

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VISUAL INTERACTIVE PHONE
CONCEPTS, INC.,

Plaintiffs,

v.

GOOGLE, INC.,

Defendant.

Case No. 11-12348

Hon. Lawrence P. Zatkoff

SCHEDULING ORDER FOR THE PURPOSE OF:

- (1) Scheduling future proceedings;
- (2) Establishing deadline and cut-off dates for discovery procedures, amendments to pleadings and joining parties;
- (3) Modifying motion practice; and
- (4) Referring certain pretrial matters to United States Magistrate Judge.

ALL COUNSEL ARE ADVISED THAT IT IS THE POLICY OF THE COURT TO ENFORCE THE DEADLINES AND CUT-OFF DATES SET FORTH IN THIS SCHEDULING ORDER PURSUANT TO RULE 16(f), FEDERAL RULES OF CIVIL PROCEDURE.

SPECIAL NOTICE:

Pursuant to Rule 16(b), Federal Rules of Civil Procedure, requests for modification of this Scheduling Order must be submitted in writing by mail to the Court within 14 days from the date of this Scheduling Order.

Pursuant to the Federal Rules of Civil Procedure, the Court enters the following schedule controlling the progress of the above-entitled action:

IT IS ORDERED:

1. Exchange Initial Disclosures pursuant to Fed. R. Civ. P. 26(a) by **November 18, 2011.**
2. Disclosure of Asserted Claims and Preliminary Infringement Contentions by **December 7, 2011.**
3. Preliminary Invalidity Contentions are due by **January 13, 2012.**

4. The parties exchange proposed claim terms to be construed by the Court by **March 1, 2012.**
5. The parties exchange proposed claim constructions for all identified terms by **March 20, 2012.**
6. Initial Claim construction briefs from both parties are to be filed with the Court by **April 20, 2012.** The length and formatting of the briefs shall conform to the E.D. Mich. Local Rules, specifically E.D. Mich. L.R. 7.1(d)(3).
7. Reply Claim construction briefs from both parties are to be filed with the Court by **May 18, 2012.** The length and formatting of the briefs shall conform to the E.D. Mich. Local Rules, specifically E.D. Mich. L.R. 7.1(d)(3).
8. Joint claim construction charts are due by **June 1, 2012.**
9. The parties will appear for a claim construction hearing on **July 17, 2012.**
10. After construction of the claim(s), the parties will appear for a status conference as to how this action should proceed at a date and time to be set by this Court.

***QUESTIONS CONCERNING THIS SCHEDULING ORDER SHOULD BE DIRECTED TO THE COURT'S COURTROOM DEPUTY CLERK, MARIE E. VERLINDE, AT (810) 984-3290.**

MOTION PRACTICE

Counsel are expected to comply with Rule 7.1, Local Rules of this Court, including the requiring of filing responses and briefs within the time limits as set forth in LR 7.1(d).

Oral arguments on motions will not be held unless, upon consideration, the Court so orders. If the Court does order oral argument, reasonable notice of a date and time will be given to all counsel. E.D. Mich. Local R. 7.1(e)(2).

IT IS SO ORDERED.

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2011

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on October 25, 2011.

s/Marie E. Verlinde
Case Manager
(810) 984-3290