

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

EMG TECHNOLOGY, LLC

Plaintiff,

vs.

APPLE, INC., et al.

Defendants.

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**CASE NO. 6:08 CV 447
PATENT CASE**

ORDER

In accordance with the status conference held June 1, 2009, this case is set for *Markman* hearing on **June 3, 2010 at 9:00 a.m.**, pretrial hearing on **December 16, 2010 at 9.a.m.**, jury selection on **January 3, 2011¹ at 9:00 a.m.**, and jury trial on **January 11, 2011 at 9:00 a.m.**

The parties are to submit agreed Docket Control and Discovery Orders to the Court by **June 15, 2009.**² The parties shall include in the Docket Control Order the name and contact information of their agreed mediator, with the first round of mediation taking place before the claim construction hearing. If the parties are unable to resolve their disagreements concerning these orders, the parties shall submit to the Court their competing proposals along with a summary of their disagreements. For purposes of computing the time deadlines under the local patent rules, the Court deems **June 15, 2009** as the effective Rule 16 Initial Case Management Conference date, and thus Plaintiff's P.R.

¹ The Court at the status conference inadvertently gave the date January 4, 2011 for trial. The correct date is January 3, 2011.

² The Court's standard Docket Control Order and Discovery Order are available on the Court's website at <http://www.txed.uscourts.gov/Judges/Davis/Orders&Forms.htm>. *The Docket Control Order was revised on February 4, 2008.*

3-1 and 3-2 disclosures will be due **June 5, 2009** in accordance with recent changes to the Local Rules.

So ORDERED and SIGNED this 2nd day of June, 2009.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**