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| **DISTRICT JUDGE MAAME EWUSI-MENSAH FRIMPONG**  **SCHEDULE OF PATENT PRETRIAL AND TRIAL DATES WORKSHEET[[1]](#footnote-2)**  Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.  The parties must make every effort to agree on dates or the Court will set them. | | | |
| **Case No.** | **Case Name:** | | |
| **Patent Trial and Final Pretrial Conference Dates** | | **Pl(s)’ Date**  **mm/dd/yyyy** | **Def(s)’ Date**  **mm/dd/yyyy** |
| Trial Date  Check one:  Jury Trial or  Bench Trial  [Mondayat 8:30 a.m. within 12-15 months of Scheduling Conference based on complexity]  Estimated Duration: \_\_\_\_\_\_\_ Days | |  |  |
| Final Pretrial Conference (“FPTC”) [L.R. 16], Hearing on Motions in Limine  [Wednesdayat 9:00 a.m. at least 19 days before trial] | |  |  |
| **Event[[2]](#footnote-3)**  Note:Hearings shall be on Thursdays at 10:00 a.m.[[3]](#footnote-4)  Other dates can be any day of the week. | | **Pl(s)’ Date**  **mm/dd/yyyy** | **Def(s)’ Date**  **mm/dd/yyyy** |
| Last Date to Disclose Infringement Contentions and Make Document Production Accompanying Disclosure [P.R. 3-1,3-2] | |  |  |
| Last Date to Disclose Invalidity Contentions and to Make Document Production Accompanying Disclosure [P.R. 3-3, 3-4] | |  |  |
| Last Date to Exchange Proposed Terms and Claim Elements for Construction [P.R. 4-1] | |  |  |
| Last Date to Exchange Preliminary Claim Constructions and Extrinsic Evidence [P.R. 4-2] | |  |  |
| Last Date to File Joint Claim Construction and Prehearing Statement [P.R. 4-3] | |  |  |
| Last Date to Complete Claim Construction Discovery [P.R. 4-4] | |  |  |
| Last Date to File Simultaneous Opening Claim Construction Briefs[[4]](#footnote-5) | |  |  |
| Last Date to File Simultaneous Responsive Claim Construction Briefs | |  |  |
| Requested Date for Claim Construction Hearing [P.R. 4-6] | |  |  |
| Last Date for Advice of Counsel Defense [P.R. 3-7] | |  |  |
| Last Date to Serve Amended Infringement Contentions Based on Markman Order | |  |  |
| Last Date to Serve Amended Invalidity Contentions Based on Markman Order | |  |  |
| Non-Expert Discovery Cut-Off  (24 weeks before FPTC, no later than deadline for filing dispositive motion) | |  |  |
| Expert Disclosure (Initial)  (23 weeks before FPTC) | |  |  |
| Expert Disclosure (Rebuttal)  (21 weeks before FPTC) | |  |  |
| Expert Discovery Cut-Off  (19 weeks before FPTC)[[5]](#footnote-6) | |  |  |
| Last Date to HearMotions [Thursday]  (12 weeks before FPTC)   * Motion for Summary Judgment due at least 6 weeks before hearing * All other motions due at least 4 weeks before hearing * Opposition due 1 week after motion is filed * Reply due 1 week after opposition is filed | |  |  |
| Deadline to Complete Settlement Conference [L.R. 16-15]  (10 weeks before FPTC)  Select one:  1. Magistrate Judge (with Court approval)  2. Court Mediation Panel  3. Private Mediation | |  |  |
| Trial Filings (first round)  (4 weeks before FPTC)   * Motions in Limine * Memoranda of Contentions of Fact and Law [L.R. 16-4] * Witness Lists [L.R. 16-5] * Joint Exhibit List [L.R. 16-6.1] * Joint Status Report Regarding Settlement * Proposed Findings of Fact and Conclusions of Law [L.R. 52] (bench trial only) * Declarations containing Direct Testimony, if ordered  (bench trial only) | |  |  |
| Trial Filings (second round)  (2 weeks before FPTC)   * Oppositions to Motions in Limine * Joint Proposed Final Pretrial Conference Order [L.R. 16-7] * Joint Agreed Upon Proposed Jury Instructions (jury trial only) * Disputed Proposed Jury Instructions (jury trial only) * Joint Proposed Verdict Forms (jury trial only) * Joint Proposed Statement of the Case (jury trial only) * Proposed Voir Dire Questions, if any (jury trial only) * Evidentiary Objections to Declarations of Direct Testimony  (bench trial only) | |  |  |

1. The following trial and pretrial dates worksheet adopts the Claim Construction Proceeding Guidelines as set by the Patent Local Rules of the Northern District of California. All references to the patent rules (“P.R.”) refer to the Northern District rules. All references to the local rules (“L.R.”) refer to the Local Rules of the Central District of California. [↑](#footnote-ref-2)
2. The parties may seek dates for additional events by filing a separate stipulation and proposed order. [↑](#footnote-ref-3)
3. By default, all hearings shall proceed in-person, unless a request is made by the parties and granted by the Court. Requests to appear via Zoom must be e-filed by the Friday before the hearing and must indicate that counsel has met and conferred per Local Rule 7-3. [↑](#footnote-ref-4)
4. The Court will not construe more than ten disputed claim terms absent good cause and prior approval. [↑](#footnote-ref-5)
5. The parties may choose to cut off expert discovery prior to the deadline to file a motion for summary judgment. [↑](#footnote-ref-6)