

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TAKEDA PHARMACEUTICAL CO., LTD.,) Case Nos.: 13-CV-04001-LHK
TAKEDA PHARMACEUTICALS AMERICA,) 13-CV-04002-LHK
INC., and TAKEDA PHARMACEUTICALS) 14-CV-00314-LHK
U.S.A. INC.,)

Plaintiff,

CASE MANAGEMENT ORDER

v.

MYLAN INC. AND MYLAN
PHARMACEUTICALS, INC.,

Defendants.

Clerk: Martha Parker Brown Plaintiffs' Attorneys: Heather Takahashi and Tina Arroyo
Reporter: Lee-Anne Shortridge Defendants' Attorneys: Alexander Lorenzo and Poopak Banky

A case management conference was held on July 31, 2014. A further case management conference is set for November 5, 2014, at 2:00 p.m.

The *Markman* tutorial and claim construction hearing shall be combined and held on October 2, 2014. An additional claim construction hearing will be held on October 9, 2014 if necessary. The parties shall brief any indefiniteness arguments together with claim construction. All briefing deadlines and page limits remain as set.

The parties shall file by August 4, 2014 a joint settlement status report with the date of a settlement conference with Magistrate Judge Corley. The parties shall file by September 15, 2014 a further joint settlement status report.

The case schedule otherwise remains as previously set:

Scheduled Event	Date
Deadline to Join Parties and Amend Pleadings	November 26, 2014
Initial Disclosures Due	February 12, 2014
Disclosure of asserted claims and infringement contentions (Patent L.R. 3-1, 3-2)	February 28, 2014
Invalidity contentions (Patent L.R. 3-3, 3-4)	April 18, 2014
Proposed claim terms for construction (Patent L.R. 4-1)	May 2, 2014
Deadline for Disclosure of Expert Witness for Claim Construction	May 23, 2014
Parties exchange preliminary claim constructions and identify supporting evidence and experts (Patent L.R. 4-2)	May 23, 2014
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3)	June 20, 2014
Close of Claim Construction Discovery	July 20, 2014
Deadline for Joint Settlement Status Report with date for settlement conference with Magistrate Judge Corley	August 4, 2014
Takeda's Opening Claim Construction Brief (Patent L.R. 4-5)	August 7, 2014
Deposition(s) of Takeda's Expert(s) on Claim Construction	August 14 to August 29, 2014
Claim Construction Oppositions (Patent L.R. 4-5)	September 5, 2014
Deposition(s) of Mylan's Expert(s) on Claim Construction	September 9 to September 16, 2014
Deadline for Joint Settlement Status Report	September 15, 2014
Claim Construction Replies (Patent L.R. 4-5)	September 18, 2014
<i>Markman</i> Tutorial and Claim Construction Hearing	October 2, 2014
Fact Discovery Cut Off	February 27, 2015
Opening Expert Reports (Takeda will provide any report on secondary considerations at this time)	May 6, 2015
Expert Depositions Related to Initial Expert Reports	May 11 to May 22, 2015
Rebuttal Expert Reports	May 27, 2015
Expert Depositions Related to Rebuttal Expert Reports	June 1 to June 12, 2015
Reply Expert Reports	June 19, 2015
Close of Expert Discovery	June 26, 2015
Last Day to File Disposition Motions	July 10, 2015
Opposition briefs on dispositive motions	July 31, 2015
Reply briefs on dispositive motions	August 14, 2015
Hearing on dispositive motions	September 10, 2015
Final Pretrial conference	October 15, 2015
Trial	November 9, 2015
Length of Trial	2-3 weeks

IT IS SO ORDERED.

Dated: July 31, 2014



 LUCY H. KOH
 United States District Judge