

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

LODSYS, LLC

v.

COMBAY, INC., ET AL.

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Case No. 2:11-CV-272-JRG

ORDER

This case is set for a status conference in Marshall, Texas on August 29, 2012 at 10:15 a.m. before the Honorable Rodney Gilstrap and the Honorable Roy Payne. The purpose of the conference will be to assign a claim construction hearing date and a trial setting. The parties shall be prepared to inform the Court whether they will consent to trial before the Magistrate Judge.

The parties shall prepare and submit a proposed docket control order and a proposed discovery order to the Court no later than 2 weeks after the scheduling conference. These orders shall be guided by the sample docket control and discovery orders for patent cases, which can be found on the Court's website. The sample orders include provisions that require input from the parties. If the parties are unable to reach agreement on these provisions, then the parties shall submit to the Court their competing proposals along with a summary of their disagreements in a single joint submission.

The sample orders include provisions that are mandatory and are not subject to change without showing good cause. Good cause shall not be considered to be met simply by an indication of the parties' agreement. Should either party believe good cause can be shown to alter an otherwise mandatory provision, then such party shall file a separate motion to alter the


provision after the parties have filed the proposed docket control and discovery orders with the mandatory provisions intact as previously required above.

Furthermore, it is hereby ORDERED that the following schedule of deadlines is in effect until further order of this Court:

6 Weeks After Status Conference	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
4 Weeks After Status Conference	Join Additional Parties
3 Weeks After Status Conference	File Proposed Protective Order
2 Weeks After Status Conference	File Proposed Docket Control Order and Proposed Discovery Order
2 Weeks After Status Conference	File Notice of Mediator
2 Weeks Before Status Conference	Comply with P.R. 3-1 & 3-2 (Infringement Contentions)

IT IS SO ORDERED.

So ORDERED and SIGNED this 17th day of July, 2012.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE