

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-3344-REB-MEH
(Consolidated with Civil Action No. 14-cv-425-REB-MEH)

DAVID L. HILDEBRAND,

Plaintiff/Counter Defendant,

v.

MONROE TRUCK EQUIPMENT, INC.,

Defendant/Counter Claimant.

SECOND AMENDED SCHEDULING ORDER IN A PATENT CASE

On May 27, 2015, the parties filed a Joint Motion to Amend the Amended Scheduling Order (docket #65) in this matter to accommodate claim construction proceedings under the Local Patent Rules. On May 28, 2015, the Court held a *Markman* hearing and a claim construction order is forthcoming. The Court finds there is good cause to amend the Amended Scheduling Order entered on August 12, 2014 (Docket #39), and hereby amends Paragraph 8 of the Scheduling Order, by replacing the relevant portions with the following:

8. CASE PLAN AND SCHEDULE

Final Patent Disclosures

- n. Deadline to file Final Infringement Contentions: 28 days after the Court's Claim Construction Order.
- o. Deadline to file Final Invalidity Contentions: 21 days after receiving Final Infringement Contentions.

Fact Discovery, Expert Disclosures, and Dispositive Motions Deadlines

- p. Fact discovery deadline: November 13, 2015.
- q. Expert Witness Disclosure.
 - 3. The parties shall designate all affirmative experts and provide opposing counsel and any pro se parties with all information specified in Fed. R. Civ. P. 26(a)(2) on or before September 18, 2015. This deadline includes disclosure of information applicable to "Witnesses Who Must Provide A Written Report" under Rule 26(a)(2)(B) and information applicable to "Witnesses Who Do Not Provide a Written Report" under Rule 26(a)(2)(C).
 - 4. The parties shall designate all rebuttal experts and provide opposing counsel and any pro se party with all information specified in Fed. R. Civ. P. 26(a)(2) on or before October 16, 2015. This deadline also includes disclosure of information applicable to "Witnesses Who Must Provide A Written Report" under Rule 26(a)(2)(B) and information applicable to

"Witnesses Who Do Not Provide a Written Report" under
Rule 26(a)(2)(C).

- r. Expert Discovery Deadline: November 13, 2015.
- s. Dispositive motions deadline: November 20, 2015.

Dated at Denver, Colorado, this 27th day of May, 2015.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive style with a large initial 'M' and 'H'.

Michael E. Hegarty
United States Magistrate Judge

WHEREFORE, the parties respectfully request that the Court enter the foregoing Amended Scheduling Order.

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