

1 THE HONORABLE BENJAMIN H. SETTLE

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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 LUMENTUM OPERATIONS LLC,

NO. 3:22-CV-05186-BHS

11 Plaintiff,

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

12 v.

**NOTE ON MOTION CALENDAR:  
WEDNESDAY, MAY 8, 2024**

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

15 Defendants.

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. Nos. 47, 75,  
21 82).

22 Since the Court granted the Parties’ prior stipulation to modify the Scheduling Order  
23 (Dkt. 82), the Parties appeared at the April 18, 2024 Hearing regarding the Expedited Joint  
24 Motion for Discovery by Lumentum (Dkt. 76). Consistent with the Court’s guidance at the  
25 April 18, 2024 Hearing, the parties have been diligently working together, including multiple  
26 meet and confers, to produce documents and supplement discovery responses as ordered by the  
27 Court, take depositions, and attempt to resolve remaining discovery disputes.

STIPULATED MOTION AND ORDER TO MODIFY SCHEDULING ORDER - 1

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

1 Defendants have not yet been able to produce manuals and specifications for the Corona  
 2 fiber laser products as ordered by the Court, but the parties continue to work cooperatively on  
 3 this and other disputed discovery issues, and expect that these issues will be resolved soon. In  
 4 addition, lead counsel for Lumentum has had to take a short leave due to the loss of his mother  
 5 on April 28, 2024. So that discovery may be further completed and remaining issues resolved  
 6 in advance of expert disclosures, the Parties agree that good cause exists to slightly modify the  
 7 Scheduling Order as set forth below. This request only seeks to modify the first five pre-trial  
 8 dates while keeping the trial date and remaining pre-trial dates the same:

Event	Original Date	Revised Date per Dkt. 82	Proposed Third Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	May 15, 2024	May 28, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 21, 2024	July 2, 2024
Motions Deadline	May 20, 2024	June 28, 2024	July 8, 2024
Discovery Deadline	June 17, 2024	July 8, 2024	July 17, 2024
Dispositive Motions Deadline	July 17, 2024	July 17, 2024	July 24, 2024
Motions in Limine Deadline	September 9, 2024	September 9, 2024	September 9, 2024
Pretrial Order Deadline	September 23, 2024	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	September 24, 2024
Pretrial Conference	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM

Event	Original Date	Revised Date per Dkt. 82	Proposed Third Revised Date
Seven Day Jury Trial set to commence	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM

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

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 8<sup>th</sup> day of May, 2024.

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***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:

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Event	Original Date	Revised Date	Proposed Third Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	May 15, 2024	May 28, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 21, 2024	July 2, 2024
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16 Pursuant to the above Stipulation, the trial date and all other pre-trial deadlines shall  
17 remain the same.

18 IT IS SO ORDERED.

19 Dated this 8th day of May, 2024.

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22 BENJAMIN H. SETTLE  
23 United States District Judge

1 Presented by:

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