

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 13-02546 RS
No. C 13-03089 RS

Plaintiff,

v.

**CASE MANAGEMENT
SCHEDULING ORDER**

ZYNGA, INC., and FUNZIO, INC., *et al.*,

Defendants.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a telephonic Case Management Conference on September 19, 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. DISCOVERY. On or before October 3, 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 requests for production of documents or for inspection per side; and (d) a reasonable number of requests for admission per side.

2. DISCOVERY DISPUTES. Discovery disputes will be referred to a Magistrate Judge. After the parties have met and conferred, the parties shall prepare a joint letter of not

1 more than 8 pages explaining the dispute. Up to 12 pages of attachments may be added. The
2 joint letter must be electronically filed under the Civil Events category of "Motions and Related
3 Filings >Motions--General > Discovery Letter Brief." The Magistrate Judge to whom the matter
4 is assigned will advise the parties of how that Judge intends to proceed. The Magistrate Judge
5 may issue a ruling, order more formal briefing, or set a telephone conference or a hearing. After
6 a Magistrate Judge has been assigned, all further discovery matters shall be filed pursuant to that
7 Judge's procedures.

8 3. FURTHER SCHEDULING.

9 A. On or before October 24, 2013, plaintiff shall serve its Preliminary Infringement
10 Contentions and accompanying documents in the form and with the content required by Patent
11 L.R. 3-1 and 3-2.

12 B. On or before December 9, 2013, defendant is to serve Invalidity Contentions, and
13 accompanying documents in the form and with the content required by Patent L.R. 3-3 and 3-4.

14 C. On or before December 23, 2013, parties are to exchange claim terms needing
15 construction in the form and with the content required by Patent L.R. 4-1.

16 D. On or before January 13, 2014, parties are to exchange proposed claim
17 constructions and extrinsic evidence in the form and with the content required by Patent L.R. 4-
18 2.

19 E. On or before January 13, 2014, parties are to disclose any expert witnesses with
20 respect to claim construction.

21 F. On or before February 7, 2014, the parties are to file a Joint Claim Construction
22 and Prehearing Statement in the form and with the content required by Patent L.R. 4-3.

23 G. On or before March 10, 2014, the parties are to complete claim construction
24 discovery in the manner set forth in Patent L.R. 4-4.

25 H. On or before March 24, 2014, plaintiff is to file its Opening Claim Construction
26 Brief in accordance with Patent L.R. 4-5(a).

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1 I. On or before April 7, 2014, defendant is to file its Responsive Claim Construction
2 Brief in accordance with Patent L.R. 4-5(b)

3 J. On or before May 14, 2014, plaintiff is to file its Reply Claim Construction Brief
4 in accordance with Patent L.R. 4-5(c).

5 4. *MARKMAN* HEARING. A *Markman* Claim Construction Hearing shall be held
6 on **June 2, 2014 at 10 a.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden
7 Gate Avenue, San Francisco, California. A tutorial will precede presentation of claim
8 construction arguments. A further Case Management Conference will be scheduled following
9 this Hearing to set the remaining dates in this case.

10 IT IS SO ORDERED.

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12 DATED: 09/19/13



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14 RICHARD SEEBORG
United States District Judge

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27 CASE MANAGEMENT SCHEDULING ORDER
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