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5 IN THE UNITED STATES DISTRICT COURT  
6  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8

9 LOTES CO., LTD.,

No. C 11-01036 WHA

10 Plaintiff,

11 v.

12 HON HAI PRECISION INDUSTRY CO.,  
13 LTD., and FOXCONN ELECTRONICS,  
INC.,

**ORDER RE CLAIM  
CONSTRUCTION  
PURSUANT TO CASE  
MANAGEMENT ORDER**

14 Defendants.  
15 \_\_\_\_\_/

16 There seems to be some confusion in this matter regarding proper procedures for claim  
17 construction hearings pursuant to paragraphs 14 and 15 of the case management order.

18 Paragraph 14 provides, “Instead of a stand-alone claim construction hearing, claim construction  
19 will . . . be done on summary judgment or at trial in setting the jury instructions.” Paragraph 15  
20 sets forth page limits and other procedural rules for summary judgment motions (Dkt. No. 228  
21 at 4–5). This order clarifies that paragraph 15 applies regardless of whether a party chooses to  
22 include arguments about claim construction in summary judgment briefing. The case  
23 management order does not, however, obviate the parties’ responsibility to comply with Patent  
24 Local Rules, *e.g.*, regarding claim construction exchanges, discovery, and briefing.

25  
26 **IT IS SO ORDERED.**

27  
28 Dated: January 23, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE