

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HSM PORTFOLIO LLC, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 11-770-RGA
	:	
FUJITSU LIMITED, et al.,	:	
	:	
Defendants.	:	

MEMORANDUM & ORDER

The parties dispute how to amend the scheduling order. (D.I. 482 & 486). I am entering an order separately, but it does not resolve all of the disputes.

As I understand it, Plaintiff and AMD dispute Plaintiff's supplementation of its 2(a) disclosures. AMD says Plaintiff has already accused several thousand products. (D.I. 482 at 4). As indicated on the separate order, I will allow the supplementation. It does not follow, however, that I am going to allow litigation on several thousand products. Thus, what I am thinking of doing is allowing Plaintiff to name some number of exemplary products (thirty?) to which AMD will have to file 2(b) responses. If the parties do not then further limit the number of accused products, I will. I will hear Plaintiff and AMD on this subject.

As written, the proposed order's "Defendant's proposal" on production of core technical documents seemed only to address AMD's issues. If that means all defendants other than AMD are agreeable to Plaintiff's proposal, then the parties should so advise, and consider it so ordered. If not, the non-AMD defendants should advise of their position(s) promptly.

As for the disputes about paragraphs 8, 9, and 10, I do not see why the parties need two months to prepare their case dispositive motions. I agree with Plaintiff that it helps to have a

schedule, but setting one trial date does not help any one when there are twelve defendants, none of whom can or should be tried with each other. Thus, the trials will be scheduled for five days each, to begin on September 21, October 5 & 19, November 2, 16, & 30, and December 14, 2015, and on January 4 & 25, February 8 & 22, and March 7, 2016. Unless the defendants mutually and promptly agree to a different order, they shall be done in reverse alphabetical order. The pretrial conferences for each trial shall be set for 8:30 a.m. the Tuesday before the start of trial, unless by agreement of the parties to that trial a different date makes more sense.

The parties shall promptly submit an additional scheduling order with all of the pretrial and trial dates.

10-4-13
Date

Richard G. Andrews
United States District Judge