

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

USTA TECHNOLOGY, LLC,

Plaintiff,

v.

LENOVO GROUP LIMITED,

Defendant.

Civil Action No. 4:24-cv-515-SDJ

JURY TRIAL DEMANDED

JOINT RULE 26(f) CONFERENCE REPORT

The parties in the above-captioned case have conferred as required by Fed. R. Civ. P. 26(f) and the Court's orders (Dkt. Nos. 21 and 26), and file this joint report.

The Rule 26(f) conference was held on February 24, 2025. Derek Dahlgren of Devlin Law Firm LLC participated on behalf of Plaintiff USTA Technology LLC ("Plaintiff" or "USTA"). Clay Holloway of Kilpatrick Townsend & Stockton LLP participated on behalf of Defendant Lenovo Group Limited. ("Defendant" or "LGL").

1. Suggested modifications of the proposed deadlines for the scheduling order set out in Appendix B

Attached as Exhibit 1 are the parties' competing proposed schedules. Plaintiff's proposed schedule aligns with the proposed schedule in *USTA Technology, LLC v. ASUSTeK Computer, Inc.* No. 4:24-cv-512-SDJ (E.D. Tex.), Dkt. 28-1.¹ LGL's proposed schedule generally seeks an extra 60 days for each deadline to accommodate anticipated jurisdictional discovery in view of LGL's Motion to Dismiss, *inter alia*, for lack of personal jurisdiction.

¹ USTA anticipates requesting a similar schedule in *USTA Technology, LLC v. AT&T Mobility LLC, et al.*, No. 4:24-cv-513-SDJ (E.D. Tex.).

a) The need for and any specific limits on discovery relating to claim construction, including depositions of witnesses, including expert witnesses;

The parties propose that written discovery (interrogatories, requests for production, requests for admission) specific to claim construction will not be necessary beyond what is required by the Local Patent Rules. The parties agree that one deposition, of up to 4.5 hours, will be permitted for each expert that provides a declaration on the issue of claim construction.

b) The scheduling of a Claim Construction Pre-hearing Conference to be held after the Joint Claim Construction and Pre-hearing Statement provided for in P.R.4-3 has been filed.

The parties do not anticipate the need for a Claim Construction Pre-hearing Conference, but are happy to appear if that is the Court's preference. To the extent that the parties' views on the need for a Claim Construction Pre-hearing Conference changes, the parties will inform the Court and request dates accordingly.

2. If the parties believe mediation may be appropriate, and the parties can agree upon a mediator, the name, address, and phone number of that mediator should be stated.

The parties believe that mediation may be beneficial in the future but would not currently be beneficial.

3. What changes, if any, should be made to the limitations on discovery imposed by the rules, including the number of depositions and interrogatories.

The parties do not believe any modifications need to be made to the normal limitations on discovery as set out in the OGP subject to the following clarifications: the 40-hour limit of deposition time per side shall apply to depositions of fact witnesses but shall not apply to expert depositions. Each fact witness deposition shall count as 3 hours against a party's deposition hours limit if the deposition lasts 3 hours or less. To the extent that a witness is testifying subject to both Rule 30(b)(1) and Rule 30(b)(6) and consistent with Rule 30(a)(2)(A)(ii), the parties shall work in

good faith to take those depositions of the individual on the same day. Each side shall be able to depose an expert witness for 7 hours per report authored by the expert. For avoidance of doubt, an expert's report on infringement, validity, and damages shall be considered separate reports regardless of whether they are included in a single document. The definition of "Side" provided in the OGP shall refer to USTA on one "Side," and LGL on the other "Side."

4. The identity of persons expected to be deposed.

At this time Plaintiff anticipates that any persons expected to be deposed will come from the lists disclosed in the Initial Disclosures. Plaintiff will supplement those disclosures should additional persons be identified who may be expected to be deposed.

At this time Defendant anticipates that any persons expected to be deposed will come from the lists disclosed in the Initial Disclosures and supplementations thereto as disclosures are exchanged and discovery proceeds.

The parties reserve the right to depose additional persons as they become known through the discovery process.

5. Any issues relating to disclosure of information (electronically stored and otherwise) including the form or forms in which it should be produced and timing of production.

None at this time.

6. Any issues relating to preserving discoverable information, including whether a Preservation Order is needed to protect any documents and/or electronically stored information.

None at this time. The parties certify that they have taken reasonable steps to ensure that documents and things relevant to this action have been (and are continuing to be) preserved. The parties understand their duties to preserve relevant information and do not believe that a preservation order is necessary.

7. Whether any other orders should be entered by the Court pursuant to Fed. R. Civ. P. 26(c), Fed. R. Civ. P. 16(b), or Fed. R. Civ. P. 16(c).

The parties jointly state that they have met and conferred regarding the Protective Order and agreed that a supplemental Protective Order is needed in this case. The parties will continue to meet and confer to submit a joint proposed supplemental Protective Order to the Court.

The parties jointly state that they have met and conferred regarding the ESI Order and will continue to meet and confer to submit a joint proposed supplemental ESI Order to the Court.

8. Estimated trial time.

The parties estimate that trial in the above captioned action will require five days.

9. The names of the attorneys who will appear on behalf of the parties at the management conference (the appearing attorney must be an attorney of record and have full authority to bind the client).

It is expected that Chad Henson from Devlin Law Firm LLC will attend the Case Management Conference on behalf of Plaintiff.

It is expected that Melissa Smith of Gillam & Smith LLP will attend the Case Management Conference on behalf of Defendant.

10. Any other matters counsel deems appropriate for inclusion in the joint conference report.

Privilege Logs. The parties agree that they need not log any privileged documents generated on or after the filing date of this litigation.

Dated: March 28, 2025

Respectfully submitted,

/s/ Derek Dahlgren

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically on all counsel of record through the Court's electronic filing system on March 28, 2025.

/s/ Derek Dahlgren
Derek Dahlgren

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

USTA TECHNOLOGY, LLC,

Plaintiff,

v.

LENOVO GROUP LIMITED,

Defendant.

Civil Action No. 4:24-CV-00515-SDJ

EXHIBIT 1 - SCHEDULING ORDER

USTA Proposed Deadline	Lenovo Proposed Deadline	Description
Wednesday, June 18, 2025	Monday, August 18, 2025	P.R. 3-1 Infringement Contentions and disclosure of asserted claims (and P.R. 3-2 document production).
Tuesday, August 19, 2025	Monday, October 20, 2025	Join Additional Parties.
Tuesday, August 19, 2025	Monday, October 20, 2025	P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served. Exchange Mandatory Disclosures on all issues, including damages.
Tuesday, September 9, 2025	Monday, November 10, 2025	Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1).
Tuesday, September 30, 2025	Monday, December 1, 2025	Privilege Logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents).
Tuesday, September 30, 2025	Monday, December 1, 2025	Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same (P.R. 4-2).
Tuesday, September 30, 2025	Monday, December 1, 2025	Parties' Final Amended Pleadings. (A motion for leave is required.)
Thursday, October 9, 2025	Monday, December 8, 2025	Joint Claim Construction and Prehearing Statement to be filed

		(P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims.
Tuesday, October 21, 2025	Monday, December 22, 2025	Respond to Amended Pleadings.
Tuesday, October 21, 2025	Monday, December 22, 2025	Completion date for discovery on claim construction (P.R. 4-4). One deposition of up to 4.5 hours is permitted for each expert that provides a declaration on an issue of claim construction.
Thursday, October 30, 2025	Monday, January 5, 2026	Opening claim construction brief (P.R. 4-5(a)).
Tuesday, November 18, 2025	Tuesday, January 27, 2026	Submit technology synopsis/tutorial (both hard copy and disk).
Tuesday, December 2, 2025	Monday, February 9, 2026	Responsive claim construction brief (P.R. 4-5(b)).
Tuesday, December 9, 2025	Tuesday, February 17, 2026	Reply claim construction brief (P.R. 4-5(c)).
Thursday, December 11, 2025	Thursday, February 19, 2026	Parties to file joint claim construction and chart (P.R. 4-5(d)). Parties shall work together to agree on as many claim terms as possible.
Tuesday, December 16, 2025	Tuesday, February 24, 2026	Claim Construction hearing at 10:00 a.m. at the United States Courthouse, 7940 Preston Road, Plano, TX 75024.
Wednesday, March 18, 2026	Tuesday, May 26, 2026	Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations, and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this Court's order or the Patent Rules, nor an excuse to delay disclosure of information. It is a "catchall" deadline for provision of all remaining information which may be relevant to a claim or defense of any party at trial.

Tuesday, March 24, 2026	Tuesday, June 2, 2026	Fact discovery deadline. All discovery must be served in time to be completed by this deadline.
Wednesday, March 25, 2026	Wednesday, June 3, 2026	Parties shall notify the Court of the name, address, and telephone number of the agreed-upon mediator, or request that the Court select a mediator, if they are unable to agree on one.
Friday, March 27, 2026	Thursday, June 4, 2026	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(a)(2)(B).
Wednesday, April 29, 2026	Monday, July 6, 2026	Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B). Note: Objections to any expert, including Daubert motions, shall be filed <u>by the same deadline to file dispositive motions</u> . Such objections and motions are limited to ten (10) pages each.
Friday, May 22, 2026	Tuesday, July 28, 2026	Expert discovery deadline.
Friday, June 26, 2026	Wednesday, September 2, 2026	File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7. Responses to motions shall be due in accordance with Local Rule CV-7(e).
Friday, July 24, 2026	Tuesday, September 29, 2026	Mediation deadline.
Wednesday, September 23, 2026	Wednesday, December 2, 2026	Counsel and unrepresented parties are each responsible for contacting

		opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).
Wednesday, October 14, 2026	Monday, December 21, 2026	Motions in limine due.
Wednesday, October 14, 2026	Monday, December 21, 2026	File Joint Final Pretrial Order. Exchange Exhibits and deliver copies to the Court. At this date, all that is required to be submitted to the Court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.
Wednesday, October 14, 2026	Monday, December 21, 2026	Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross-examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the Court.
Friday, October 30, 2026	Tuesday, January 5, 2026	Response to motions in limine due.
Friday, October 30, 2026	Tuesday, January 5, 2026	File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order.
Friday, October 30, 2026	Tuesday, January 5, 2026	File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).
Friday, October 30, 2026	Tuesday, January 5, 2026	File Proposed Voir Dire Questions.
Wednesday, November 18, 2026	Tuesday, January 26, 2027	Final Pretrial Conference at 1:30 p.m. at the United States Courthouse located at 7940 Preston Road, Plano, TX 75024.

To be determined by the Court	To be determined by the Court	10:00 a.m. Jury Selection and Trial at the United States Courthouse located at 7940 Preston Road, Plano, TX 75024.
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