UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of **CERTAIN POWER INVERTERS AND CONVERTERS, VEHICLES CONTAINING THE SAME, AND COMPONENTS THEREOF**	**Inv. No. 337-TA-1267**

ORDER NO. 6: PROCEDURAL SCHEDULE

(August 4, 2021)

Pursuant to Order No. 5 (July 19, 2021), the parties submitted a joint proposed procedural schedule.[1] The undersigned adopts the proposed dates with certain modifications set forth below. The investigation shall proceed in accordance with the following procedural schedule:

EVENT	DATE
First Settlement Conference	no later than Friday, August 13, 2021
Submission of first settlement conference report	no later than Friday, August 20, 2021
Initial deadline for responses to contention interrogatories on issues for which the responding party bears the burden of proof	Wednesday, September 15, 2021
Exchange list of claim terms to be construed	Wednesday, September 22, 2021
Exchange of proposed claim constructions	Wednesday, September 29, 2021
Initial deadline for responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	Monday, October 4, 2021

[1] In the proposed procedural schedule, the parties jointly requested to forgo the exchange of lists of objections to exhibits. Proposed Procedural Schedule at 4 n.2. For good cause shown, the parties' joint request is GRANTED. The parties shall be required to meet and confer before filing high priority objections. *See infra.* n.3.

Parties to meet and confer regarding whether any party intends to use an expert for claim construction issues and to discuss and limit number of disputed claim terms	Tuesday, October 5, 2021
Exchange of initial expert reports on claim construction issues (if necessary)	Friday, October 15, 2021
Exchange of rebuttal expert reports on claim construction issues (if necessary)	Friday, October 22, 2021
Initial *Markman* briefs – Complainants and Respondents	Friday, October 29, 2021
File notice of prior art	Friday, October 29, 2021
File identification of expert witnesses, including their expertise and curriculum vitae	Monday, November 1, 2021
Initial *Markman* brief – Staff	Monday, November 8, 2021
Rebuttal *Markman* briefs	Monday, November 15, 2021
Submission of joint proposed claim construction chart	Friday, November 19, 2021
Joint Tutorial and Markman hearing	**Wednesday, December 1, 2021**
Submission of updated joint proposed claim construction chart	Wednesday, December 8, 2021
Cut-off date for supplements to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest issues	Friday, December 10, 2021
Cut-off date for supplements to contention interrogatories on issues for which the responding party does not bear the burden of proof	Wednesday, December 15, 2021
Fact discovery cutoff and completion	**Wednesday, December 15, 2021**
Deadline for motions to compel discovery	Tuesday, December 21, 2021
Exchange of initial expert reports (identify tests/surveys/data)	Friday, December 23, 2021
Proposed issuance of claim construction order[2]	Wednesday, January 5, 2022

[2] This is the approximate date that a claim construction order will issue if the parties propose four or less terms for construction. *See* Order No. 2 at 3 n.4. If the parties propose more than four terms for construction, the earliest the *Markman* order will issue is two months after the *Markman* hearing. *Id.*

File tentative lists of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	Thursday, January 6, 2022
Exchange of rebuttal expert reports	Friday, January 14, 2022
Expert discovery cutoff and completion	**Friday, January 28, 2022**
Deadline for filing motions for summary determination	**Monday, January 31, 2022**
Deadline for motions to compel expert discovery	Friday, February 4, 2022
Attendance at one-day mediation session	no later than Friday, February 4, 2022
Submission of joint report on mediation	no later than Friday, February 11, 2022
Exchange of exhibit lists among the parties	Friday, February 11, 2022
Submit and serve direct exhibits (including witness statements), with physical exhibits available – Complainants and Respondents	Friday, February 18, 2022
Second settlement conference	no later than Tuesday, February 22, 2022
Submit and serve direct exhibits (including witness statements), with physical exhibits available – Staff	Wednesday, February 23, 2022
Submit and serve rebuttal exhibits (including witness statements), with rebuttal physical exhibits available – all parties	Monday, February 28, 2022
Submission of second settlement conference joint report	no later than Tuesday, March 1, 2022
File pre-trial statements and briefs	Monday, March 7, 2022
File requests for receipt of evidence without a sponsoring witness	Friday, March 18, 2022
Deadline to file motions in *limine*	Friday, March 18, 2022
File high priority objections statements[3]	Friday, March 18, 2022
File pre-trial statement and brief – Staff	Monday, March 21, 2022
File responses to requests for receipt of evidence without a sponsoring witness	Monday, March 28, 2022

[3] Each high priority objections statement shall contain the certification that is required of motions pursuant to Ground Rule 3.2, certifying that the parties have made reasonable, good-faith efforts to resolve the matter with the other parties at least two business days before the deadline.

File responses to motions in *limine*	Monday, March 28, 2022
File responses to high priority objection statements	Monday, March 28, 2022
Pre-trial conference	**Monday, April 4, 2022**
Hearing	**April 4-8, 2022**
File initial post-trial briefs and final exhibit lists	Friday, April 22, 2022
File reply post-trial briefs	Friday, April 29, 2022
Initial determination due	**Thursday, July 28, 2022**
Target date for completion of investigation	**Monday, November 28, 2022**

SO ORDERED.

Charles E. Bullock
Chief Administrative Law Judge

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served via EDIS upon the Commission Investigative Attorney, Peter Guarnieri, Esq., and the following parties as indicated, on **August 4, 2021**.

Lisa R. Barton, Secretary
U.S. International Trade Commission
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On Behalf of Respondents Volkswagen AG, Volkswagen Group of America, Inc., Audi AG, Audi of America, LLC, Bentley Motors Ltd., Bentley Motors, Inc., Automobili Lamborghini S.p.A., and Automobili Lamborghini America, LLC:

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