

Proposed Dates and Limits in Xerox v. Google et al., C.A. No. 1:10-cv-00136-JJF-MPT

Event	Plaintiff's Proposed Date/Limit	Defendants' Proposed Date/Limit
Initial Disclosures	By May 25, 2010	By May 25, 2010
Joinder of Other Parties and Amendment of Pleadings	Filed on or before December 17, 2010	Filed on or before December 17, 2010
Discovery	--	--
E-discovery shall be produced	By November 19, 2010	By November 19, 2010
Substantial Completion of Document Production	By November 19, 2010	By November 19, 2010
Limit on depositions	Each side limited to 220 hours for fact depositions	Each side limited to 150 hours
Limit on depositions against each Defendant group	No more than 110 hours of depositions of employees of Google and/or YouTube; No more than 110 hours of depositions of employees of Yahoo and/or Right Media.	75 hours for each Defendant group
Limit on 30(b)(6) deposition hours for each Defendant group	No enumerated limit.	35 hours for each Defendant group
Limit on individual deposition length	If any party requests more than 10 hours for a deposition of any individual witness or if any side seeks more time, the parties agree to meet and confer in good faith to attempt to resolve the issue. If any individual witness is deposed for more than 7 hours, the deposition will be split over two days.	If any party requests more than 7 hours for a particular deposition (in particular, for named inventors) or if any side seeks more time against any Defendant group, the parties agree to meet and confer in good faith to attempt to resolve the issue.
Fact Discovery cut off	August 12, 2011	August 12, 2011
Expert discovery cut off	December 16, 2011	December 16, 2011
Limitations on Interrogatories and RFAs	Interrogatories: 35 for Xerox, 15 for Google & YouTube combined, 15 for Yahoo & Right Media combined, and 15 joint interrogatories for all defendants RFAs: 40 for Xerox, 25 for Google & YouTube combined, 25 for Yahoo & Right Media combined No limit on RFAs for authentication.	Interrogatories: 35 for Xerox, 15 for Google & YouTube combined, 15 for Yahoo & Right Media combined, and 15 joint interrogatories for all defendants RFAs: 40 for Xerox, 25 for Google & YouTube combined, 25 for Yahoo & Right Media combined No limit on RFAs for authentication.
Disclosure of Expert Testimony under FRCP 26(a)(2)	October 3, 2011 (for party that has initial burden of proof)	October 3, 2011 (for party that has initial burden of proof)
	November 18, 2011 (to contradict	November 18, 2011 (to contradict

	or rebut evidence on same matter)	or rebut evidence on same matter)
Limitations on Expert Depositions	The parties are limited to 7 hours of deposition per expert, but if the expert's report addresses both Defendant groups, such expert may be deposed for up to an additional 3 hours. 3 additional hours will be provided for the deposition of any expert testifying as to both validity and infringement.	The parties are limited to 7 hours of deposition per expert, but if the expert's report addresses both Defendant groups, deposition limit is 14 hours. 3 additional hours will be provided for the deposition of any expert testifying as to both validity and infringement
Disclosure of fact witnesses for trial	By April 2, 2012	By April 2, 2012
Disclosure of rebuttal fact witnesses for trial	By April 16, 2012	By April 16, 2012
Additional depositions for witnesses not previously deposed	By May 18, 2012	By May 18, 2012
Application for Protective Order	May 28, 2010	May 28, 2010
Interim Status Report	July 22, 2011	July 22, 2011
Rule 16(a), (b), (c) Status Conference	December 16, 2011	December 16, 2011
Technical Tutorial (if parties believe one is required for the court)	March 7, 2012	April 2, 2011
Case Dispositive Motions	Filed on or before January 13, 2012	Filed on or before January 13, 2012
Claim Construction	--	--
Parties exchange list of claim terms and proposed constructions	June 3, 2011	October 22, 2010
Parties submit joint claim construction chart	September 2, 2011	December 3, 2010
Initial claim construction briefs	January 13, 2012	February 18, 2011
Responsive claim construction briefs	February 6, 2012	March 18, 2011
Claim construction hearing	March 14, 2012, together with summary judgment hearing	April 20, 2011
Pretrial Conference	--	--
Parties to file joint proposed final pretrial order	On or before April 6, 2012	On or before April 6, 2012
Pretrial conference	June 14, 2012	June 14, 2012
Trial	July 2012	July 2012
Number of hours for each side to present case	35 hours per side.	35 hours per side