IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

APEX BEAM TECHNOLOGIES LLC,	§	Case No. 6:24-cv-00223-ADA
Plaintiff,	§	**JURY TRIAL DEMANDED**
v.	§	
APPLE INC.,	§	
Defendant.	§	

SCHEDULING ORDER

Pursuant to the Court's Standing Order Governing Proceedings in Patent Cases, the Parties present a Scheduling Order.

The Court will adopt the proposals and ORDERS that the following Schedule will govern deadlines up to and including the trial of this matter:

Deadline	Event
May 27, 2025	Plaintiff serves preliminary[1] infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (i.e. the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
June 17, 2025	The Parties shall submit an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of Scheduling Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.

[1] The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

Deadline	Event
June 24, 2025	Deadline to file a motion to transfer. After this deadline- movants must seek leave of Court and show good cause for the delay.
July 29, 2025	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
August 15, 2025	Parties exchange claim terms for construction.
August 29, 2025	Parties exchange proposed claim constructions.
September 5, 2025	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony[2]2 With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
September 12, 2025	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
September 19, 2025	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
October 10, 2025	Plaintiff files Responsive claim construction brief.
October 24, 2025	Parties to jointly email the law clerks (*see* OGP at 1) to confirm their *Markman* date and to notify if any venue or jurisdictional motions remain unripe for resolution.
October 24, 2025	Defendant files Reply claim construction brief.
November 7, 2025	Plaintiff files a Sur-Reply claim construction brief.
November 11, 2025	Parties submit Joint Claim Construction Statement. *See* General Issues Note #9 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
November 11, 2025	Parties submit optional technical tutorials to the Court and technical adviser (if appointed).
November 21, 2025	***TENTATIVE*** *Markman* Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the Markman hearing approaches.
November 24, 2025	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
December 23, 2025	Deadline to add parties.
January 9, 2026	Deadline for meet and confer to discuss significantly narrowing the

[2] Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party

Deadline	Event
	number of claims asserted and prior art references at issue in final contentions
January 20, 2026	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
January 23, 2026	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.
May 12, 2026	Deadline for the second of three meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's Law Clerk to arrange a teleconference with the Court to resolve the disputed issues.
June 9, 2026	Close of Fact Discovery.
June 16, 2026	Opening Expert Reports.
July 14, 2026	Rebuttal Expert Reports.
August 4, 2026	Close of Expert Discovery.
August 11, 2026	Deadline for the third of three meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
August 18, 2026	Dispositive motion deadline and Daubert motion deadline. *See* General Issues Note #9 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
September 1, 2026	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
September 15, 2026	Serve objections to pretrial disclosures/rebuttal disclosures.
September 15, 2026	Parties to jointly email the Court's law clerk (*See* OGP at 1) to confirm their pretrial conference and trial dates.
September 22, 2026	Serve objections to rebuttal disclosures; file Motions *in limine*.
September 29, 2026	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions *in limine*.

Deadline	Event
October 6, 2026	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com. File replies in support of motions *in limine*
October 13, 2026	Deadline to meet and confer regarding remaining objections and disputes on motions *in limine*.
October 17, 2026	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions *in limine*.
October 20, 2026	Final Pretrial Conference.
December 7, 2026	Jury Selection/Trial.

SIGNED this 18th day of June, 2025.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE