

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WITHROW NETWORKS, INC.,

Plaintiff,

v.

GOOGLE, LLC, et al.,

Defendants.

Case No. 5:24-cv-03203-PCP

CASE MANAGEMENT ORDER

Based on the Joint Case Management Statement and the discussions held at the February 21, 2025 Case Management Conference, the following schedule is set for this case:

Deadlines

- Infringement Contentions and Accompanying Document Production March 7, 2025
- Invalidity Contentions and Accompanying Document Production April 21, 2025
- Exchange of Proposed Terms for Construction May 5, 2025
- Exchange of Preliminary Claim Constructions and Extrinsic Evidence / Deadline to Amend Pleadings May 27, 2025
- Damages Contentions and Accompanying Document Production June 10, 2025
- Joint Claim Construction and Prehearing Statement June 20, 2025

United States District Court
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- 1 • Responsive Damages Contentions and July 10, 2025
- 2 Accompanying Document Production
- 3 • Completion of Claim Construction Discovery July 21, 2025
- 4 • Opening Claim Construction Brief August 4, 2025
- 5 • Responsive Claim Construction Brief September 3, 2025
- 6 • Reply Claim Construction Brief September 18, 2025
- 7 • Technology Synopsis of no more than 10 pages October 14, 2025
- 8 that provides, in plain and accessible language,
- 9 background information about the technology
- 10 and science to be discussed at the tutorial
- 11 • Tutorial October 21, 2025
- 12 • Claim Construction Hearing October 28, 2025
- 13 • Patent L.R. 3-7: Advice of Counsel 30 days after the Court's Claim
- 14 Construction Ruling
- 15 • Close of Fact Discovery 60 days after the Court's Claim
- 16 Construction Ruling
- 17 • Initial Expert Disclosure (by the Party with the 45 days after Close of Fact Discovery
- 18 Burden of Proof)
- 19 • Expert Disclosure (Rebuttal) 30 days after Initial Expert
- 20 Disclosures
- 21 • Close of Expert Discovery 30 days after Rebuttal Expert
- 22 Disclosures
- 23 • Deadline to File *Daubert* and Dispositive 30 days after Close of Expert
- 24 Motions Discovery and 20 weeks before
- 25 pretrial conference
- 26 • Oppositions to *Daubert* and Dispositive 30 days after opening briefs
- 27 Motions
- 28

- Replies in Support of *Daubert* and Dispositive Motions 15 days after oppositions

- Hearing on *Daubert* and Dispositive Motions No sooner than 21 days after filing of replies

Trial Schedule

- Trial Setting Conference 4 months after hearing on *Daubert* and Dispositive Motions
- Jury Trial (5–7 days) TBD

Standing Order. The parties shall comply with the Court’s Standing Order for Civil Cases, available at cand.uscourts.gov/judges/pitts-p-casey-pcp or from the Clerk of the Court.

Amending Pleadings. Federal Rule of Civil Procedure 15 requires the Court to “freely give leave” to amend “when justice so requires.” The Court expects parties not to unreasonably withhold consent to another party’s proposed amendments. If the parties cannot stipulate to an amendment, any motion to amend shall be submitted by the deadline for amending the pleadings.

Discovery. The parties shall comply with the presumptive limits on discovery set forth in the Federal Rules of Civil Procedure. Any disputes with respect to discovery or disclosure are referred to the assigned Magistrate Judge. Discovery motions must be filed no more than seven days after the applicable discovery cutoff. *See* Civil L.R. 37-3.

ADR. The parties have selected private mediation with Judge Elizabeth LaPorte at JAMS. As explained in the Court’s standing order, cases will generally not be referred for settlement conferences with a magistrate judge unless the parties have already attempted one of the other processes listed in ADR Local Rule 3-4.

Summary Judgment. If the parties file cross-motions for summary judgment, four briefs will be allowed: (1) a 25-page opening brief by plaintiff(s); (2) a 25-page opening/opposition brief by defendant(s); (3) a 20-page opposition/reply brief by plaintiff(s); and (4) a 15-page reply brief by defendant(s). The parties may agree to reverse the order (defense files first) without a court order. Before the first brief is filed, the parties must stipulate to a briefing schedule with the final

1 brief filed at least 21 days before the hearing. Joint statements of undisputed facts are not required
2 but are helpful if fully agreed upon. Separate statements of undisputed facts may not be filed.

3 *Modification.* This schedule may be modified only by Court order for good cause. The
4 parties may request modification by stipulation or by filing an administrative motion pursuant to
5 Civil Local Rule 7-11. Requests to modify a deadline must be made before that deadline.

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7 **IT IS SO ORDERED.**

8 Dated: May 1, 2025

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11 P. Casey Pitts
12 United States District Judge
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