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

EIGHT KHZ, LLC, Plaintiff, v. **META PLATFORMS, INC.; META PLATFORMS TECHNOLOGIES, LLC; TWISTED PIXEL GAMES, LLC,** Defendants.	Civil Action No. 6:22-cv-575-ADA

ORDER GRANTING JOINT MOTION TO AMEND SCHEDULING ORDER

The Court, having considered Plaintiff Eight KHZ, LLC ("Plaintiff") and Defendants Meta Platforms, Inc., Meta Platforms Technologies, LLC, and Twisted Pixel Games, LLC (collectively, "Defendants") Joint Motion to Amend Scheduling Order in the above-captioned case, and all associated briefing, supporting documents, and evidence, **HEREBY ORDERS** that the Motion should be **GRANTED**.

Accordingly, it is **ORDERED** that the following schedule will govern deadlines up to and including the trial of this matter:

Item	Current Deadline	Adjusted Deadline
Markman Hearing at 2:00 p.m.	September 12, 2023[1]	
Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).	One (1) business day after *Markman* hearing.[2]	Two (2) business days after *Markman* hearing.
Deadline to add parties.	July 21, 2023	September 22, 2023
Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave	August 16, 2023	October 18, 2023

[1] *See* Dkt. No. 138.
[2] *See* Dkt. No. 99.

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.		
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.)	September 12, 2023	November 1, 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.	November 17, 2023	December 15, 2023
Close of Fact Discovery.	December 21, 2023	February 16, 2024
Opening Expert Reports.	January 24, 2024	March 8, 2024
Rebuttal Expert Reports.	February 21, 2024	March 29, 2024
Close of Expert Discovery.	March 13, 2024	April 12, 2024
Deadline for the second of two meet and confer to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent 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.	March 19, 2024	April 16, 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).	April 3, 2024	April 23, 2024
Responses to dispositive motions and Daubert motions	April 24, 2024	May 14, 2024

Replies in support of dispositive and Daubert motions	May 8, 2024	May 24, 2024
Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).	May 22, 2024	May 29, 2024
Serve objections to pretrial disclosures/rebuttal disclosures; file Motions *in limine*.	June 5, 2024	June 12, 2024
Serve objections to rebuttal disclosures; file oppositions to Motions *in limine.*	June 12, 2024	June 21, 2024
File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations).	June 19, 2024	June 26, 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.	June 26, 2024	
Deadline to file replies to motions *in limine*.		June 28, 2024
Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates.	June 5, 2024	
Deadline to meet and confer regarding remaining objections and disputes on motions *in limine*.	June 26, 2024	July 2, 2024
File joint notice identifying remaining objections to pretrial disclosures and disputes on motions *in limine*.	July 2, 2024	July 9, 2024
Final Pretrial Conference. Held in person unless otherwise requested.	July 16, 2024	
Jury Selection/Trial.	August 12, 2024	

SIGNED this 30th day of August, 2023.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE