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

7
8 INCASE DESIGNS, CORP.,

No. C 13-00604 RS

9 Plaintiff,

**CASE MANAGEMENT
SCHEDULING ORDER**

10 v.

11 MARWARE, INC.,

12 Defendant.
13 _____/

14 Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a
15 Case Management Conference on August 1, 2013. After considering the Joint Case
16 Management Statement submitted by the parties and consulting with the attorneys of record for
17 the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

18 1. MEDIATION. The parties are hereby REFERRED to the ADR Department for
19 the purpose of panel mediation, to take place, ideally, within the next one hundred twenty (120)
20 days.

21 2. DISCOVERY. Discovery shall be limited as follows: (a) ten (10) non-expert
22 depositions per side; (b) twenty-five (25) interrogatories per side, including all discrete subparts;
23 (c) a reasonable number of requests for production of documents or for inspection per side; and
24 (d) a reasonable number of requests for admission per side.

25 3. DISCOVERY DISPUTES. Discovery disputes will be referred to a Magistrate
26 Judge. After the parties have met and conferred, the parties shall prepare a joint letter of not
27 more than 8 pages explaining the dispute. Up to 12 pages of attachments may be added. The
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1 joint letter must be electronically filed under the Civil Events category of "Motions and Related
2 Filings >Motions--General > Discovery Letter Brief." The Magistrate Judge to whom the matter
3 is assigned will advise the parties of how that Judge intends to proceed. The Magistrate Judge
4 may issue a ruling, order more formal briefing, or set a telephone conference or a hearing. After
5 a Magistrate Judge has been assigned, all further discovery matters shall be filed pursuant to that
6 Judge's procedures.

7 4. FURTHER SCHEDULING. The dates proposed by the parties leading up to the
8 *Markman* Hearing on pages 7-8 of their Joint Case Management are adopted as follows:

9 A. Plaintiff shall disclose its asserted claims and preliminary contentions pursuant to
10 Patent L.R. 3-1, and make its accompanying disclosures pursuant to Patent L.R. 3-2, no later
11 than August 15, 2013.

12 B. Defendant shall disclose its asserted claims and preliminary invalidity contentions
13 pursuant to Patent L.R. 3-4, and make its accompanying disclosures pursuant to Patent L.R. 3-4,
14 no later than September 30, 2013.

15 C. Proposed terms and claim elements for construction shall be exchanged pursuant
16 to Patent L.R. 4-1 no later than October 14, 2013.

17 D. Preliminary claim construction and extrinsic evidence shall be exchanged
18 pursuant to Patent L.R. 4-2 no later than November 4, 2013.

19 E. The Joint Claim Construction and Prehearing Statement shall be filed pursuant to
20 Patent L.R. 4-3 no later than November 29, 2013.

21 F. Claim Construction Discovery pursuant to Patent L.R. 4-4 shall be completed by
22 December 30, 2013.

23 G. The opening claim construction brief shall be filed by January 13, 2014.

24 H. The responsive claim construction brief shall be filed by January 27, 2014.

25 I. The reply claim construction brief shall be filed by February 3, 2014.

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27 CASE MANAGEMENT SCHEDULING ORDER
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