

For the Northern District of California

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

GAMETEK, LLC,

No. C 13-01205 RS

Plaintiff,

**CASE MANAGEMENT  
SCHEDULING ORDER**

v.

ROCKYOU, INC,

Defendant.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on July 18, 2013. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

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

2. DISCOVERY. On or before July 25, 2013, all initial disclosures shall be made. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per side; (b) twenty-five (25) interrogatories per side, including all discrete subparts; (c) a reasonable number of

1 requests for production of documents or for inspection per side; and (d) a reasonable number of  
2 requests for admission per side.

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

12           4.       FURTHER SCHEDULING. The dates proposed by the parties leading up to the  
13 *Markman* Hearing on pages 9-10 of their Joint Case Management are adopted as follows:

14           A.       On or before August 1, 2013 plaintiff shall serve its Preliminary Infringement  
15 Contentions and accompanying documents in the form and with the content required by Patent  
16 L.R. 3-1 and 3-2.

17           B.       On or before September 16, 2013, defendant is to serve Invalidity Contentions,  
18 and accompanying documents in the form and with the content required by Patent L.R. 3-3 and  
19 3-4.

20           C.       On or before September 30, 2013, parties are to exchange claim terms needing  
21 construction in the form and with the content required by Patent L.R. 4-1.

22           D.       On or before October 21, 2013, parties are to exchange proposed claim  
23 constructions and extrinsic evidence in the form and with the content required by Patent L.R. 4-  
24 2.

25           E.       On or before October 21, 2013, parties are to disclose any expert witnesses with  
26 respect to claim construction.

1 F. On or before November 15, 2013, the parties are to file a Joint Claim  
2 Construction and Prehearing Statement in the form and with the content required by Patent L.R.  
3 4-3.

4 G. On or before December 15, 2013, the parties are to complete claim construction  
5 discovery in the manner set forth in Patent L.R. 4-4.

6 H. On or before December 30, 2013, plaintiff is to file its Opening Claim  
7 Construction Brief in accordance with Patent L.R. 4-5(a).

8 I. On or before January 13, 2014, defendant is to file its Responsive Claim  
9 Construction Brief in accordance with Patent L.R. 4-5(b)

10 J. On or before January 20, 2014, plaintiff is to file its Reply Claim Construction  
11 Brief in accordance with Patent L.R. 4-5(c).

12 5. *MARKMAN* HEARING. A *Markman* Claim Construction Hearing shall held on  
13 **February 5, 2014 at 10 a.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden  
14 Gate Avenue, San Francisco, California. A tutorial will precede presentation of claim  
15 construction arguments. A further Case Management Conference will be scheduled following  
16 this Hearing to set the remaining dates in this case.

17 IT IS SO ORDERED.

18  
19 DATED: 7/18/13



RICHARD SEEBORG  
United States District Judge

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CASE MANAGEMENT SCHEDULING ORDER