

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

TRUE VELOCITY AMMUNITION, LLC,
and LONE STAR FUTURE WEAPONS,
INC.

Plaintiffs

v.

SIG SAUER, INC.,

Defendant.

Case No. 2:24-cv-522-WKS

(Removed from Vermont Superior Court,
Chittenden Unit, Civil Division)

DISCOVERY SCHEDULE/ORDER

Pursuant to Local Rule 26(a)(2) and the Court's order of February 27, 2025 (Dkt# 49),

Plaintiffs submit the below schedule/order:

INTRODUCTION

1. In this case, discovery may be needed on the following subjects:
 - Any technical data packages, specifications, technical information, designs, drawings, and manufacturing, assembly, testing procedures and testing results related to the .338 NM and 6.8 mm caliber belt-fed machine guns ("Weapons at Issue") incorporating Short Recoil Impulse Averaging generated by or in the possession of the parties (collectively "Technical Data and Marketing Materials"). Technical Data and Marketing Materials also includes internal confidential test plans, test data, test reports, physical notes, digital video or photographic images related to components, including, but not limited to, the bolt, barrel, belt links, feeder assembly, materials hardness, wear points, breech of the Weapons at Issue, and failures of various components of the Weapons at

Issue. Technical Data and Marketing Materials also include financial information related to non-technical information such as business plans and methods, marketing information, cost estimates, forecasts, financial data, bid and proposal information, customer identification, and sources of supply.

- Technical Data and Marketing Materials of General Dynamics Inc., (“General Dynamics”) in the possession of Defendant provided by any former employee of General Dynamics.

Unless noted here to the contrary and in more detail, discovery in this matter shall not be conducted in phases or limited to particular, enumerated issues.

2. Disclosure, discovery, and preservation of electronically stored information (ESI).

Unless noted otherwise, ESI shall be produced in the following format(s):

- Drawing files – native format
- Design files – native format
- Excel files – native format
- Email & email attachments – TIFF
- Power point files - PDF

3. The parties have conferred about claims of privilege and claims of protection as trial-preparation materials. The parties have agreed on the following procedure to assert these claims after production:

- There is no duty to disclose privileged documents or information. However, the parties are directed to meet and confer concerning privileged documents or information identified during discovery.
- Any party may move the Court for an order compelling the production of a

privilege log concerning the documents or information identified as privileged.

If such a motion is made, the party asserting privilege shall respond to the motion within fourteen (14) days. The party asserting privilege shall then file with the Court within thirty (30) days of the filing of the motion to compel any proof in the form of declarations or affidavits to support their assertions of privilege, along with the documents over which privilege is asserted for in camera inspection. However, if the party asserting privilege seeks an in camera review by the Court, such party shall first obtain leave from the Court prior to delivery of documents to the Court.

- Unless specifically requested in a filing with this court, the parties agreed procedure will not be the subject of a court order under Federal Rule of Evidence 502.

4. Any changes in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the Local Rules for this District shall be specifically described below.

DEADLINES

5. The parties shall serve initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before December 2, 2024.
6. The parties shall serve all interrogatories and requests for production on or before June 1, 2025.
7. Depositions of all non-expert witnesses shall be completed by August 1, 2025.
8. Parties with the burden of proof on a claim shall designate experts and serve expert report(s) on the opposing party on or before September 8, 2025.

9. Parties shall designate rebuttal experts and serve expert reports on or before October 9, 2025
10. Depositions of expert witnesses shall be completed on November 10, 2025.
11. Early Neutral Evaluation shall be conducted on or before July 1, 2025.
12. The parties shall serve all requests for admission on or before August 1, 2025.
13. All discovery shall be completed December 1, 2025.
14. Motions for joinder of parties and amendments to the pleadings shall be filed on or before July 30, 2025.
15. Motions, including summary judgment motions but excluding motions relating to the conduct of the trial, shall be filed on or before December 19, 2025.
16. This case shall be ready for trial by February 4, 2026.

Dated at Burlington, in the District of Vermont, this 11th day of March 2025.

/s/ William K. Sessions III
Honorable William K. Sessions III
U.S. District Court Judge