

1 THE HONORABLE BENJAMIN H. SETTLE

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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 LUMENTUM OPERATIONS LLC,

NO. 3:22-CV-05186-BHS

10 Plaintiff,

**STIPULATED MOTION AND ORDER
TO MODIFY SCHEDULING ORDER**

11 v.

**NOTE ON MOTION CALENDAR:
FRIDAY, MARCH 5, 2024**

12 NLIGHT, INC.; DAHV KLINER; and
13 ROGER L. FARROW,

14 Defendants.
15

16 **STIPULATED MOTION**

17 Pursuant to LCR 16(b)(6), Plaintiff Lumentum Operations LLC (“Lumentum”) and
18 Defendants nLIGHT, Inc. (“nLIGHT”), Dahv Kliner (“Kliner”), and Roger L. Farrow
19 (“Farrow”) (collectively, the “Parties”), by and through the undersigned counsel, hereby
20 respectfully submit this Stipulated Motion to Modify the Scheduling Order (Dkt. 47).

21 Since the Court issued the Scheduling Order, the Parties have completed claim
22 construction, served discovery and produced documents, conducted one deposition with
23 additional depositions scheduled, and met-and-conferred on discovery disputes. Recently, the
24 undersigned lead counsel for both parties have experienced unexpected parental care
25 emergencies that have required travel and will likely require additional travel in the coming
26 months. In light of the approaching pre-trial deadlines and the need to conduct further discovery
27 and take additional depositions in advance of expert disclosures, the Parties agree that good

STIPULATED MOTION AND ORDER TO MODIFY SCHEDULING ORDER - 1

FAEGRE DRINKER BIDDLE & REATH LLP
1144 15TH ST. #3400
DENVER, CO 80202
(303) 607-3500

Case No. 3:22-cv-05186-BHS

1 cause exists to slightly modify the Scheduling Order as set forth below. This request only seeks
2 to modify the first four pre-trial dates while keeping the trial date and remaining pre-trial dates
3 the same:

Event	Current Date	Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	April 29, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 5, 2024
Motions Deadline	May 20, 2024	June 10, 2024
Discovery Deadline	June 17, 2024	July 1, 2024
Dispositive Motions Deadline	July 17, 2024	July 17, 2024
Motions in Limine Deadline	September 9, 2024	September 16, 2024
Pretrial Order Deadline	September 23, 2024	September 23, 2024
Voire Dire, Jury Instruction, Trial Brief, and Agreed Neutral Statement of the Case, and Deposition Designations Deadline	September 24, 2024	September 24, 2024
Pretrial Conference	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM
Seven Day Jury Trial set to commence	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM

19 For the foregoing reasons, the Parties respectfully request that the Court modify the
20 Scheduling Order as set forth above. A proposed Order is submitted herewith.

21 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

22 DATED this 5th day of March, 2024.

23 FAEGRE DRINKER BIDDLE & REATH LLP

24 By: s/ Joel D. Sayres

25 Joel D. Sayres
26 Shelby Pickar-Dennis
27 1144 15th Street, Suite 3400
Denver, CO 80202

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Telephone: (303) 607-3500
Joel.Sayres@FaegreDrinker.com
Shelby.Pickar-Dennis@FaegreDrinker.com

David J.F. Gross
Braden M. Katterheinrich
Johnathon E. Webb
Doowon R. Chung
2200 Wells Fargo Center
90 S. 7th Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 766-7000
David.Gross@FaegreDrinker.com
Braden.Katterheinrich@FaegreDrinker.com
Johnathon.Webb@FaegreDrinker.com
Doowon.Chung@FaegreDrinker.com

Zachary D. Wawrzyniakowski
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Zachary.Wawrzyniakowski@FaegreDrinker.com

CORR|DOWNS PLLC

Joseph P. Corr, WSBA No. 36584
100 W Harrison St, Suite N440
Seattle, WA 98119
Telephone: 206.962.5040
ghoog@corrdowns.com
jcorr@corrdowns.com

Attorneys for Plaintiff Lumentum Operations LLC

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WILEY REIN LLP

By: s/ Scott A. Felder
Scott A. Felder (*Pro Hac Vice*)
Wesley E. Weeks (*Pro Hac Vice*)
2050 M Street NW
Washington, DC 20036
Tel: (202) 719-7000
sfelder@wiley.law
wweeks@wiley.law

HARRIGAN LEYH FARMER & THOMSEN
LLP

Tyler L. Farmer, WSBA No. 39912
Elisabeth Read, WSBA No. 59762
999 Third Avenue, Suite 4400
Seattle, WA 98104
Tel: (206) 623-1700
tylerf@harriganleyh.com
elisabeth.read@harriganleyn.com

*Attorneys for Defendants nLIGHT, Inc., Dahv Kliner
and Roger L. Farrow*

1 **ORDER**

2 This matter, having come before the Court on the above stipulation, it is hereby
3 ORDERED THAT:

4 Relief is granted to extend the following deadlines:

5

6 Event	Current Date	Revised Date
7 Expert Witness Disclosure/Reports Deadline	April 8, 2024	April 29, 2024
8 Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 5, 2024
9 Motions Deadline	May 20, 2024	June 10, 2024
10 Discovery Deadline	June 17, 2024	July 1, 2024

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12
13 Pursuant to the above Stipulation, the trial date and all other pre-trial deadlines shall
14 remain the same.

15 IT IS SO ORDERED.

16 Dated this 6th day of March, 2024.

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20 BENJAMIN H. SETTLE
United States District Judge

21
22 Presented by:

23 FAEGRE DRINKER BIDDLE & REATH LLP

24
25 By: s/ Joel D. Sayres

26 Joel D. Sayres
Shelby Pickar-Dennis
1144 15th Street, Suite 3400
27 Denver, CO 80202

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Joel.Sayres@FaegreDrinker.com
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2200 Wells Fargo Center
90 S. 7th Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 766-7000
David.Gross@FaegreDrinker.com
Braden.Katterheinrich@FaegreDrinker.com
Johnathon.Webb@FaegreDrinker.com
Doowon.Chung@FaegreDrinker.com

Zachary D. Wawrzyniakowski
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Zachary.Wawrzyniakowski@FaegreDrinker.com

CORR|DOWNS PLLC

Joseph P. Corr, WSBA No. 36584
100 W Harrison St, Suite N440
Seattle, WA 98119
Telephone: 206.962.5040
ghoog@corrdowns.com
jcorr@corrdowns.com

Attorneys for Plaintiff Lumentum Operations LLC

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WILEY REIN LLP

By: s/ Scott A. Felder
Scott A. Felder (*Pro Hac Vice*)
Wesley E. Weeks (*Pro Hac Vice*)
2050 M Street NW
Washington, DC 20036
Tel: (202) 719-7000
sfelder@wiley.law
wweeks@wiley.law

HARRIGAN LEYH FARMER & THOMSEN
LLP

Tyler L. Farmer, WSBA No. 39912
Elisabeth Read, WSBA No. 59762
999 Third Avenue, Suite 4400
Seattle, WA 98104
Tel: (206) 623-1700
tylerf@harriganleyh.com
elisabeth.read@harriganleyn.com

*Attorneys for Defendants nLIGHT, Inc., Dahv Kliner
and Roger L. Farrow*