits lists, final witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i>
October 9, 2023	Parties to jointly email the Court's law clerk to confirm their pretrial conference and trial dates.
October 12, 2023	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 email the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a>  Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
October 23, 2023	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
October 26, 2023	Final Pretrial Conference. Held in person unless otherwise requested.
November 2, 2023	Jury Selection.
November 6, 2023	Trial.

SIGNED this 21st day of September, 2022.

  
ALAN D. ALBRIGHT  
UNITED STATES DISTRICT JUDGE