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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADVANCED STEEL RECOVERY, LLC,)	
)	2:12-cv-01004-GEB-DAD
Plaintiff,)	
)	
v.)	<u>STATUS (PRETRIAL SCHEDULING)</u>
)	<u>ORDER</u>
X-BODY EQUIPMENT, INC., and)	
JEWELL ATTACHMENTS, LLC,)	
)	
Defendants,*)	
_____)	
)	
AND RELATED COUNTERCLAIMS)	
_____)	

The status (pretrial scheduling) conference scheduled for hearing on August 6, 2012, is vacated since the parties' Joint Status Report filed on July 23, 2012 ("JSR") indicates the following Order should issue.

CLAIM CONSTRUCTION SCHEDULE

The parties' proposed claim construction schedule is adopted, as modified, as follows:

1. Each party shall serve on each other party its proposed terms for claim construction no later than February 18, 2013.
2. Each party shall serve on each other party its proposed claim construction and extrinsic evidence no later than April 1, 2013.

* The caption has been amended according to the Stipulation of Dismissal of Defendant Paladin Brands Group, Inc. (ECF No. 21.)

1 3. The parties shall file a Joint Claim Construction
2 Statement no later than April 22, 2013, following a meaningful meeting
3 during which the parties shall seek to resolve disputes. Disputed terms,
4 phrases, and clauses shall be designated as disputed. For any disputed
5 term, phrase, or clause, the joint statement shall list each disputed
6 term, phrase, or clause (listed by claim); each party's proposed
7 construction; and support for each party's proposed construction side by
8 side. A model format for the construction statement is as follows (or
9 any other substantively similar format that permits the court to compare
10 terms side by side):

Claim Language (Disputed term, phrase, or clause in bold)	Plaintiff's Proposed Construction and Evidence in Support	Each Defendant's Proposed Construction and Evidence in Support

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16 4. The parties shall attach to the Joint Claim Construction
17 Statement a copy of the patent(s) in dispute. The parties shall also
18 make a complete prosecution history for the patent(s) available to the
19 Court upon request.

20 5. The parties shall simultaneously file opening claim
21 construction briefs and supporting evidence no later than May 20, 2013.
22 Claim construction briefs shall address each disputed term, phrase or
23 clause following the order of the joint statement.

24 6. The parties shall file responsive claim construction
25 briefs no later than June 17, 2013.

26 6. A tutorial is scheduled to commence at 10:00 a.m. on June
27 17, 2013. Each side will be permitted 45-60 minutes to present a short
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1 summary and explanation of the technology at issue. Plaintiff will make
2 the first presentation. Visual aids are encouraged.

3 7. A claim construction hearing is scheduled to commence at
4 10:00 a.m. on July 29, 2013.

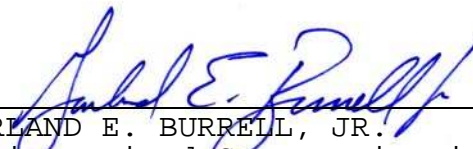
5 **FURTHER SCHEDULING**

6 Upon issuance of the claim construction ruling, the Court will
7 set a date for the filing of a further joint status report. In that
8 report, the parties must address the following topics:

- 9 a) Whether either party wishes to certify the claim
10 construction ruling for immediate appeal to the Federal
11 Circuit;
- 12 b) The filing of dispositive motions, and timing of those
13 motions;
- 14 c) Anticipated post-claim construction discovery;
- 15 d) Any other pretrial matters.

16 IT IS SO ORDERED.

17 Dated: July 30, 2012

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19 
20 _____
GARLAND E. BURRELL, JR.
Senior United States District Judge