

EXHIBIT 3

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

VOIP-PAL.COM, INC.

Plaintiff,

v.

AMAZON.COM, INC.;
AMAZON.COM SERVICES LLC; and
AMAZON WEB SERVICES, INC.,

Defendants.

CIVIL ACTION NO. 6:20-cv-272-ADA

FIRST AMENDED SCHEDULING ORDER

On January 27, 2023, the Court ordered the parties meet and confer on the remaining pretrial dates and present a proposed amended scheduling order for the Court's consideration. After meeting and conferring, the parties jointly submit the following proposed schedule for the remaining pretrial dates to be entered in this case. Accordingly, the Court enters the following schedule:

<u>Date</u>	<u>Event</u>
March 29, 2023	Deadline to add parties
April 12, 2023	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.
June 7, 2023	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.)
August 16, 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.
September 22, 2023	Close of Fact Discovery.
September 29, 2023	Opening Expert Reports.
October 27, 2023	Rebuttal Expert Reports.
November 8 15, 2023	Close of Expert Discovery.
November 15 17, 2023	Deadline for the second of two meet and confer to discuss narrowing the number of

<u>Date</u>	<u>Event</u>
	claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
November 22, 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 adviser (if appointed).
December 6, 2023	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
December 20, 2023	Serve objections to pretrial disclosures/rebuttal disclosures.
January 10, 2024	Serve objections to rebuttal disclosures; file Motions <i>in limine</i> .
January 17, 2024	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> .
January 24, 2024	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, Kristie Davis at kmdaviscsr@yahoo.com Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
8 weeks before trial	Parties email the Court's law clerk to confirm pretrial and trial dates

<u>Date</u>	<u>Event</u>
February 9, 2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
February 14, 2024	Final Pretrial Conference.
February 28, 2024 (or as soon as practicable) ¹	Jury Selection/Trial

SIGNED this _____ day of _____, 2023

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

¹ 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.

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