

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

HVAC TECHNOLOGY LLC,)	Case No. 5:15-cv-02934-PSG
)	
Plaintiff,)	CASE SCHEDULING ORDER
)	
v.)	(Re: Docket No. 22)
)	
SOUTHLAND INDUSTRIES,)	
)	
Defendant.)	

Based on the parties' joint case management statement¹ and case management conference,
IT IS ORDERED that the following limits on discovery shall apply to this case, as set forth
in the parties' joint case management statement:²

- Each party shall be entitled to propound no more than 25 interrogatories, including all discrete subparts, absent agreement of the other party or leave of court, pursuant to Fed. R. Civ. P. 33.
- Pursuant to Fed. R. Civ. P. 30(d)(1), depositions shall be limited to seven hours of live deposition testimony time per day, although the total time including breaks may exceed seven hours.
- The fact that a witness may have been designated and deposed pursuant to Fed. R. Civ. P. 30(b)(6) does not preclude that witness from being deposed in his/her individual capacity, and vice versa.
- No fixed limit is currently ordered on the number of requests for production of documents or requests for admission that may be propounded by a party.

¹ See Docket No. 22.

² See Docket No. 22 at ¶ 8.

- 1 • Discovery-related documents shall be served electronically, and documents to be
2 served, but not filed through ECF, need only be served by emailing scanned versions of
3 the documents to:
 - 4 ○ Robert P. Andris and Michael D. Kanach for Southland Industries at:
5 randris@gordonrees.com
6 mkanach@gordonrees.com
7 with a copy to
8 kshaw@gordonrees.com
 - 9 ○ Mark D. Marrello for HVAC Technology LLC at:
10 Mark@ImperiumPW.com
11 with a copy to
12 Lester@ImperiumPW.com

13 IT IS FURTHER ORDERED that for discovery disputes that may arise, the parties shall
14 proceed according to the following procedure. If the dispute cannot be resolved by an in-person
15 meet-and-confer, the parties may within five days of the meeting submit a five-page joint letter
16 with a one-page cover. Letter briefs must comply with the following requirements:

- 17 • The cover page must contain the parties' names, one line summarizing the nature of the
18 dispute, and an attestation that the parties have met and conferred in person. If the
19 parties have met telephonically, the cover page must contain the reasons for the
20 telephone meeting.
- 21 • Within the five pages, the parties shall include a joint statement of the facts necessary
22 for the court to render its decision. Each party shall provide summaries of the disputes,
23 the appropriate legal authority, and each party's final proposed compromise. To
24 enhance ease of comparison, parties are encouraged to use tables and charts
25 summarizing their arguments.
- 26 • The letter brief shall be written in Times New Roman, twelve-point font. Margins shall
27 be no less than one inch on each side. The briefs may be single-spaced.
- 28 • Parties shall file the joint letter brief under the Civil Events category of "Motions and
Related Filings → Motions – General → Discovery Letter Brief."

Although parties may present more than one dispute in the joint letter brief, there is no limit
to the number of letter briefs they may file. If multiple disputes require multiple letter briefs, the
parties are encouraged to use as many as necessary to provide the court with well-supported
arguments. A single dispute, however, is permitted only one joint letter brief. Attempts to
circumvent this limit will be viewed with disfavor. Upon review of the joint letter brief, the court
will advise the parties how it intends to proceed. The court may take the dispute under submission,

1 hold a telephone conference with the parties, order a hearing or further briefing, or require the
2 parties to appear at the courthouse for further meet-and-confer.


3 IT IS FURTHER ORDERED that the following schedule and deadlines shall apply to this
4 case:

5	Plaintiff’s preliminary infringement contentions and document production	Oct. 6, 2015
6	Defendant’s preliminary invalidity contentions and document production	Nov. 20, 2015
7	Exchange of proposed terms and claim elements for construction	Dec. 4, 2015
8	Exchange of preliminary claim constructions and extrinsic evidence	Dec. 18, 2015
9	Deadline for motions to add parties or amend pleadings	Jan. 13, 2016
10	Joint claim construction and prehearing statement	Jan. 19, 2016
11	Completion of claim construction discovery, including experts	Feb. 18, 2016
12	Plaintiff’s opening claim construction brief	Mar. 4, 2016
13	Defendant’s responsive claim construction brief	Mar. 18, 2016
14	Plaintiff’s reply claim construction brief.....	Mar. 25, 2016
15	Claim construction hearing.....	Apr. 8, 2016
16	Plaintiff’s final infringement contentions.....	May 6, 2016
17	Defendant’s advice of counsel document production	June 8, 2016
18	Completion of fact discovery	July 19, 2016
19	Service of expert reports on issues for which	
20	a party bears burden of proof under Fed. R. Civ. P. 26(a)(2).....	July 31, 2016
21	Rebuttal expert reports	Aug. 31, 2016
22	Close of expert discovery	Sept. 30, 2016
23	Deadline for hearing dispositive motions.....	Nov. 15, 2016
24	Deadline for private mediation.....	Nov. 25, 2016
25	Pretrial conference statement	Dec. 2, 2016
26	Pretrial conference.....	Dec. 13, 2016
27	Jury trial.....	Jan. 3, 2016
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SO ORDERED.

Dated: September 22, 2015



PAUL S. GREWAL
United States Magistrate Judge