Bryan J. Vogel (*pro hac vice*)
BVogel@robinskaplan.com
Derrick J. Carman (*pro hac vice*)
DCarman@robinskaplan.com
Travis K. Waller (*pro hac vice*)
TWaller@robinskaplan.com
Nishi A. Tavernier (*pro hac vice*)
NTavernier@robinskaplan.com
ROBINS KAPLAN LLP
1325 Avenue of the Americas, Suite 2601
New York, New York 10019
Tel.: (212) 980-7400

Li Zhu (Bar No. 302210)
LZhu@robinskaplan.com
ROBINS KAPLAN LLP
555 Twin Dolphin Drive, Suite 310
Redwood City, California 94065
Tel.: (650) 784-4040
Fax: (650) 784-4041

Attorneys for Plaintiff Railware, Inc.

Andrew P. MacArthur (SBN 324997)
APMacArthur@Venable.com
Ralph A. Dengler (*pro hac vice*)
RADengler@Venable.com
Nicholas Marcello (*pro hac vice*)
NDMarcello@Venable.com
Hubert F. Ning (*pro hac vice*)
HFNing@Venable.com
VENABLE LLP
151 West 42nd Street, 49th Floor
New York, New York 10036
Tel.: (212) 307-5500
Fax: (212) 307-5598

Don Z. Wang (SBN 313447)
DZWang@Venable.com
VENABLE LLP
101 California Street, Suite 3800
San Francisco, California 94111
Tel.: (415) 653-3750
Fax: (415) 653-3755

Attorneys for Defendant Peninsula Corridor Joint Powers Board d/b/a Caltrain

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

RAILWARE, INC.,

Plaintiff,

v.

PENINSULA CORRIDOR JOINT POWERS BOARD D/B/A CALTRAIN,

Defendant.

Case No. 5:25-cv-05725-BLF-NMC

STIPULATED SCHEDULE AND ~~[PROPOSED]~~ ORDER AS MODIFIED BY THE COURT

Hon. Beth Labson Freeman

Wabtec v. Railware, Inc.
IPR2026-00134
EX2016 - 0001

ROBINS KAPLAN LLP
ATTORNEYS AT LAW
SILICON VALLEY

ROBINS KAPLAN LLP
ATTORNEYS AT LAW
SILICON VALLEY

Proposed Schedule

No:	Event:	Joint Proposal:
1	Initial Disclosures deadline	November 6, 2025
2	Filing of Any Agreement Reached Between the Parties Concerning ESI [ECF No. 48]	December 12, 2025
3	Filing of Any Proposed Protective Order [ECF No. 48]	December 12, 2025
4	Last Day to Request Leave to Amend the Pleadings per FRCP 15 [ECF No. 49]	January 20, 2026
5	Meet and Confer regarding Joint Statement for February 19, 2026 Further Case Management Conference, Including Narrowing Asserted Claims and Prior Art References	February 5, 2026
6	Filing of Joint Statement for February 19, 2026 Further Case Management Conference	February 12, 2026
7	Hearing on Caltrain's Motion to Dismiss and Motion to Stay Discovery [ECF Nos. 31, 32]	February 19, 2026 at 9:00 AM PT
8	Further Case Management Conference [ECF No. 48]	February 19, 2026 at 9:00 AM PT
9	Deadline for Railware's Service of Disclosure of Asserted Claims and Infringement Contentions and Accompanying Document Production [LPR 3-1, 3-2]	February 27, 2026
10	Deadline for Caltrain's Service of Invalidity Contentions and	April 20, 2026

No:	Event:	Joint Proposal:
	Accompanying Document Production [LPR 3-3, 3-4]	
11	Deadline for Parties to Exchange Proposed Claim Terms for Construction [LPR 4-1(a)]	May 1, 2026
12	Meet and Confer regarding Proposed Terms for Construction [LPR 4-1(b)]	May 11, 2026
13	Deadline for Parties to Exchange Preliminary Constructions for Proposed Terms [LPR 4-2(a)]	May 22, 2026
14	Service of Identification of Intrinsic and Extrinsic Evidence for Claim Construction [LPR 4-2(b)]	May 22, 2026
15	Deadline to Identify Claim Construction Experts [LPR 4-2(b)]	May 22, 2026
16	Meet and Confer regarding Joint Claim Construction and Prehearing Statement [LPR 4-2(c)]	June 2, 2026
17	Deadline for Service of Damages Contentions [LPR 3-8]	June 9, 2026
18	Deadline to file Joint Claim Construction and Prehearing Statement [LPR 4-3]	June 16, 2026
19	Service of Claim Construction Expert Reports [LPR 4-3]	June 16, 2026
20	Deadline for Service of Responsive Damages Contentions [LPR 3-9]	July 9, 2026
21	Completion of Claim Construction Discovery [LPR 4-4]	July 14, 2026
22	Opening of Claim Construction Briefs Due [LPR 4-5(a)]	July 31, 2026
23	Responsive Claim Construction Briefs Due [LPR 4-5(b)]	August 14, 2026
24	Reply Claim Construction Briefs Due	August 21, 2026

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No:	Event:	Joint Proposal:
	[LPR 4-5(c)]	
25	Tech Tutorial [LPR 4-6; ECF No. 49]	September 3, 2026 at 1:30 PM PT
26	Deadline to Conduct Damages Contention Meeting [LPR 3-10]	September 4, 2026
27	Claim Construction Hearing [LPR 4-6; ECF No. 49]	September 11, 2026 at 9:00 AM PT
28	Deadline to Disclose Opinion of Counsel [LPR 3-7]	30 days after issuance of claim construction order
29	Deadline for Service of Interrogatories	30 days before the close of fact discovery
30	Deadline for Service of Requests to Admit	30 days before the close of fact discovery
31	Close of Fact Discovery	November 6, 2026
32	Deadline for Parties to Serve Privilege Logs	Two weeks after the completion of fact discovery
33	Deposition of Fact Witnesses Deadline	November 6, 2026
34	Designate Experts	November 13, 2026
35	Opening Expert Reports[1]	December 11, 2026
36	Rebuttal Expert Reports	January 29, 2027
37	Close of Expert Discovery	February 26, 2027
38	Final day for Hearing on Summary Judgment/Dispositive Motions. [ECF No. 49] *Briefing must be completed three weeks prior to this hearing date. [ECF No. 48]	June 17, 2027 at 9:00 AM PT
39	Final day for Hearing on Motion to Exclude Expert Testimony	September 9, 2027
40	Deadline for Pretrial Meet and Confer	September 16, 2027
41	Submission of Joint Pretrial Statement and Order	September 23, 2027
42	Submission of Motions *in Limine*	September 23, 2027
43	Submission of Oppositions to Motions	September 30, 2027

[1] On all issues on which a Party bears the burden of proof.

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ATTORNEYS AT LAW
SILICON VALLEY

No:	Event:	Joint Proposal:
	in Limine	
44	Submission of Preliminary Statement to the Jury	September 30, 2027
45	Submission of proposed *Voir Dire* Questions	September 30, 2027
46	Submission of proposed Jury Instructions	September 30, 2027
47	Submission of Verdict Form	September 30, 2027
48	Final Pretrial Conference [ECF No. 49]	October 7, 2027 at 1:30 PM PT
49	Submission of Trial Briefs	November 1, 2027
50	Trial [ECF No. 49]	November 8, 2027 at 9:00 AM PT

ROBINS KAPLAN LLP
ATTORNEYS AT LAW
SILICON VALLEY

DATED: December 12, 2025

ROBINS KAPLAN LLP

By: /s/ Bryan J. Vogel
Bryan J. Vogel (*pro hac vice*)
BVogel@robinskaplan.com
Derrick J. Carman (*pro hac vice*)
DCarman@robinskaplan.com
Travis K. Waller (*pro hac vice*)
TWaller@robinskaplan.com
Nishi A. Tavernier (*pro hac vice*)
NTavernier@robinskaplan.com
ROBINS KAPLAN LLP
1325 Avenue of the Americas,
Suite 2601
New York, New York 10019
Tel.: (212) 980-7400

Li Zhu (Bar No. 302210)
LZhu@robinskaplan.com
ROBINS KAPLAN LLP
555 Twin Dolphin Drive, Suite 310
Redwood City, California 94065
Tel.: (650) 784-4040
Fax: (650) 784-4041

Attorneys for Plaintiff Railware, Inc.

VENABLE LLP

By: /s/ Andrew P. MacArthur
Andrew P. MacArthur (SBN 324997)
APMacArthur@Venable.com
Ralph A. Dengler (*pro hac vice*)
RADengler@Venable.com
Nicholas Marcello (*pro hac vice*)
NDMarcello@Venable.com
Hubert F. Ning (*pro hac vice*)
HFNing@Venable.com
VENABLE LLP
151 West 42nd Street, 49th Floor
New York, New York 10036
Tel.: (212) 307-5500
Fax: (212) 307-5598

Don Z. Wang (SBN 313447)
DZWang@Venable.com
VENABLE LLP
101 California Street, Suite 3800
San Francisco, CA 94111

Attorneys for Defendant Peninsula Corridor Joint Powers Board d/b/a Caltrain

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SILICON VALLEY

FILER'S ATTESTATION

I, Bryan J. Vogel, am the ECF user whose ID and password are being used to file this Joint Case Management Statement. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from each of the other Signatories.

DATED: December 12, 2025

By: */s/ Bryan J. Vogel*
Bryan J. Vogel

[~~PROPOSED~~] ORDER

The Parties are reminded that the date set forth in item 39 re: *Daubert* motions is not a reserved hearing date. A hearing date may be requested fourteen days before filing any motions.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: December 12, 2025

BETH LABSON FREEMAN
United States District Judge

ROBINS KAPLAN LLP
ATTORNEYS AT LAW
SILICON VALLEY