

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-cv-02578-MSK-MJW

e.DIGITAL CORPORATION,

Plaintiff,

v.

PENTAX OF AMERICA, INC.;
HOYA CORPORATION;
HOYA CORPORATION USA;
CANON USA, INC.;
CANON, INC.;
COBY ELECTRONICS CORP.;
DXG TECHNOLOGY (U.S.A.), INC.;
HTC AMERICA, INC.;
HTC CORPORATION;
IKEGAMI ELECTRONICS (USA), INC.;
IMATION CORPORATION;
KYOCERA COMMUNICATIONS, INC.;
KYOCERA WIRELESS, INC.;
KYOCERA INTERNATIONAIONAL, INC.;
KYOCERA CORPORATION;
LEICA CAMERA, INC.;
LEICA CAMERA AG;
MARANTZ AMERICA, INC.;
D&M HOLDINGS U.S. INC.;
D&m HOLDINGS, INC.;
NOKIA, INC.;
NOKIA CORPORATION;
PANASONIC CORPORATION OF NORTH AMERICA;
PANASONIC CORPORATION;
SUMMIT GLOBAL GROUP, LLC;
ROLAND SYSTEMS GROUP U.S.;
ROLAND CORPORATION;
SAKAR INTERNATIONAL, INC.;
SAMSON TECHNOLOGIES CORP.;
TEAC AMERICA, INC.;
VTECH ELECTRNOICS NORTH AMERICA, LLC; and
TIC COMPUTER, INC.,

Defendants.

ORDER SETTING HEARING UNDER FED.R.CIV.P. 16

THIS MATTER comes before the Court upon a Complaint filed by the Plaintiff alleging the infringement of a patent. In light thereof, a hearing pursuant to Fed. R. Civ. P. 16(b) and D.C.COLO.LCivR 16.1 is necessary. **This is not a scheduling conference; do not submit a proposed scheduling order.**

IT IS ORDERED:

- (1) A hearing is set for **January 7, 2010, at 4:00 p.m.**, in Courtroom A901 of the United States Courthouse located at 901 19th Street, Denver, Colorado. Counsel shall bring their calendars.
- (2) Prior to the hearing, the parties shall meet and confer about the following issues and be prepared to address them at the hearing:
 - Whether there are issues of claim construction.
 - Whether a hearing will be required under *Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996).
 - If a hearing is required, whether discovery is necessary prior to the hearing. If so, what discovery is required. (This hearing does not substitute for a scheduling conference before the Magistrate Judge.)
 - Whether there are any other issues or impediments to the setting of a *Markman* hearing.
 - Other appropriate issues enumerated in Fed. R. Civ. P. 16(c).

DATED this 4th day of November, 2009.

BY THE COURT:



Marcia S. Krieger
United States District Judge