**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

| **In the Matter of**<br><br>**CERTAIN AUTOMATED STORAGE AND RETRIEVAL SYSTEMS, ROBOTS, AND COMPONENTS THEREOF** | **Inv. No. 337-TA-1228** |
|---|---|

**ORDER NO. 4: PROCEDURAL SCHEDULE**

(December 4, 2020)

Pursuant to Order No. 3 (Nov. 16, 2020), the parties submitted a proposed procedural schedule and participated in a teleconference on December 3, 2020. In accordance with the parties' proposed schedule, the investigation shall proceed with the deadlines set forth below:

| Date | Event |
|---|---|
| 1/19/2021 | First settlement conference |
| 1/26/2021 | Submission of first settlement conference joint report |
| 1/19/2021 | Exchange proposed claim constructions |
| 2/25/2021 | Initial *Markman* briefs |
| 3/10/2021 | Rebuttal *Markman* briefs |
| 3/11/2021 | File identification of expert witnesses, including their expertise and curriculum vitae |
| 3/18/2021 | File notice of prior art |
| 4/1/2021 | Tutorial on technology |
| 4/1/2021 | *Markman* hearing |
| 4/9/2021 | File tentative list of witnesses a party will call to testify at the hearing |

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| Date | Event |
|---|---|
| 4/19/2021 | Attendance at one-day mediation session |
| 4/26/2021 | Submission of joint report on mediation |
| 4/29/2021 | Fact discovery cutoff and completion |
| 5/6/2021 | Exchange of initial expert reports (identify tests/surveys/data) |
| 5/13/2021 | Deadline for motions to compel discovery |
| 5/21/2021 | Exchange of rebuttal expert reports |
| 6/2/2021 | Expert discovery cutoff and completion |
| 6/3/2021 | Deadline for filing summary determination motions |
| 6/7/2021 | Exchange of exhibit lists among the parties |
| 6/9/2021 | Second settlement conference |
| 6/15/2021 | Submission of second settlement conference joint report |
| 6/15/2021 | Exchange proposed direct exhibits (including witness statements and witness outlines), with physical and demonstrative exhibits available[1] |
| 7/1/2021 | Exchange proposed rebuttal exhibits (including witness statements and witness outlines), with physical and demonstrative exhibits available |
| 6/28/2021 | Exchange designated deposition transcripts *in lieu* of cross-examination |
| 7/7/2021 | Counter-designate deposition transcripts *in lieu* of cross-examination |
| 7/7/2021 | Cutoff for *de bene esse* depositions |
| 7/7/2021 | Deadline for motions *in limine* |
| 7/7/2021 | File high-priority objections statement |
| 7/14/2021 | Submit proposed exhibits to Administrative Law Judge |
| 7/14/2021 | File pre-hearing statements and briefs |

[1] On this date, the private parties must also file requests for receipt of evidence without a sponsoring witness and exchange deposition designations, regardless of whether this evidence is to be used in the parties direct or rebuttal case.

| Date | Event |
|---|---|
| 7/16/2021 | File responses to motions *in limine* |
| 7/16/2021 | File responses to high priority objections statement |
| 8/2/2021 | Pre-hearing conference |
| 8/2-8/6/2021 | Hearing |
| 8/20/2021 | File initial post-hearing briefs and final exhibit lists |
| 9/3/2021 | File reply post-hearing briefs |
| 11/5/2021 | Initial determination due |
| 3/7/2022 | Target date for completion of investigation |

**SO ORDERED.**

Dee Lord

Dee Lord
Administrative Law Judge

## PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served to the following parties as indicated, on **December 4, 2020.**

Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

**On Behalf of Complainants AutoStore Technology AS, AutoStore AS, and AutoStore System Inc.:**

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**On Behalf of Respondents Ocado Group PLC, Ocado Central Services Ltd., Ocado Innovation Ltd., Ocado Operating Ltd., Ocado Solutions, Ltd., Ocado Solutions USA Inc., Tharsus Group Ltd., and Printed Motor Works, Ltd.:**

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