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3
4 IN THE UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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7 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
8 LITIGATION
9 _____ /

No. M 07-1827 SI
MDL. No. 1827

10 This Order Relates to:

**ORDER RE: JOINT CASE
MANAGEMENT STATEMENT**

11 *Best Buy v. AU Optronics Corp. et al*,
Case No. 10-CV-4572,

12 *Best Buy v. Toshiba Corp. et al*
Case No. 12-CV-4114

13 *Costco Wholesale Corporation v. AU Optronics*
14 *Corp. et al.*, Case No. 11-CV-00058

15 *Electrograph Systems, Inc. v. Epson Imaging*
16 *Devices Corp. et al.*, Case No. 10-CV-00117

17 *Eastman Kodak Company v. Epson Imaging*
Devices Corp. et al., Case No. 10-CV-5452

18 *Motorola Mobility Inc. v. AU Optronics Corp. et*
19 *al.*, Case No. 09-CV-5840

20 *Target Corp, et. al., v. AU Optronics Corp. et al.*,
Case No. 10-CV-4945
21 _____ /

22 On March 15, 2013, the Court held a case management conference for the Track 1B and Track 2
23 cases. The Court informed the parties that the Track 1B trial date would be moved to July 22, 2013, and
24 instructed the parties to meet and confer about a revised pre-trial schedule based on this new trial date.
25 The parties have submitted a Supplemental Joint Case Management Conference Statement, which
26 provides a revised pre-trial schedule and raises new disputes in the scheduling. The Court addresses
27 these issues below.
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1 **1. Witness Lists, Exhibit Lists, Written Discovery Designations, and Deposition Designations**

2 The parties acknowledge that, as discussed at the conference, the Court favors a staggered
3 approach with respect to the exchange of witness lists, exhibit lists, written discovery designations, and
4 deposition designations. The parties dispute, however, “the dates and structure of supplemental
5 disclosures and designations in the Track 1B cases.” Plaintiffs propose three exchanges: Plaintiffs’
6 initial exchange, Defendants’ initial exchange, and Plaintiffs’ supplemental exchange.¹ Defendants
7 agree with the dates for the first two rounds of Plaintiffs’ proposed schedule, but propose moving up the
8 date of Plaintiffs’ supplemental exchange and including a supplemental round of Defendant
9 designations.

10 The Court agrees with Defendants that the staggered schedule should afford Plaintiffs and
11 Defendants each two full rounds of designations and instructs the parties to stipulate to a revised
12 schedule based on this conclusion. Issues remaining at the conclusion of these rounds may be addressed
13 at the pre-trial conference.

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15 **2. Best Buy v. Toshiba Schedule**

16 Best Buy and Toshiba request an Order from the Court approving their proposed revised
17 schedule as to summary judgment and *Daubert* motions. The Court approves the schedule with one
18 exception: the hearing date will be moved to **June 19, 2013, at 3:30 pm.**

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20 **3. Other Pre-trial dates**

21 As instructed by the Court at the conference, the parties provide a revised pre-trial schedule
22 based on a trial date of July 22, 2013. The Court approves the revised pre-trial schedule to which the
23 parties have stipulated, with one exception: the date for the *Daubert* hearing will be **June 12, 2013,**
24 **at 9 am.**

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¹In response to Defendants’ concern that Plaintiffs may designate new material in their supplemental designation, Plaintiffs assert that the issue can be raised at the pre-trial conference.

1 The Court directs the parties to file a stipulation providing a revised schedule of all pre-trial dates
2 in accordance with this Order.

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4 **IT IS SO ORDERED.**

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6 Dated: April 2, 2013



SUSAN ILLSTON
United States District Judge