

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

**JAWBONE INNOVATIONS, LLC,**  
*Plaintiff,*

v.

**APPLE INC.,**  
*Defendant.*

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**CIVIL NO. 6:21-CV-00984-ADA**

**AMENDED SCHEDULING ORDER**


Pursuant to the Court’s Standing Order Governing Proceedings in Patent Cases, and the Discovery and Scheduling Order (ECF No. 103), the Parties hereby propose the below Amended Scheduling Order for all remaining deadlines in this case. The Court ORDERS that the following schedule will govern deadlines up to and including the trial of this matter:

Deadline	Item
November 15, 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.
December 13, 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.
December 20, 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.)

January 25, 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. 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.
February 15, 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.
February 22, 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 8, 2023	Deadline for Plaintiff's replacement transfer opposition brief (15 pages).
March 22, 2023	Deadline for Defendant's replacement transfer reply brief (15 pages).
April 5, 2023	Deadline for Plaintiff's replacement transfer sur-reply brief (10 pages).
May 3, 2023	<i>Markman</i> hearing
May 17, 2023	Opening Expert Reports.
June 7, 2023	Rebuttal Expert Reports.
June 28, 2023	Close of Expert Discovery.
July 12, 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).
July 26, 2023	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).

August 2, 2023	Parties email the Court's law clerk to confirm pretrial and trial dates.
August 9, 2023	Serve objections to pretrial disclosures/rebuttal disclosures.
August 16, 2023	Serve objections to rebuttal disclosures; file Motions <i>in limine</i> .
August 23, 2023	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i>
August 30, 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> .
September 15, 2023	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
September 20, 2023	Final Pretrial Conference.
September 27, 2023 <sup>1</sup>	Jury Selection/Trial.

SIGNED this 20th day of October, 2022.

  
 ALAN D ALBRIGHT  
 UNITED STATES DISTRICT JUDGE

<sup>1</sup> If the actual trial date materially differs from the Court's default schedule, the Court will consider reasonable amendments to the case schedule post-*Markman* that are consistent with the Court's default deadlines in light of the actual trial date.