

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 06-60905-CIV-ALTONAGA/Turnoff

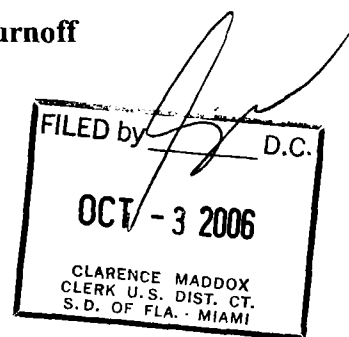
F & G RESEARCH, INC.,

Plaintiff,

vs.

GOOGLE INC.,

Defendant.



**ORDER SETTING TRIAL AND PRE-TRIAL SCHEDULE,  
REQUIRING MEDIATION, AND REFERRING CERTAIN  
MOTIONS TO MAGISTRATE JUDGE**

**THIS CAUSE** is set for trial during the Court's two-week trial calendar beginning on **February 19, 2008**. Calendar call will be held at **9:00 a.m. on Tuesday, February 12, 2008**. No pre-trial conference will be held unless a party requests one no later than 30 days before the calendar call and the Court determines that one is necessary. The parties shall adhere to the following schedule:

**November 6, 2006** The parties shall select a mediator certified under Local Rule 16.2.B, shall schedule a time, date and place for mediation, and shall jointly **file a proposed order scheduling mediation** in the form specified by Local Rule 16.2.H. If the parties cannot agree on a mediator, they shall notify the Clerk in writing as soon as possible, and the Clerk shall designate a certified mediator on a blind rotation basis. Counsel for all parties shall familiarize themselves with and adhere to all provisions of Local Rule 16.2. Within **five (5) days** of mediation, the parties are required to file a mediation report with the Court.

**January 22, 2007** All motions to amend pleadings or join parties are filed.

**December 22, 2006** Parties to serve proposed claim terms.

**January 29, 2007** Parties to serve claim construction opening briefs.

**March 2, 2007** Parties to serve claim construction reply briefs.

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**April 2, 2007 and April 3, 2007** Claim Construction hearing commencing at **9:00 a.m.**

**July 4, 2007** All fact discovery is completed.

Fed. R. Civ. P. 26(a)(20) expert disclosure/report from:

**October 1, 2007** Party with burden of proof.

**October 15, 2007** Reply.

**October 30, 2007** Rebuttal experts.

**October 30, 2007** All discovery, including expert discovery, is completed.

**November 13, 2007** Parties must have completed mediation and filed a mediation report.

**November 15, 2007** All pre-trial motions other than motions *in limine* are filed.

**January 22, 2008** Parties submit joint pre-trial stipulation, proposed jury instructions, or proposed findings of fact and conclusions of law, and motions *in limine*.


Pursuant to 28 U.S.C. § 636 and this District's Magistrate Judge Rules, all discovery motions and non-dispositive motions filed pursuant to Federal Rules of Civil Procedure 12, 13 and 14 are referred to Magistrate Judge William C. Turnoff.

The parties may stipulate to extend the time to answer interrogatories, produce documents, and answer requests for admissions. The parties shall not file with the Court notices or motions memorializing any such stipulation unless the stipulation interferes with the deadlines set forth above. Stipulations that would so interfere may be made only with the Court's approval. *See* Rule 29, Fed. R. Civ. P.. In addition to the documents enumerated in Local Rule 26.1.B., the parties shall not file notices of deposition with the Court. Strict compliance with the Local Rules is expected, particularly with regard to motion practice. *See* Local Rule 7.1.

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The parties shall submit their proposed jury instructions jointly, though they need not agree on each proposed instruction. Where the parties do not agree on a proposed instruction, that instruction shall be set forth in bold type. Instructions proposed only by a plaintiff shall be underlined. Instructions proposed only by a defendant shall be italicized. Every instruction must be supported by citation to authority. The parties shall use as a guide the Eleventh Circuit Pattern Jury Instructions for Civil Cases, including the directions to counsel contained therein. The parties shall submit their proposed jury instructions on paper and on a 3 1/2 inch floppy disk in a format compatible with WordPerfect for Microsoft Windows-based computers. Each exhibit must be labeled in accordance with the exhibit list in the joint pre-trial stipulation and shall also bear the case number of this action.

**DONE AND ORDERED** in Chambers at Miami, Florida this 3 day of October, 2006.

  
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CECILIA M. ALTONAGA  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge William C. Turnoff  
counsel of record