

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**Halliburton Energy Services, Inc.,
Halliburton US Technologies, Inc.,
Halliburton Group Technologies, Inc.,**

Plaintiffs,

v.

U.S. Well Services, LLC,

Defendants.

**Case No. 6:22-CV-00905-ADA-DTG
Case No. 6:22-CV-00906-ADA-DTG**

Jury Trial Demanded

SCHEDULING ORDER

Current Deadline	New Deadline	Item
Monday, January 30, 2023	Monday, February 13, 2023	Parties exchange claim terms for construction.
Monday, February 13, 2023	Friday, February 17, 2023	Parties exchange proposed claim constructions.
Monday, February 20, 2023	Monday, February 27, 2023	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. ¹ With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
	Friday, March 17, 2023	USWS to identify relevant third party suppliers from whom third-party discovery will be sought.

¹ Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

Current Deadline	New Deadline	Item
		Fact discovery opens as to third-parties only
Monday, February 27, 2023	Monday, March 6, 2023	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
Monday, March 6, 2023	Monday, April 17, 2023	Parties file Opening claim construction briefs, including any arguments that any claim terms are indefinite.
Monday, March 27, 2023	Monday, May 8, 2023	Parties file Responsive claim construction brief.
Monday, April 10, 2023	Monday, May 22, 2023	Parties file Reply claim construction brief.
Monday, April 10, 2023	Monday, May 22, 2023	Parties to jointly email the law clerks (see OGP at 1) to confirm their Markman date and to notify if any venue or jurisdictional motions remain unripe for resolution.
Monday, April 24, 2023	Monday, June 5, 2023	Parties file a Sur-Reply claim construction brief.
Thursday, April 27, 2023	Thursday, June 8, 2023	Parties submit Joint Claim Construction Statement and email the law clerks an editable copy. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).
Monday, May 1, 2023	Monday, June 12, 2023	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).
Monday, May 8, 2023	Monday, June 26, 2023	Markman Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the Markman hearing approaches.²
Tuesday, May 9, 2023	Tuesday, June 27, 2023	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
Monday, June 19, 2023	Monday, August 7, 2023	Deadline to add parties.
Monday, July 3, 2023	Monday, August 21, 2023	Deadline to serve Final Infringement and Invalidity Contentions. After this

² According to the September 16, 2022 Standing Order Governing Proceedings (OGP) 4.2—Patent Cases, all deadlines hereafter follow the original *Markman* hearing date and do not change if the Court delays the *Markman* hearing.

Current Deadline	New Deadline	Item
		date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.
Monday, August 28, 2023	Monday, October 16, 2023	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
Monday, November 6, 2023	Thursday, December 21, 2023	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.
Monday, December 4, 2023	Monday, January 22, 2024	Close of Fact Discovery.
Monday, December 11, 2023	Monday, January 29, 2024	Opening Expert Reports.
Monday, January 8, 2024	Monday, February 26, 2024	Rebuttal Expert Reports.
Monday, January 29, 2024	Monday, March 18, 2024	Close of Expert Discovery.
Monday, February 5, 2024	Monday, March 25, 2024	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
Monday, February 12, 2024	Thursday, March 28, 2024	Dispositive motion deadline and Daubert motion deadline. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).

Current Deadline	New Deadline	Item
Monday, February 26, 2024	Monday, April 15, 2024	Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, discovery and deposition designations).
Monday, March 11, 2024	Thursday, May 2, 2024	Serve objections to pretrial disclosures/rebuttal disclosures.
Monday, March 18, 2024	Monday, May 6, 2024	Serve objections to rebuttal disclosures; file Motions in limine.
Monday, March 25, 2024	Monday, May 13, 2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibit lists, witness lists, discovery and deposition designations); file oppositions to motions in limine
Monday, April 1, 2024	Monday, May 20, 2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to meet and confer regarding remaining objections and disputes on motions in limine.
Monday, March 11, 2024	Thursday, May 2, 2024	Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates.
Friday, April 12, 2024	Friday, May 31, 2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions in limine.
Monday, April 15, 2024	Monday, June 3, 2024	Final Pretrial Conference. Held in person unless otherwise requested.
Monday, May 6, 2024	Monday, June 24, 2024	Jury Selection/Trial.