

1 Daniel R. Blakey (SBN 143748)  
 2 STEPTOE & JOHNSON LLP  
 3 633 West Fifth Street, Suite 700  
 4 Los Angeles, California 90071  
 5 Email: dblakey@steptoe.com  
 Telephone: (213) 439-9400  
 Facsimile: (213) 439-9599

6 Seth A. Watkins (admitted *pro hac vice*)  
 7 sethwatkins@steptoe.com  
 8 Timothy C. Bickham (admitted *pro hac vice*)  
 9 tbickham@steptoe.com  
 10 Houda Morad (admitted *pro hac vice*)  
 11 hmorad@steptoe.com

12 STEPTOE & JOHNSON LLP  
 13 1330 Connecticut Ave., NW  
 14 Washington, DC 20036  
 15 Telephone: (202) 429-3000  
 16 Facsimile: (202) 429-3902

17 Attorneys for Plaintiff  
 18 TESSENDERLO KERLEY, INC.

Elizabeth A. Howard (SBN 173185)  
 ehoward@orrick.com  
 Vickie L. Feeman (SBN 177487)  
 vfeeman@orrick.com  
 Zheng Liu (SBN 229311)  
 jenliu@orrick.com  
 ORRICK, HERRINGTON &  
 SUTCLIFFE LLP  
 1000 Marsh Road  
 Menlo Park, CA 94025  
 Telephone: (650) 614-7400  
 Facsimile: (650) 614-7401

Attorneys for Defendant  
 OR-CAL, INC.

19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

---

21 TESSENDERLO KERLEY, INC., a  
 22 Delaware corporation,  
 23  
 24  
 25  
 26  
 27  
 28

Plaintiff,

v.

OR-CAL, Inc., an Oregon corporation,  
 Defendant.

---

**Case No. 3:11-cv-04100-WHA**  
~~**PROPOSED**~~ **ORDER RE**  
**SCHEDULE FOR CLAIM**  
**CONSTRUCTION**

1 Pursuant to Paragraph 3 of the Court’s Case Management Order (“CMO”) dated  
2 January 5, 2012 (Docket No. 39), Plaintiff Tessengerlo Kerley, Inc. (“TKI”) and Defendant  
3 Or-Cal, Inc. (“Or-Cal”) jointly submit this Proposed Order establishing a briefing schedule  
4 leading up to the claim construction hearing.  
5

<u>Event</u>	<u>Agreed Date</u>
Exchange of Proposed Terms for Construction (Patent L.R. 4-1)	3/30/2012
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Patent L.R. 4-2)	4/17/2012
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3)	5/10/2012
Completion of Claim Construction Discovery (Patent L.R. 4-4)	5/24/2012
Opening Claim Construction Brief (Patent L.R. 4-5(a))	6/7/2012
Responsive Claim Construction Brief (Patent L.R. 4-5(b))	6/21/2012
Claim Construction Reply Brief (Patent L.R. 4-5(c))	6/28/2012
Claim Construction Tutorial	6/20/2012 (per CMO)
Claim Construction Hearing (Patent L.R. 4-6)	7/11/2012 (per CMO)

1 Dated: January 20, 2012

Step toe & Johnson LLP

2  
3 By: s/Seth A. Watkins  
Seth A. Watkins (admitted *pro hac vice*)

4 Attorneys for Plaintiff  
5 Tessengerlo Kerley, Inc.

6 Dated: January 20, 2012

Orrick, Herrington & Sutcliffe LLP

7  
8 By: s/Vickie L. Feeman  
Vickie L. Feeman

9 Attorneys for Defendant  
10 Or-Cal, Inc.

11 **Filer's Attestation:** I, Seth A. Watkins, hereby declare pursuant to General Order 45, §X  
12 (B) that I have obtained the concurrence in the filing of this document from each of the  
13 other signatories listed.

14 Step toe & Johnson LLP

15 By: s/Seth A. Watkins  
16 Seth A. Watkins (admitted *pro hac vice*)

17 Attorneys for Plaintiff  
18 Tessengerlo Kerley, Inc.

19 **ORDER**

20 **PURSUANT TO THE FOREGOING, IT IS SO ORDERED.**

21  
22 Dated: January 23, 2012.

23  
24 

25 HON. WILLIAM H. ALSUP  
26 UNITED STATES DISTRICT COURT JUDGE