

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE: AFLIBERCEPT PATENT
LITIGATION

MDL No. 1:24-MD-3103

This Document Relates to:
All Actions

SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 16(b), Fed. R. Civ. P. 26(f), and the Local Rules of Civil Procedure, this Court **ORDERS** that the following table of dates and deadlines shall govern the further preparation of this case:

Plaintiff Serves Initial Infringement Contentions	January 21, 2026
Defendants Serve Initial Invalidity and Non-Infringement Contentions	February 25, 2026
Plaintiff Responds to Initial Invalidity Contentions	March 11, 2026
Substantial Completion of Document Production	April 15, 2026
Parties Identify Claim Terms for Construction	July 15, 2026
Parties Exchange Proposed Constructions and Identify Intrinsic and Extrinsic Evidence	July 22, 2026
Parties File Joint Claim Construction and Prehearing Statement	August 5, 2026
Parties File Opening Claim Construction Briefs	August 19, 2026
Parties File Responsive Claim Construction Briefs	September 2, 2026
Close Of Fact Discovery	November 4, 2026
Plaintiff Serves Final Infringement Contentions and Defendants Serve Final Invalidity Contentions	November 11, 2026
Beginning at 9:00 a.m. on November 23, 2026 , at the Clarksburg, West Virginia , point of holding court, the Court will	November 23, 2026

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1:24-MD-3103

hear the parties' argument on claim construction	
Opening Expert Reports on Issues for Which a Party Bears the Burden of Proof	November 25, 2026
Responsive Expert Reports	December 23, 2026
Reply Expert Reports	January 13, 2027
Close of Expert Discovery	February 10, 2027
Parties Submit Dispositive Motions (If Permitted)	February 17, 2027

The Court further **ORDERS** the parties to meet and confer to agree on the narrowing of infringement claims and invalidity theories and to submit to the Court a joint proposed infringement and invalidity narrowing schedule by **April 29, 2026**.

Discovery, having been stayed in this case, will resume on **October 15, 2025**.

Summary judgement motions shall not be filed without leave of the Court.

It is so **ORDERED**.

The Clerk is **DIRECTED** to transmit copies of this Order to counsel of record.

DATED: September 29, 2025



THOMAS S. KLEEH, CHIEF JUDGE
NORTHERN DISTRICT OF WEST VIRGINIA