

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CAMBRIDGE MOBILE TELEMATICS,
INC.,

Plaintiff,

v.

SFARA, INC.

Defendant.

Civil Action No. 23-1368 (RK) (RLS)

PRETRIAL SCHEDULING ORDER

THIS MATTER having come before the Court for an Initial Scheduling Conference pursuant to Rule 16 of the Federal Rules of Civil Procedure on July 24, 2023; and the Court having conferred with counsel concerning the timing and scope of discovery; and for good cause shown,

IT IS on this **26th** day of **July 2023**, hereby

ORDERED that:

1. The parties shall file any proposed Discovery Confidentiality Order pursuant to L. Pat. R. 2.2 by no later than **August 7, 2023**;
2. The parties shall serve their respective Disclosures of Asserted Claims and Infringement Contentions and documents produced pursuant to L. Pat. R. 3.1 and 3.2 by no later than **August 21, 2023**;
3. The parties shall serve their respective Non-Infringement Contentions and Responses pursuant to L. Pat. R. 3.2A by no later than **October 12, 2023**;
4. The parties shall serve their respective Responses to Invalidity Contentions pursuant to L. Pat. R. 3.4A by no later than **October 12, 2023**;
5. Any motion to amend the pleadings or join new parties must be with leave of Court and filed by no later than **December 2, 2023**;
6. The parties shall exchange their respective proposed terms for construction pursuant to L. Pat. R. 4.1 on or before **December 7, 2023**; thereafter, the parties shall meet and confer pursuant to L. Pat. R. 4.1(b)

7. The parties shall exchange their respective Preliminary Claim Constructions and evidence and witness identification(s), including expert witness(es), pursuant to L. Pat R. 4.2(a)-(b) by no later than **December 14, 2023**;
8. The parties shall identify any evidence upon which they intend to rely to oppose any other party's proposed Claim Construction pursuant to L. Pat. R. 4.2(c) by no later than **December 21, 2023**;
9. The parties shall file with the Court their Joint Claim Construction and Prehearing Statement pursuant to L. Pat. R. 4.3 by no later than **January 19, 2024**;
10. The parties shall substantially complete document production shall be **January 19, 2024**. No depositions will take place until after this deadline;
11. The parties shall serve their respective proposed Disclosures of Amended Infringement Contentions, if any, based solely on discovery produced in this matter by no later than **January 26, 2024**. The parties shall also serve clean and redlined versions of any Amended Infringement Contentions. Any amendments of contentions must be sought through order of the Court consistent with L. Pat. R. 3.7. If leave of Court is granted for such amendments pursuant to L. Pat. R. 3.7, then the parties shall serve their respective non-infringement contentions and responses to any amended infringement contentions, in clean and redlined versions, by no later than **February 29, 2024**;
12. The parties shall complete claim construction discovery, excluding experts, pursuant to L. Pat. R. 4.4 by no later than **February 29, 2024**;
13. The parties shall file their respective opening Claim Construction submissions pursuant to L. Pat. R. 4.5(a) by no later than **March 8, 2024**;
14. The parties shall complete discovery related to Claim Construction, pursuant to L. Pat. R. 4.5(b), as to those experts who submitted a declaration with the Opening Claim Construction Submissions by no later than **March 29, 2024**;
15. The parties shall file their Responding Claim Construction Submissions, pursuant to L. Pat. R. 4.5(c), by no later than **May 8, 2024**;
16. Counsel shall confer and propose a schedule for a Claim Construction Hearing pursuant to L. Pat. R. 4.6 by no later than **May 22, 2024**;

17. Fact discovery shall be completed by no later than **June 28, 2024**. This deadline will not be extended absent a showing of good cause upon timely application; and it is further

ORDERED that a Claim Construction hearing will be set by the Court at a later date; and it is further

ORDERED that all other deadlines will be set by the Court at a later date; and it is further

ORDERED that a telephone status conference will be held before the undersigned on **November 16, 2023, at 11:00 a.m.** Please use the following dial-in information to connect to the conference: dial 1-888-684-8852; when prompted, use Access Code 5521592#. No later than **three (3) business days prior** to the telephone status conference, the parties shall submit a joint status letter to the Court via CM/ECF not to exceed three (3) pages, setting forth the status of discovery and identifying any issues ripe for discussion with the Court; and it is further

ORDERED that counsel will confer in an attempt to resolve any discovery or case management disputes before making such dispute the subject of an application to the Court. Any such dispute shall be brought promptly to the Court's attention by joint letter in accordance with the undersigned's Civil Case Management Order. **No discovery motion or motion for leave to amend will be entertained absent leave of Court and counsels' full compliance with L. Civ. R. 37.1(a)(1); see also L. Civ. R. 16.1(f)**; and it is further

ORDERED that because all dates set forth herein are established with the assistance and knowledge of the parties, **there will be no extensions except for good cause shown and by leave of Court, even with consent of all parties**; and it is further

ORDERED that the Court may, from time to time, schedule conferences as may be required, either on its own or at the request of counsel; and it is further

ORDERED that failure to appear at subsequent conferences, or to comply with any of the terms of this Order, may result in sanctions; and it is further

ORDERED that, pursuant to Local Civil Rule 16.1(b)(2), this Order shall be deemed to incorporate an order pursuant to Federal Rule of Evidence 502(d); and it is further

ORDERED that the parties shall review Local Civil Rule 73.1(a) regarding Civil Trials by Consent Before United States Magistrate Judges; and it is further

ORDERED that the parties shall inform the Court of any related proceedings, which involve the patent(s)-in-suit, and status thereof, before the United States Patent and

Trademark Office, the United States International Trade Commission, and/or other jurisdictions other than the District of New Jersey; and it is further

ORDERED that the parties are advised that the Court has various audio/visual and evidence presentation equipment available for use at trial at no cost to the Bar. This equipment includes an evidence presentation system, which consists of a document camera and a projector. The projector may be used to display images which originate from a variety of sources, including television, VCR and personal computer. The document camera may be used to display documents, photographs, charts, transparencies, and small objects. For further information, please contact the Courtroom Deputy Mark Morelli at (609) 989-0502; and it is further

ORDERED that counsel are invited to use the George H. Barlow Attorney Conference Room located on the third floor of the Courthouse Annex. The room is equipped with telephones, laptop access/printer, copier, and fax.

SO ORDERED.

/s/ Rukhsanah L. Singh
RUKHSANAH L. SINGH
UNITED STATES MAGISTRATE JUDGE