

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

AGIS SOFTWARE DEVELOPMENT LLC,  <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> VERIZON COMMUNICATIONS INC., ET AL.,  <p style="text-align: center;">Defendants.</p>	§ § § § § § § § § § § §	Case No. 2:22-cv-00185-JRG  <p style="text-align: center;"><b><u>JURY TRIAL DEMANDED</u></b></p>
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**DOCKET CONTROL ORDER**

In accordance with the scheduling conference held in this case September 26, 2022, it is hereby **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

Original Dates	Amended Dates	Event
April 1, 2024		*Jury Selection – 9:00 a.m. in <b>Marshall, Texas</b>
March 4, 2024		*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>
February 26, 2024		*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap

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

Original Dates	Amended Dates	Event
February 20, 2024		<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>
February 20, 2024		*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
February 12, 2024		<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 <a href="mailto:shawn_mcroberts@txed.uscourts.gov">shawn_mcroberts@txed.uscourts.gov</a>.</p>
February 5, 2024	February 9, 2024	<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>
February 5, 2024	February 8, 2024	Serve Objections to Rebuttal Pretrial Disclosures
January 29, 2024	February 1, 2024	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
January 16, 2024	January 25, 2024	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof

Original Dates	Amended Dates	Event
January 8, 2024	January 23, 2024	*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 26, 2023	January 9, 2024	*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.
December 26, 2023	January 9, 2024	*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. Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>
December 18, 2023		Deadline to Complete Expert Discovery
December 4, 2023		Serve Disclosures for Rebuttal Expert Witnesses
November 13, 2023	November 17, 2023	Deadline to File Motions to Compel Discovery
November 13, 2023	November 17, 2023	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
November 13, 2023	November 6, 2023	Deadline to Complete Fact Discovery

<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.

Original Dates	Amended Dates	Event
October 24, 2023		Comply with P.R. 3-7 (Opinion of Counsel Defenses)
October 3, 2023		*Claim Construction Hearing – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap
September 19, 2023		*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
September 12, 2023		*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
September 5, 2023		Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
August 22, 2023		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).
August 22, 2023		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.
August 8, 2023		Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
August 1, 2023		File Response to Amended Pleadings
July 18, 2023		*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 11, 2023		Comply with P.R. 4-3 (Joint Claim Construction Statement)

Original Dates	Amended Dates	Event
June 20, 2023		Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
May 30, 2023		Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
November 7, 2022		Comply with Standing Order Regarding Subject-Matter Eligibility Contentions <sup>3</sup>
November 7, 2022		Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
October 17, 2022		<p>*File Proposed Protective Order and Comply with Paragraphs 1 &amp; 3 of the Discovery Order (Initial and Additional Disclosures)</p> <p>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.</p>
October 11, 2022		<p>*File Proposed Docket Control Order and Proposed Discovery Order</p> <p>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.</p>
October 3, 2022		Join Additional Parties
September 12, 2022		Comply with P.R. 3-1 & 3-2 (Infringement Contentions)

<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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