

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:10cv023580-Civ-UU

MOTOROLA MOBILITY, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

JURY TRIAL DEMANDED

APPLE INC.,

Counterclaim Plaintiff,

v.

MOTOROLA, INC. and
MOTOROLA MOBILITY, INC.,

Counterclaim Defendants.

**JOINT MOTION FOR SETTING OF CONTENTION DEADLINES AND FOR
EXTENDING CLAIM CONSTRUCTION BRIEFING DEADLINES**

Apple Inc. (“Apple”) and Motorola Inc. and Motorola Mobility, Inc. (“Motorola”) (collectively, the “Parties”) jointly move the Court to enter certain contention deadlines and to adjust the claim construction briefing deadlines in this matter. In support of their Motion, the Parties state that:

1. This action involves claims by both Motorola and Apple for patent infringement with respect to various patents.

2. On February 2, 2011, the Court entered a Scheduling Order For Pretrial Conference and Trial (“Scheduling Order”).

3. The Scheduling Order includes a June 24, 2011 deadline to file opening claim construction briefs, a July 29, 2011 deadline to file responsive claim construction briefs, and a September 14, 2011 claim construction hearing date.

4. To streamline the claim construction process in this case, the Parties propose adding exchange dates for infringement contentions, invalidity contentions, proposed claim terms, and proposed claim constructions.

5. The Parties’ proposed schedule does not alter any of the deadlines in the Court’s Scheduling Order except for an adjustment to the claim construction briefing dates. The Parties propose this adjustment to allow time for the other proposed dates without changing the claim construction hearing date.

6. The Parties have agreed to the following deadlines with respect to claim construction:

a. June 1, 2011: the Parties will exchange element-by-element infringement contentions.

b. June 20, 2011: the Parties will exchange element-by-element invalidity contentions, along with descriptions of any invalidity arguments under 35 U.S.C. § 101 or § 112.

c. June 28, 2011: the Parties will exchange proposed claim terms that they contend require construction by the Court.

- d. July 7, 2011: the Parties will exchange proposed claim constructions.
- e. July 28, 2011: the Parties will file opening claim construction briefs.
- f. August 18, 2011: the Parties will file responsive claim construction briefs.
- g. September 14, 2011: claim construction hearing (as scheduled).

7. Accordingly, the Parties request that the Court enter the proposed Order Including and Modifying Pretrial Dates for Claim Construction (“Order”), attached as Exhibit A hereto.

8. As noted above, the proposed Order does not alter any of the dates and deadlines set forth in the Court’s Scheduling Order other than an adjustment to the claim construction briefing dates.

WHEREFORE, the Parties respectfully request that the Court enter the Order attached as Exhibit A to this Motion.

Dated: April 25, 2011

Respectfully submitted,

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served via transmission of a Notice of Electronic Filing generated by CM/ECF on April 25, 2011 on all counsel or parties of record on the Service List below.

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