UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ----- X 11 Civ. 4060 (DLC) J.T. COLBY & COMPANY, INC. d/b/a BRICK : TOWER PRESS, et al., PRETRIAL Plaintiffs, : SCHEDULING ORDER : -V-, i, APPLE, INC., Defendant. X 5/2/2012

DENISE COTE, District Judge:

As set forth on the record at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on April 27, 2012, the following schedule shall govern the further conduct of pretrial proceedings in this case:

- 1. No additional parties may be joined or pleadings amended after May 11, 2012.
- 2. The parties are instructed to contact the chambers of Magistrate Judge Ellis prior to **June 29, 2012** in order to pursue settlement discussions under his supervision.
- 3. All fact discovery must be completed by August 15, 2012.
- 4. Expert reports and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed. R. Civ. P., by the party bearing the burden on an issue must be served by September 15, 2012. Identification of rebuttal experts and disclosure of their expert testimony must occur by October 26, 2012.
- 5. All expert discovery must be completed by **November 23,** 2012.
- 6. The following motion will be served by the dates indicated below.

Any motion for summary judgment, or <u>Daubert</u> motion, by any party:

- Motion served by **December 21, 2012**.
- Opposition served by January 25, 2013.
- Reply served by February 5, 2013.

By November 23, 2012, the parties shall inform the Court by letter as to whether the above motion is being made. At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by mail or delivery to the United States Courthouse, 500 Pearl Street, New York, New York.

Dated: New York, New York

May 1, 2012

DENISE COTE

United States District Judge