

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

DEMARAY LLC,

PLAINTIFF,

v.

INTEL CORPORATION,

DEFENDANT.

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CIVIL ACTION NO. 6:20-CV-00634
JUDGE ALBRIGHT

DEMARAY LLC,

PLAINTIFF,

v.

SAMSUNG ELECTRONICS CO., LTD (A
KOREAN COMPANY), SAMSUNG
ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC., and
SAMSUNG AUSTIN SEMICONDUCTOR,
LLC,

DEFENDANTS.

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CIVIL ACTION NO. 6:20-CV-00636
JUDGE ALBRIGHT

THIRD REVISED SCHEDULING ORDER

Whereas the Court jointly emailed the Court seeking adjustments to the case
schedule, it is **ORDERED** that the following schedule of deadlines is in effect:

Date	Deadline
5/2/22	Deadline pursuant to Discovery Order, ¶2, 1 st sentence from the April 1, 2022 Hearing, 6:20-cv-634, Dkt. No. 166.
6/15/22	Deadline to serve Final Infringement Contentions based upon Defendants’ and their suppliers’ disclosures as of



Date	Deadline
	June 1, 2022. Deadline for Defendants to serve Final Invalidity Contentions based on Plaintiff's Infringement Contentions as of June 1, 2022. After this date, leave of Court is required for any amendment to Infringement/Invalidity contentions except as outlined below. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
7/13/22	Deadline to serve any supplemental Final Infringement Contentions based upon information ordered by the Court but not produced until after June 1, 2022. ¹ Deadline to serve any supplemental Final Invalidity Contentions based upon infringement theories in the Final Infringement Contentions not sufficiently disclosed by June 1, 2022. ² After this date, leave of Court is required for any further amendment to Infringement/Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
8/10/22	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims
9/28/22	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
10/26/22	Close of Fact Discovery
11/10/22	Opening Expert Reports

¹ Plaintiff Demaray expressly reserves the right to amend its Final Infringement Contentions after July 13, 2022, to address new information obtained from Defendants or their suppliers regarding the presence of any protective filters or alternative protective mechanisms, including through the inspection of power sources or other components. This includes, for example, depositions, inspection of cathode assemblies and power sources already addressed by the Court. See 4/1/22 Hr'ing Tr. at 17:1-11, 20:9-10 (6:20-cv-00634); 4/1/22 Hr'ing Tr. at 17:21-24, 18:9-15 (6:20-cv-00636). Defendants will endeavor in good faith to make any additional information ordered by the Court available by early-June. Defendants respond that any amendment to Demaray's Final Infringement Contentions after this deadline will require leave of Court. Defendants reserve all rights with respect to whether leave should be granted at that time, including whether Demaray has been diligent in pursuing any discovery on which it subsequently seeks to rely. To the extent that Demaray is permitted to amend its Final Infringement Contentions after this deadline, Defendants expressly reserve the right to amend their Final Invalidity Contentions.

² See 12/16/21 Hr'ing Tr. at 37:23-40;25.

Date	Deadline
12/21/22	Rebuttal Expert Reports
1/20/23	Close of Expert Discovery
1/27/23	Deadline for the second of two meet and confer to discuss narrowing the number of 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
2/3/23	Dispositive motion deadline and <i>Daubert</i> motion deadline.
2/17/23	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, designations)
3/3/23	Serve objections to pretrial disclosures/rebuttal disclosures
3/10/23	Serve objections to rebuttal disclosures and file Motions <i>in limine</i>
3/17/23	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, designations); file oppositions to motions <i>in limine</i>
3/17/23	Parties to jointly email the Court's law clerk to confirm their pretrial conference and trial dates.
3/24/23	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>
4/4/23	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i>
4/7/23	Final Pretrial Conference
5/8/23	Jury Selection/Trial

SIGNED this 6th day of May, 2022.


 ALAN D. ALBRIGHT
 UNITED STATES DISTRICT JUDGE