

ATTACHMENT A

PROPOSED SCHEDULES<sup>1</sup>

	Apple Proposal	Plaintiffs Proposal	Penguin/Macmillan Proposal
Joint Initial Report and Joint Electronic Discovery Submission No. 1 and [Proposed] Order (“ESI Order”) filed	-----June 15, 2012-----	-----June 15, 2012-----	-----
Custodian Lists served	-----	-----June 20, 2012-----	-----
Initial disclosures served (on or about)	-----	-----June 22, 2012-----	-----
Answers to Second Amended Complaint in State Action filed	-----	-----June 22, 2012-----	-----
Court status conference	-----	-----June 22, 2012-----	-----
Parties serve objections to any other party’s document production plan (as set forth in ESI Order at item 6(a)) and Custodian List	-----	-----July 6, 2012-----	-----
Last date to complete the meet-and-confer process on document production plan objections	-----	-----July 18, 2012-----	-----
Parties to complete initial document collection and provide information set forth in Joint Electronic Discovery Submission No. 1 (Attachment C) at 6(a)	-----	-----July 31, 2012-----	-----
[Interim dates for rolling document production and check-in conferences]	-----	-----[TBA]-----	-----

<sup>1</sup> Settling Defendants take no position with respect to these proposed schedules.

	Apple Proposal	Plaintiffs Proposal	Penguin/Macmillan Proposal
Parties to identify experts and testimony subject matter pursuant to Initial Report 8(b) (Apple and Penguin/Macmillan Proposals)	November 15, 2012	(See below – March 22, 2013)	November 15, 2012
<b>Fact depositions may begin</b>	(No date proposed)	<b>September 17, 2012</b>	<b>October 1, 2012</b>
Initial trial witness lists due	December 7, 2012	December 18, 2012	February 25, 2013
<b>End of fact discovery (Apple Proposal)</b>	<b>December 7, 2012</b>	(See below – March 22, 2013)	(See below – April 1, 2013)
Privilege logs served	January 4, 2013	January 9, 2013	March 18, 2013
<b>Opening class certification brief served</b>	N/A	<b>February 1, 2013</b>	N/A
Opposition to class certification brief served	N/A	<b>March 1, 2013</b>	N/A
Reply brief on class certification brief served	N/A	<b>March 22, 2013</b>	N/A
<b>End of fact discovery (Plaintiffs, Penguin/Macmillan Proposals)</b>	(See above – December 7, 2012)	<b>March 22, 2013</b>	<b>April 1, 2013</b>
Parties to identify experts and testimony subject matter pursuant to Initial Report 8(b) (Plaintiffs Proposal)	(See above - November 15, 2012)	March 22, 2013	(See above – November 15, 2012)
Joint Preliminary Trial Report filed if not waived	February 15, 2013	April 5, 2013	April 15, 2013
Case Management Conference	March 1, 2013	April 12, 2013	April 22, 2013

	Apple Proposal	Plaintiffs Proposal	Penguin/Macmillan Proposal
	Dates below are for DOJ Action only	Dates below are for all actions, subject to further order or agreement	Dates below are for DOJ Action only
<b>Opening expert reports served</b>	<b>December 10, 2012</b>	<b>April 19, 2013</b>	<b>May 13, 2013</b>
Rebuttal expert reports served	December 28, 2012	May 16, 2013	June 10, 2013
Expert depositions may begin	December 28, 2012	May 29, 2013	June 24, 2013
End of expert discovery	January 18, 2013	June 26, 2013	July 22, 2013
<b>Summary judgment motions filed</b>	January 14, 2013	<b>July 3, 2013</b>	<b>August 19, 2013</b>
Opposition to summary judgment motions filed	January 28, 2013	July 24, 2013	September 16, 2013
Replies to summary judgment oppositions filed	February 4, 2013	August 7, 2013	October 7, 2013
Summary judgment oral argument		[TBA]	
Filing of (i) Joint Final Trial Report (incl. trial exhibit and witness lists), (ii) trial memoranda, (iii) <u>in limine</u> motions, to include <u>Daubert</u> motions, (iv) proposed juror questionnaires, (v) joint case description, and (v) proposed jury instructions.	<b>February 26, 2013</b>	<b>August 30, 2013</b>	10 weeks after summary judgment decision
<u>In limine</u> motion oppositions filed	March 7, 2013	September 13, 2013	7 days after filing of Joint Final Trial Report
Final Pretrial Conference	March 19, 2013	September 20, 2013	7 days before trial

	Apple Proposal	Plaintiffs Proposal	Penguin/Macmillan Proposal
Trial-ready	March 26, 2013	September 30, 2013	7 days after Final Pretrial Conference