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

THETA IP, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:23-cv-00314-ADA

JURY TRIAL DEMANDED

SECOND AMENDED SCHEDULING ORDER

Item	Existing Deadline	New Deadline
Markman Hearing	At the Court's convenience	At the Court's convenience
Deadline to serve Final Infringement and Invalidity Contentions. After this 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.	August 2, 2024	October 4, 2024
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.	August 23, 2024	October 25, 2024
Close of Fact Discovery.	October 11, 2024	December 13, 2024
Opening Expert Reports.	November 12, 2024	January 17, 2025
Rebuttal Expert Reports.	December 20, 2024	February 21, 2025

Item	**Existing Deadline**	**New Deadline**
Close of Expert Discovery.	January 10, 2025	March 14, 2025
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. 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.	January 17, 2025	March 21, 2025
Dispositive motion deadline and Daubert motion deadline. *See* General Issues Note #7 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).	January 31, 2025	April 4, 2025
Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, deposition designations).	February 21, 2025	April 25, 2025
Serve objections to pretrial disclosures/rebuttal disclosures.	March 7, 2025	May 9, 2025
Serve objections to rebuttal disclosures; file Motions *in limine*.	March 14, 2025	May 16, 2025
Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates.	March 3, 2025 *(8 weeks before trial)*	May 19, 2025
File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibit lists, witness lists, deposition designations); file oppositions to motions *in limine*.	March 21, 2025	May 23, 2025

Item	Existing Deadline	New Deadline
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 e-mail the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com. Deadline to file replies to motions *in limine*.	March 28, 2025	May 30, 2025
Deadline to meet and confer regarding remaining objections and disputes on motions *in limine*.	April 4, 2025	June 4, 2025
File joint notice identifying remaining objections to pretrial disclosures and disputes on motion in limine.	April 8, 2025 (*3 business days before Final Pretrial Conference*)	June 10, 2025
Final Pretrial Conference. Held in person unless otherwise requested.	April 11, 2025 or thereafter at the Court's convenience	June 23, 2025 or thereafter at the Court's convenience
Jury Selection/Trial.	May 12, 2025 or thereafter at the Court's convenience	July 14, 2025 or thereafter at the Court's convenience

SIGNED this 6th day of August, 2024

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE