

# EXHIBIT 1

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

GESTURE TECHNOLOGY PARTNERS, LLC, <p style="text-align: center;">Plaintiff</p> v. HUAWEI DEVICE CO., LTD., HUAWEI DEVICE USA, INC., <p style="text-align: center;">Defendants.</p>	<p><b><u>JURY TRIAL DEMANDED</u></b></p> <p>C.A. NO. 2:21-cv-00040-JRG</p> <p>LEAD CONSOLIDATED CASE</p>
SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC., <p style="text-align: center;">Defendants.</p>	<p>C.A. NO. 2:21-cv-00041-JRG</p>

**JOINT PROPOSED 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:

March 7, 2022	*Jury Selection – 9:00 a.m. in <b>Marshall, Texas</b> .
February 7, 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>
January 31, 2022	*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap
January 24, 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.

<sup>1</sup> The Parties are referred to the Court’s Standing Order Regarding Use of Juror Questionnaires in Advance of *Voir Dire*.

January 24, 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
January 17, 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, Shelly Holmes, at shelly_holmes@txed.uscourts.gov.
January 10, 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.
January 10, 2022	Serve Objections to Rebuttal Pretrial Disclosures
January 5, 2022	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
December 20, 2021	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
December 13, 2021	*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. <sup>2</sup> Motions for Summary Judgment shall comply with Local Rule CV-56.
December 1, 2021	*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.

<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.

December 1, 2021	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>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></p>
November 22, 2021	Deadline to Complete Expert Discovery
November 12, 2021	Serve Disclosures for Rebuttal Expert Witnesses
October 15, 2021	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
October 15, 2021	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
October 12, 2021	Comply with P.R. 3-7 (Opinion of Counsel Defenses)
September 20, 2021	*Claim Construction Hearing – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap
September 13, 2021	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
September 6, 2021	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
August 30, 2021	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
August 9, 2021	<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>
August 9, 2021	<p>Deadline to Substantially Complete Document Production and Exchange Privilege Logs</p> <p>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.</p>
July 26, 2021	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)

July 19, 2021	File Response to Amended Pleadings
July 6, 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.
July 9, 2021	Comply with P.R. 4-3 (Joint Claim Construction Statement)
June 25, 2021	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
June 11, 2021	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
June 30, 2021	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions <sup>3</sup>
June 30, 2021	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
June 2, 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.
May 26, 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.
May 19, 2021	Join Additional Parties
April 28, 2021	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

**Mediation:** While certain cases may benefit from mediation, such may not be appropriate for every case. The Court finds that the Parties are best suited to evaluate whether mediation will benefit the case after the issuance of the Court's claim construction order. Accordingly, the Court

<sup>3</sup> <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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