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E-Filed 9/19/11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAMBUS INC, No. C 10-05437 RS

Plaintiff,

v.

**CASE MANAGEMENT
SCHEDULING ORDER**

BROADCOM CORP,
Defendant.

RAMBUS INC, No. C 10-05446 RS

Plaintiff,

v.

LSI Corporation,
Defendant.

RAMBUS INC, No. C 10-05447 RS

Plaintiff,

v.

MEDIATEK INC.,
Defendant.

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RAMBUS INC, No. C 10-5449 RS

Plaintiff,

v.

STMICROELECTRONICS N.V.;
STMICROELECTRONICS INC.,

Defendants.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a Case Management Conference was held on August 4, 2010. This Order refers to management of issues relating to the Farmwald/Horowitz patents. In light of substantial disagreement, the parties were directed to meet and confer and submit an updated Joint Statement in the hopes that the parties could resolve some of their scheduling disputes. To the extent the parties were able to reach agreement on certain details, those are acceptable to the Court and need not be discussed here. The key disputes presented in the updated statement are resolved as follows:

1. ALTERNATIVE DISPUTE RESOLUTION.
This matter is referred to private mediation. The parties shall promptly notify the Court whether the case is resolved.
2. APPOINTMENT OF SPECIAL MASTER.
The Honorable Vaughn R. Walker (Ret.) is hereby designated Special Master for purposes of handling discovery disputes pursuant to 28 U.S.C. § 636(b)(2). Rambus shall pay 50% and defendants collectively shall pay 50% of the Special Master’s costs. Defendants may decide how to apportion their 50% share among themselves. The procedures for objecting to an order of the Special Master shall be the same as those that apply to a motion for relief from a nondispositive pretrial order of a magistrate judge set forth in Federal Rule of Civil Procedure 72(a) and Civil Local Rule 72-2.

1 3. INDEX.

2 The parties are directed to meet and confer once again in an attempt to resolve their dispute as
3 to whether, and in what form, Rambus should provide defendants with a macro-level index of
4 documents it will produce. They shall submit to the Special Master a joint status report within
5 three weeks of the date of this Order either detailing a compromise or explaining why one could
6 not be reached. In the event a compromise is not reached, the Special Master will in his
7 discretion resolve the dispute.

8 4. DISCOVERY.

9 Discovery shall be limited as follows: (a) defendants shall have 160 collective hours of fact
10 depositions and Rambus shall have 60 hours in each case; (b) defendants shall have 15 joint and
11 20 individual interrogatories and Rambus shall have 25 in each case, including all discrete
12 subparts; (c) a reasonable number of requests for production of documents or for inspection per
13 party; and (d) defendants shall have 20 joint and 50 individual requests for admission, and
14 Rambus shall have 50 in each case. As agreed by the parties, the requests for admission shall
15 be exclusive of requests directed solely to the authentication, foundation, and/or admissibility of
16 documents or other evidence, of which each party may have an unlimited number. Defendants
17 shall not be limited to repeating prior or similar lines of questioning from depositions that
18 occurred in prior litigation brought by Rambus against other entities.

19 5. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case Management
20 Conference shall be held on **January 12, 2012 at 10:00 a.m.** in Courtroom 3, 17th Floor,
21 United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties
22 shall file a Joint Case Management Statement at least one week prior to the Conference. The
23 limiting of asserted claims issue will be addressed at that Conference.

24 6. CLAIM CONSTRUCTION SCHEDULING.

25 A. Disclosure of Asserted Claims and Infringement Contentions shall occur no later than
26 October 4, 2011.

27 B. Invalidity contentions shall be due no later than February 17, 2012.

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- 1 C. The parties shall exchange proposed terms for construction no later than March 9, 2012.
- 2 D. Disclosure of expert witnesses for claim construction shall occur no later than March 9,
- 3 2012.
- 4 E. The parties shall exchange preliminary claim constructions and extrinsic evidence no
- 5 later than March 30, 2012.
- 6 F. The parties shall file their joint claim construction and prehearing statement no later
- 7 than April 20, 2012.
- 8 G. Claim construction discovery shall be completed no later than May 25, 2012.
- 9 H. Rambus shall file its opening claim construction brief no later than June 7, 2012.
- 10 I. Defendants shall file responsive claim construction briefs with support no later than
- 11 June 21, 2012.
- 12 J. Rambus shall file its claim construction reply brief no later than June 28, 2012.
- 13 K. A tutorial shall take place in Courtroom 3, 17th Floor, 450 Golden Gate Avenue, San
- 14 Francisco, California on **July 11, 2012 at 10:00 a.m.**
- 15 L. A Claim Construction Hearing shall take place in Courtroom 3, 17th Floor, 450 Golden
- 16 Gate Avenue, San Francisco, California on **July 18, 2012 at 10:00 a.m.**

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18 **IT IS SO ORDERED.**

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20 Dated: 9/19/11

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RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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