

Original Date	Amended Date	Event
December 27, 2022		<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 27, 2022		<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>
December 19, 2022		<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, Shawn McRoberts, at shawn_mcroberts@txed.uscourts.gov.</p>
December 12, 2022		<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>
December 12, 2022		<p>Serve Objections to Rebuttal Pretrial Disclosures</p>
December 5, 2022		<p>Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures</p>
November 21, 2022		<p>Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof</p>

Original Date	Amended Date	Event
November 14, 2022		*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.
October 31, 2022		*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 31, 2022		*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. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u></u>
October 24, 2022		Deadline to Complete Expert Discovery
October 11, 2022		Serve Disclosures for Rebuttal Expert Witnesses
September 19, 2022	September 5, 2022	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
September 19, 2022	September 12, 2022	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.

Original Date	Amended Date	Event
August 23, 2022		Comply with P.R. 3-7 (Opinion of Counsel Defenses)
August 2, 2022		*Claim Construction Hearing – 9:00 a.m. in Marshall, Texas before Judge Roy Payne
July 19, 2022		*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
July 12, 2022		*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
July 5, 2022		Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
June 21, 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).
June 21, 2022		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.
June 7, 2022		Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
May 31, 2022		File Response to Amended Pleadings
May 17, 2022		*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.
May 10, 2022		Comply with P.R. 4-3 (Joint Claim Construction Statement)

Original Date	Amended Date	Event
April 19, 2022		Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
March 29, 2022		Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
February 24, 2022	March 17, 2022	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions ³
February 24, 2022	March 17, 2022	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
February 3, 2022	February 10, 2022	*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.
January 27, 2022		*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.
January 20, 2022		Join Additional Parties

(*) 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.

I. 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 **ORDERS** the Parties to file a Joint Notice indicating whether the case should be referred for mediation **within fourteen days of the issuance of the Court's claim construction order**. As a

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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