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4 UNITED STATES DISTRICT COURT  
5 SOUTHERN DISTRICT OF CALIFORNIA  
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7 IPA TECHNOLOGIES INC.,  
8 Plaintiff,

Case No. 17-cv-01307-BAS-JLB  
LEAD CASE

9 v.

10 KYOCERA INTERNATIONAL, INC.,  
11 Defendant.

**AMENDED CASE MANAGEMENT  
ORDER REGULATING DISCOVERY  
AND OTHER PRETRIAL  
PROCEEDINGS IN A PATENT CASE**

12  
13 IPA TECHNOLOGIES INC.,  
14 Plaintiff,

Case No. 17-cv-01858-BAS-JLB

15 v.

16 ZTE (USA) INC.,  
17 Defendant.

18  
19 The district court consolidated the above-captioned cases for pre-trial and discovery  
20 purposes and directed the assigned magistrate judge to issue a scheduling order in the lead  
21 case that applies to the consolidated cases. (See ECF Nos. 45, 47.) Accordingly, **IT IS**  
22 **ORDERED** that the following case schedule previously ordered in 17-cv-1858 shall apply  
23 to the consolidated cases (with the exception of the Claim Construction and tutorial  
24 hearing, which is reset due to a conflict in the district court's calendar):

25 1. On or before **November 13, 2017**, each party claiming patent infringement  
26 shall separately serve on all parties a Disclosure of Asserted Claims and Preliminary  
27 Infringement pursuant to Patent L.R. 3.1 and produce documents as required by Patent L.R.  
28 3.2.

1           2.     On or before **January 12, 2018**, each party opposing a claim of infringement  
2 shall serve Invalidity Contentions pursuant to Patent L.R. 3.3 and produce documents as  
3 required by Patent L.R. 3.4.

4           3.     On or before **January 26, 2018**, the parties shall exchange Preliminary Claim  
5 Constructions pursuant to Patent L.R. 4.1(a) and identify extrinsic evidence as required by  
6 Patent L.R. 4.1(b).

7           4.     On or before **February 9, 2018**, the parties shall exchange Responsive Claim  
8 Constructions pursuant to Patent L.R. 4.1(c) and identify extrinsic evidence as required by  
9 Patent L.R. 4.1(d).

10          5.     On or before **February 23, 2018**, parties shall complete and file a Joint Claim  
11 Construction Chart, Joint Claim Construction Worksheet, and Joint Hearing Statement  
12 pursuant to Patent L.R. 4.2.

13          6.     The deadline for filing, as of right, Amended Infringement Contentions by a  
14 party claiming infringement is **February 23, 2018**. See Patent L.R. 3.6(a).

15          7.     All discovery intended for use in the Claim Construction Hearing must be  
16 completed by **March 23, 2018**. See Patent L.R. 4.3.

17          8.     The deadline for filing, as of right, Amended Invalidity Contentions by the  
18 party opposing infringement is **March 23, 2018**. See Patent L.R. 3.6(b)

19          9.     On or before **April 6, 2018**, the parties must file simultaneously their Opening  
20 Claim Construction Briefs. See Patent L.R. 4.4(a).

21          10.    On or before **April 20, 2018**, the parties must file simultaneously their  
22 Responsive Claim Construction Briefs. See Patent L.R. 4.4(b).

23          11.    The Claim Construction and tutorial hearing will be held **May 8, 2018**, at  
24 **10:00 AM**. See Patent L.R. 4.5.

25          12.    Not later than **thirty (30) days** after the filing of the Claim Construction  
26 Order, any party relying upon advice of counsel as part of a patent-related claim or defense  
27 for any reason must make the disclosures required by Patent L.R. 3.7

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1 13. A party asserting infringement must serve final amended infringement  
2 contentions, within the meaning of Patent L.R. 3.6(a)(1), not later than **thirty (30) days**  
3 after service of the Court's Claim Construction Ruling.

4 14. A party opposing a claim of infringement must serve final amended invalidity  
5 contentions, within the meaning of Patent L.R. 3.6(b)(2), not later than **fifty (50) days** after  
6 service of the Court's Claim Construction ruling.

7 15. Discovery motions must be filed in the time and manner directed by  
8 Magistrate Judge Burkhardt (see Judge Burkhardt's Civil Chambers Rules on Discovery  
9 Disputes available on the Court's website). All discovery motions must be filed within 30  
10 days of the service of an objection, answer, or response which becomes the subject of  
11 dispute, or the passage of a discovery due date without response or production, and only  
12 after counsel (and any unrepresented parties) have met and conferred to resolve the dispute  
13 **and** complied with Section IV.B. of Judge Burkhardt's Civil Chambers Rules.

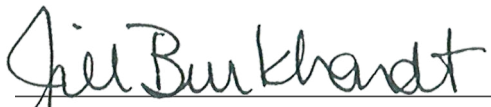
14 16. The dates and times set forth herein will not be modified except for good cause  
15 shown.

16 17. Plaintiff's counsel shall serve a copy of this order on all parties that enter this  
17 case hereafter.

18 18. The parties shall jointly contact the assigned magistrate judge's chambers  
19 within **three (3) calendar days** of the issuance of the Claim Construction Order to notify  
20 the Court of the need for another Case Management Conference.

21 **IT IS SO ORDERED.**

22 Dated: November 9, 2017

23   
24 Hon. Jill L. Burkhardt  
25 United States Magistrate Judge  
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