

EXHIBIT A

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

ANASCAPE, LTD.,

Plaintiff,

v.

MICROSOFT CORP. and
NINTENDO OF AMERICA INC.

Defendants.

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Hon. Ron Clark

Civil Action No.: 9:06-CV-00158-RC

AMENDED SCHEDULING ORDER

(Patent Case)

DEADLINES

February 11, 2008

Parties with burden of proof to designate Expert Witnesses other than claims construction experts, and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).

February 22, 2008

Fact Discovery Deadline. All discovery must be served in time to be completed by this date.

March 3, 2008

Parties to designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).

March 17, 2008

File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7.

Responses to motions shall be due in accordance with Local Rule CV-7(e). Note: Objections to any expert, including Daubert motions, shall be filed within 3 weeks after the expert's Report has been disclosed. Such objections and motions are limited to ten pages each.

March 20, 2008

All expert discovery regarding reports must be completed by this date.

**Deadlines for May 12, 2008 Trial
(’525 and ’700 Patents)**

March 28, 2008

Notice of intent to offer certified records.

March 28, 2008

Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (*See* Local Rule CV-16(b)) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).

April 4, 2008

Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which can not be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties designations and the court’s ruling on objections.

April 11, 2008

Motions in limine due.
File Joint Final Pretrial Order. See Local Rules Appendix D (Obtain form for Exhibit List from District Clerk’s Office, or create an Exhibit List form that mirrors the District Clerk’s form). Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.

April 18, 2008

Response to motions in limine due.
File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend the deadline to object to expert witnesses). If numerous objections are filed the court may set a hearing prior to docket call.
File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).

May 5, 2008

Docket call and Final Pretrial at 9:00 a.m.
Date parties should be prepared to try case. Provide court with two copies of most updated Exhibit list. Absent agreement of the parties, this should not have exhibits which were not listed in the Final Pre-Trial Order, but may have some deletions depending on rulings on objections. At this date, the parties should be prepared to give the Deputy Clerk one hard copy of the exhibits.

May 12, 2008

9:00 a.m. Jury Selection and Trial

**Deadlines for October 6, 2008 Trial
(’084, ’802, ’886, ’991)**

January 5, 2009

Notice of intent to offer certified records.

January 5, 2009

Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (*See* Local Rule CV-16(b)) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).

January 9, 2009

Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which can not be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties designations and the court’s ruling on objections.

January 16, 2009

Motions in limine due.
File Joint Final Pretrial Order. See Local Rules Appendix D (Obtain form for Exhibit List from District Clerk’s Office, or create an Exhibit List form that mirrors the District Clerk’s form). Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.

January 26, 2009

Response to motions in limine due.

File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (this does not extend the deadline to object to expert witnesses). If numerous objections are filed the court may set a hearing prior to docket call.

File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).

February 2, 2009

Docket call and Final Pretrial at 9:00 a.m.

Date parties should be prepared to try case. Provide court with two copies of most updated Exhibit list. Absent agreement of the parties, this should not have exhibits which were not listed in the Final Pre-Trial Order, but may have some deletions depending on rulings on objections. At this date, the parties should be prepared to give the Deputy Clerk one hard copy of the exhibits.

February 9, 2009

9:00 a.m. Jury Selection and Trial

SO ORDERED.