

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TOPSOE, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
CASALE S.A.,	§	
	§	
Defendants.	§	
	§	
CASALE S.A.,	§	Civil Action No. 3:24-cv-00033
	§	Jury Trial Demanded
Counterclaim Plaintiff,	§	
	§	
v.	§	
	§	
TOPSOE, INC. AND TOPSOE A/S,	§	
	§	
Counterclaim Defendants.	§	

**JOINT MOTION TO ENTER AGREED SCHEDULING AND
DOCKET CONTROL ORDER**

Pursuant to the Court’s instruction at the hearing held on January 9, 2026, and further memorialized in the Court’s minute entry (Dkt. 183), Topsoe, Inc. and Topsoe A/S (“Topsoe”) and Casale S.A. (“Casale”) (collectively, the “Parties”) file this Joint Motion to Enter Agreed Scheduling and Docket Control Order.

The Parties respectfully request the Court enter the attached agreed Scheduling and Docket Control Order.

Dated: January 16, 2026

Respectfully submitted,

/s/ Jeffrey A. Andrews

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CERTIFICATE OF SERVICE

I certify that on January 16, 2026, a true and correct copy of the foregoing was served on the counsel of record through the Court's electronic filing system.

/s/ Jeffrey A. Andrews

Jeffrey A. Andrews

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Plaintiff,	§	
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CASALE S.A.,	§	
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	§	
Counterclaim Defendants.	§	

AGREED SCHEDULING AND DOCKET CONTROL ORDER

The disposition of this case will be controlled by the following schedule:

- | | |
|----------------------|---|
| 1. February 18, 2026 | PARTIES WILL SUBMIT JOINT DISCOVERY/CASE MANAGEMENT PLAN. The parties will meet and confer by this date to discuss the items addressed in the Court's Joint Discovery/Case Management Plan Under Rule 26(f) and will submit their plan to the Court. |
| 2. February 25, 2026 | PRELIMINARY INFRINGEMENT CONTENTIONS. Comply with P.R. 3-1 and P.R. 3-2. After this date, it is necessary to obtain leave of court to add and/or amend infringement contentions, pursuant to Patent Rule (P.R.) 3-7. |
| 3. March 30, 2026 | DEADLINE TO ADD NEW PARTIES. Unless a case has been removed from state court, new parties may be added by this date without leave of court. After the expiration of this deadline, a party seeking to add a new party must file a motion |

for leave demonstrating both good cause and excusable neglect in accordance with Fed. R. Civ. P. 6(b)(1)(B). The attorney causing the addition of new parties will provide copies of this order and all orders previously entered in the case to new parties. **Note:** If a case has been removed from state court, a motion for leave must be filed seeking permission to add new parties.

4. April 8, 2026 **PRELIMINARY INVALIDITY CONTENTIONS.** Comply with P.R. 3-3 and 3-4. After this date, it is necessary to obtain leave of Court to add and/or amend invalidity contentions, pursuant to P.R. 3-7.
5. April 8, 2026 **INEQUITABLE CONDUCT ALLEGATIONS.** Before this date, it is not necessary to file a motion for leave to add inequitable conduct allegations. Thereafter, it is necessary to obtain leave of court to add inequitable conduct allegations.
6. April 22, 2026 **EXCHANGE PROPOSED TERMS AND CLAIM ELEMENTS FOR CONSTRUCTION.** Comply with P.R. 4-1.
7. May 13, 2026 **PRELIMINARY CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE.** Comply with P.R. 4-2.
8. June 17, 2026 **JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT.** P.R. 4-2.
9. June 17, 2026 **DEADLINE TO AMEND THE PLEADINGS.** Parties may amend pleadings by this date without leave court. If the plaintiff(s) file(s) an amended complaint by this date, the defendant(s) may file a responsive pleading in accordance with Fed. R. Civ. P. 15(a)(3). If the defendant(s) file(s) an amended counterclaim by this date, plaintiff(s) may file a responsive pleading in accordance with Fed. R. Civ. P. 15(a)(3). After expiration of this deadline, a party seeking to amend a pleading must file a motion for leave demonstrating both good cause and excusable neglect in accordance with Fed. R. Civ. P. 6(b)(1)(B).
10. July 8, 2026 **DISCOVERY DEADLINE ON CLAIM CONSTRUCTION ISSUES.** See P.R. 4-4

11. July 29, 2026 **OPENING CLAIM CONSTRUCTION BRIEF.** Comply with P.R. 4-5(a)(1).
12. August 12, 2026 **RESPONSIVE CLAIM CONSTRUCTION BRIEF.** Comply with P.R. 4-5(a)(2).
13. August 19, 2026 **REPLY CLAIM CONSTRUCTION BRIEF.** Comply with P.R. 4-5(a)(3).
14. September 23, 2026 **JOINT CLAIM CONSTRUCTION CHART.** Comply with P.R. 4-5(b) and (c).
15. September 30, 2026 **CLAIM CONSTRUCTION (MARKMAN) HEARING** at 1:00 p.m.
16. November 11, 2026 Court's Decision on Claim Construction (Markman Ruling) (If ruling is late, parties may seek amendment of remaining dates in Scheduling Order.)
- If Markman Ruling is entered before November 11, 2026, the parties agree that No. 17 will be 5 weeks after the Markman ruling, and No. 19 will be 3 weeks after No. 17 and all remaining dates will stay the same.
17. December 16, 2026 **DEADLINE FOR FINAL INFRINGEMENT CONTENTIONS AND TO AMEND PLEADINGS ON INFRINGEMENT CLAIMS. NOTE:** Except as provided in P.R. 3-6, if the amended would affect preliminary or final infringement contentions, a motion must be made under P.R. 3-7 irrespective of whether the amendment is made before this deadline.
18. December 16, 2026 **PRIVILEGE LOGS/WILLFULLNESS.** Comply with P.R. 3-8. All parties furnish privilege logs by this date.
19. January 6, 2027 **DEADLINE FOR FINAL INVALIDITY CONTENTIONS AND TO AMEND PLEADINGS ON INVALIDITY CLAIMS. NOTE:** Except as provided in P.R. 3-6, if the amendment would affect preliminary or final invalidity contentions, a motion must be made under P.R. 3-7 irrespective of whether the amendment is made before this deadline.
20. February 10, 2027 **COMPLETION OF FACT DISCOVERY.** Written discovery requests are not timely if they are filed so close to

this deadline that the recipient would not be required under the Federal Rules of Civil Procedure to respond until after the deadline.

21. March 3, 2027 **AFFIRMATIVE EXPERT DESIGNATIONS AND EXPERT REPORTS.** Expert designations and reports should be in the form required by Fed. R. Civ. P. 26(a)(2)(B).
22. April 7, 2027 **REBUTTAL EXPERT DESIGNATIONS AND EXPERT REPORTS.** Rebuttal expert designations and reports should be in the form required by Fed. R. Civ. P. 26(a)(2)(B).
23. May 5, 2027 **COMPLETION OF EXPERT DISCOVERY.**
24. June 9, 2027 **DISPOSITIVE AND NON-DISPOSITIVE MOTIONS DEADLINES (INCLUDING *DAUBERT* MOTIONS).** Parties wishing to file dispositive motions must still follow the pre-motion conference requirements set forth in Section 6 of the local court procedures utilized by Judge Edison.
25. June 23, 2027 **ALL OTHER PRETRIAL MOTIONS.**
26. September 15, 2027 **JOINT PRETRIAL ORDER AND MOTIONS IN LIMINE.** Plaintiff is responsible for timely filing the complete joint pretrial order. All information is to comply with the disclosure requirements of Fed. R. Civ. P. 26(a)(3). All parties are directed to read the Court's Procedures regarding required trial documents and procedures.
27. September 22, 2027 **DOCKET CALL** is set for 9:30 a.m. Other than as set out in the local court procedures, no pleading or document filed within seven days of docket call will be considered by the Court. Any pending motions may be ruled on at docket call, the case will be set for trial, and further pretrial orders may be issued.
28. _____ **TRIAL.** Trial date will be determined at docket call. Trial will be set within sixty (60) days of docket call.

Estimated Trial Time: _____ days.

SIGNED on Galveston Island on _____, 2026.

ANDREW M. EDISON
UNITED STATES MAGISTRATE JUDGE