

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VALVE CORPORATION,

Plaintiff,

v.

ROTHSCHILD ET AL,

Defendants.

CASE NO. 23-cv-1016

SCHEDULING ORDER

Having review the parties Joint Status Report, Dkt. No. 57, and being otherwise fully informed, the Court sets the following trial and related dates:

<b>EVENT</b>	<b>DATE</b>
JURY TRIAL DATE (3 to 4 days)	January 26, 2026
Disclosure of Defendants' infringement contentions ( <i>see</i> LPR 120)	November 6, 2024
Service of Plaintiff's non-infringement and invalidity contentions ( <i>see</i> LPR 121)	December 6, 2024
Exchange of proposed terms and claim elements for construction ( <i>see</i> LPR 130(a))	December 26, 2024
Deadline to join additional parties	January 6, 2025

	<b>EVENT</b>	<b>DATE</b>
1	Exchange of preliminary claim constructions and extrinsic evidence ( <i>see</i> LPR 131(a))	January 27, 2025
2	Joint claim construction and prehearing statement ( <i>see</i> LPR 132(a))	March 11, 2025
3	Parties to disclose expert witness reports, if any, regarding <i>Markman</i> issues ( <i>see</i> LPR 132(f))	March 11, 2025
4	Parties to disclose rebuttal expert reports, if any, regarding <i>Markman</i> issues ( <i>see</i> LPR 132(f))	March 11, 2025
5	Completion of claim construction discovery ( <i>see</i> LPR 133)	April 30, 2025
6	Document production substantially complete	April 25, 2025
7	Opening claim construction brief (to be noted for the date that responsive claim construction briefs are due) ( <i>see</i> LPR 134(a))	May 5, 2025
8	Responsive claim construction briefs ( <i>see</i> LPR 134(c))	May 20, 2025
9	Technology tutorial at 9:00 AM on	June 4, 2025
10	Claim construction ( <i>Markman</i> ) hearing ( <i>see</i> LPR 135) at 9:00 AM on	June 18, 2025
11	Fact discovery cut-off	June 25, 2025
12	Opening expert reports	August 1, 2025
13	Production of opinion(s) of counsel and service of privilege log by party defendant against claim of willful infringement	August 11, 2025
14	Rebuttal expert reports	August 22, 2025
15	Expert discovery cut-off	September 12, 2025
16	Opening case dispositive and <i>Daubert</i> motions	October 3, 2025

23

EVENT	DATE
Responsive case dispositive and <i>Daubert</i> motions	October 24, 2025
Reply case dispositive and <i>Daubert</i> motions	November 7, 2025
Settlement conference per LCR 39.1(c)(2) held no later than	November 24, 2025
Motions in limine must be filed by	December 29, 2025
Parties to file joint proposed pretrial order	January 5, 2026
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	January 12, 2026
Pretrial Conference at 1:30 PM on	January 19, 2026

These dates are set at the direction of the Court after reviewing the joint status report and discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules and Local Patent Rules. These are firm dates that can be changed only by order of the Court, not by agreement of counsel or the parties. The Court will alter these dates only upon good cause shown: failure to complete discovery within the time allowed is not recognized as good cause.

If the *Markman* hearing or trial dates assigned to this matter create an irreconcilable conflict, counsel must notify Grant Cogswell, Deputy Clerk, at Grant\_Cogswell@wawd.uscourts.gov, within 14 days of the date of this Minute Order and explain the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but should understand that the trial might have to await the completion of other cases.

1 Claim Construction (*Markman*) Hearing

2 The claim construction hearing will be set for a half-day (2.5 hours). If more  
3 or less time is required, the parties are instructed to inform Grant Cogswell at  
4 Grant\_Cogswell@wawd.uscourts.gov.

5 PLEASE NOTE: The Court will not rule on dispositive motions that raise  
6 issues of claim construction prior to the *Markman* hearing unless special  
7 circumstances warrant doing so and leave of Court is obtained in advance of filing.

8 Exhibits

9 The parties must send one copy of their respective exhibits to be used at the  
10 *Markman* Hearing and/or trial to Grant Cogswell, Courtroom Deputy, five (5) days  
11 before the *Markman* hearing and/or trial date. Each exhibit must be clearly marked  
12 on the face of the exhibit. Each set of exhibits must be submitted in a three-ring  
13 binder with appropriately numbered tabs. The Court alters the LCR 16.1 procedure  
14 for numbering exhibits as follows: Plaintiff's exhibits should be numbered  
15 consecutively beginning with 1; Defendant's exhibits should include the prefix "A"  
16 and should be numbered consecutively beginning with A-1. Duplicate documents  
17 should not be listed twice. Once a party has identified an exhibit in the pretrial  
18 order, any party may use it.

19 In addition, no later than seven (7) days before the *Markman* hearing and/or  
20 trial date, the parties should send an electronic copy of all exhibits in .PDF format  
21 with Optical Character Recognition ("OCR") searchable text to Grant Cogswell,  
22 Courtroom Deputy. The parties should notify the court of any physical objects or  
23 files that cannot be transmitted electronically. Exhibits must be marked as

1 described above, and the following protocols also apply: (1) Electronic exhibits must  
2 be transmitted individually (i.e., one exhibit per file), but exhibits may have  
3 multiple pages; (2) Exhibit file names should match the descriptions listed on the  
4 joint exhibit list as closely as possible except that file names should not exceed 80  
5 characters, e.g., Ex. 1 – Accident Scene Photo; Ex. A-1 – Email dated 4-03-23.

6 Settlement

7 Should this case settle, counsel shall notify Grant Cogswell, Deputy Clerk, at  
8 Grant\_Cogswell@wawd.uscourts.gov, as soon as possible.

9  
10 Dated this 23rd day of October 2024.

11 Ravi Subramanian

12 Clerk

13 /s/Kathleen Albert

14 Deputy Clerk