

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

AGIS SOFTWARE DEVELOPMENT, LLC,

Plaintiff,

v.

HUAWEI DEVICE USA INC., HUAWEI
DEVICE CO., LTD. AND HUAWEI DEVICE
(DONGGUAN) CO., LTD.,

Defendants.

LEAD CASE NO. 2:17-cv-513-JRG

JURY TRIAL DEMANDED

AGIS SOFTWARE DEVELOPMENT, LLC,

Plaintiff,

v.

LG ELECTRONICS, INC.,

Defendant.

MEMBER CASE NO. 2:17-cv-515-JRG

JURY TRIAL DEMANDED

DOCKET CONTROL ORDER

In accordance with the Scheduling Conference held in this case on November 28, 2017 (Dkt. 33), it is hereby ORDERED that the following schedule of deadlines is in effect until further order of this Court:

Original Date	New Date	Event
January 7, 2019	Unchanged	*Jury Selection - 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
December 10, 2018	Unchanged	*Pretrial Conference - 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap

Original Date	New Date	Event
December 5, 2018	Unchanged	<p>*Notify Court of Agreements Reached During Meet and Confer</p> <p>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.</p>
December 3, 2018	Unchanged	<p>*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</p>
November 26, 2018	Unchanged	<p>*File Notice of Request for Daily Transcript or Real Time Reporting.</p> <p>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, Shelly Holmes, at shelly_holmes@txed.uscourts.gov.</p>
November 19, 2018	Unchanged	<p>File Motions <i>in Limine</i></p> <p>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.</p>
November 19, 2018	Unchanged	<p>Serve Objections to Rebuttal Pretrial Disclosures</p>
November 5, 2018	November 12, 2018	<p>Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures</p>

Original Date	New Date	Event
October 29, 2018	Unchanged	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
October 1, 2018	October 4, 2018	*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.
October 1, 2018	September 28, 2018	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>
October 1, 2018	September 24, 2018	Deadline to Complete Expert Discovery
September 10, 2018	Unchanged	Serve Disclosures for Rebuttal Expert Witnesses
August 20, 2018	August 22, 2018	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
August 20, 2018	August 15, 2018	Deadline to Complete Fact Discovery and File Motions to Compel Discovery

Original Date	New Date	Event
July 30, 2018	Unchanged	<p>Deadline to Complete Mediation</p> <p>The parties are responsible for ensuring that a mediation report is filed no later than 5 days after the conclusion of mediation.</p>
	July 25, 2018	<p>Plaintiff shall serve a Final Election of Asserted Claims, which shall identify no more than 15 claims per asserted patent and no more than 38 claims in total.</p> <p>Not later than 14 days after Plaintiff's election Defendant to elect no more than 15 prior art references against each patent and no more than a total of 40 references.</p>
July 23, 2018	Unchanged	Comply with P.R. 3-7 (Opinion of Counsel Defenses)
July 2, 2018	Unchanged	*Claim Construction Hearing - 1:30 p.m. in Marshall, Texas before Judge Rodney Gilstrap
June 18, 2018	Unchanged	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
June 11, 2018	Unchanged	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
June 4, 2018	Unchanged	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
May 21, 2018	Unchanged	<p>Comply with P.R. 4-5(a) (Opening Claim Construction Brief) and Submit Technical Tutorials (if any)</p> <p>Good cause must be shown to submit technical tutorials after the deadline to comply with P.R. 4-5(a).</p>

Original Date	New Date	Event
May 21, 2018	Unchanged	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.
May 7, 2018	Unchanged	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
April 30, 2018	Unchanged	File Response to Amended Pleadings
April 16, 2018	Unchanged	*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.
April 9, 2018	Unchanged	Comply with P.R. 4-3 (Joint Claim Construction Statement)
March 19, 2018	Unchanged	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
February 26, 2018	Unchanged	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
	February 19, 2018	Plaintiff shall serve a Preliminary Election of Asserted Claims, which shall identify no more than 20 claims per asserted patent and no more than 75 claims in total. Not later than 14 days after Plaintiff's election Defendant to elect no more than 20 prior art reference against each patent and no more than a total of 60 references.

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