

Time to Trial

Courts Judges

Arizona District

Date Range to Include

January 1, 2008 – August 18, 2023

Date Range to Exclude

- ☐ on Exclude cases with transfers
- ☐ on Exclude cases with Stays
- ☐ on Exclude Outliers³
- ☐ on Exclude cases with Consolidations

Case Size⁴
☒ Small ☐ Medium ☐ Large
Jury and Bench Trials⁵
☒ Bench Trials ☒ Jury Trials

Average Months

28

National: 32

Median Months

34

National: 27

Maximum Months

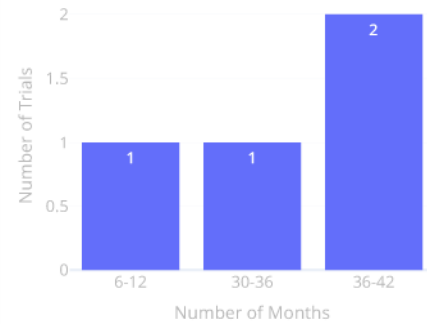
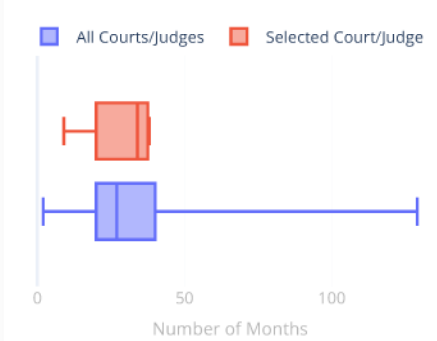
38

National: 129

Minimum Months

9

National: 2

TIME TO TRIAL FOR DAZ¹TIME TO TRIAL COMPARISON ²

1. A histogram bins numeric data into groups, so you can compare the size of each group. In this chart, each bar shows the number of trials during each 6-month period after the case filing date.

2. This chart shows how widely or narrowly distributed time to trial was in the selected courts. A shorter box indicates that trial timing was more consistent, while a longer box indicates that trial timing was more varied. The box itself represents the middle 50% of the data, while the quickest 25% and slowest 25% of trials are represented by the lines extending from the box.

3. Data points outside the 3rd and 97th quantiles are considered outliers and are excluded when this switch is toggled on (On by Default).

4. Small, Medium, and Large cases are defined by the number of patent infringement Accusations therein. Small cases are those with 4 or fewer accusations. Medium cases have between 5 and 9 accusations. Large cases have 10 or more accusations.

5. Bench trials are defined as those resulting in Findings of Fact and Conclusions of Law issued by a judge. Jury trials are defined as trials resulting in a Verdict returned by jurors.

6. Data on this page is based on the time from the filing date of a case (or the earliest case in a group of transferred/consolidated cases) to the time of the earliest document indicating that a trial occurred such as a Verdict (indicating a jury trial) or Findings of Fact and Conclusions of Law (indicating a bench trial).

Extremity Medical, LLC
EXHIBIT 2009
Fusion Orthopedics v. Extremity Medical
Case IPR2023-00894