

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRIGHT RESPONSE, LLC
F/K/A POLARIS IP, LLC,

Plaintiff,

v.

GOOGLE INC., ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§
§

No. 2:07-cv-00371-CE

Jury Demanded

**ORDER AMENDING
DOCKET CONTROL ORDER**

After consideration of the Joint Motion to Amend the Docket Control Order filed by the parties, the Court finds that it should be GRANTED, and ENTERS the following:

DEADLINE OR EVENT	DATE
Jury Selection	Monday August 2, 2010
Trial	Monday August 2, 2010
Pretrial Conference Marshall, Texas	Wednesday July 28, 2010 1:30 p.m.
Meet and confer regarding Motions in Limine The parties are ordered to meet and confer on their respective motions in limine and advise the court of any agreements in this regard by 1 p.m. p.m. the business day before the pretrial conference. The parties shall limit their motions in limine to those issues which, if improperly introduced into the trial of the case would be so prejudicial that the court could not alleviate the appropriate instruction(s).	Monday, July 26 12 noon

Deadline to complete meet and confer regarding witness lists, exhibits, and deposition designations	Friday, July 23, 2010
Responses to Motions in Limine due	Friday, July 23, 2010
Motions in Limine due	Monday July 19, 2010
Objections to Witnesses, Deposition Designations, and Exhibits contained in the Joint Pretrial Order and Counter-Deposition Designations due	Friday, July 16, 2010
Exchange of copies of trial exhibits. The parties shall reach agreement regarding whether such exchange shall be in hard copy or electronic.	Monday, July 12, 2010
Joint Pre-Trial Order, Joint Proposed Jury Instructions and Form of the Verdict, including identification of trial witnesses, exhibits, and deposition designations	Friday July 9, 2010
Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Susan Simmons, at lssimmons@yahoo.com	Wednesday July 7, 2010
Defendant to Identify Trial Witnesses	Tuesday July 6, 2010
Plaintiff to Identify Trial Witnesses	Tuesday July 6, 2010
Plaintiff and Defendants to exchange respective portions of Pre-Trial Order, Jury Instructions and Form of Verdict	Friday July 2, 2010

Responses to Dispositive Motions ¹	In accordance with Local Rules, including timing for replies and surreplies, if any
Dispositive Motions	Tuesday June 29, 2010
Responses to <i>Daubert</i> motions	In accordance with Local Rules, including timing for replies and surreplies, if any.
<i>Daubert</i> motions	
Fact and Expert Discovery Deadline	
<ul style="list-style-type: none"> • Designate Rebuttal Expert Witnesses other than claims construction (Refer to Discovery Order for required information); • Rebuttal expert witness report due 	
<ul style="list-style-type: none"> • Party with burden of proof to designate Expert Witnesses other than claims construction • Expert witness reports due for parties with the burden of proof 	
Comply with P.R. 3-8 (Willfulness Disclosures)	

¹ The parties are directed to Local Rule CV-7(d), which provides in part that “[i]n the event a party fails to oppose a motion in the manner prescribed herein the court will assume that the party has no opposition.” Should a party file a dispositive motion earlier than June 29, 2010, the deadline for the opposing party's response shall be in accordance with the Local Rules.