

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MILWAUKEE ELECTRIC TOOL
CORPORATION,

Plaintiff,

v.

KLEIN TOOLS, INC.,

Defendant.

Case No. 1:25-cv-04689

**JOINT AGREED MOTION TO EXTEND CERTAIN DEADLINES OF THE
SCHEDULING ORDER**

Plaintiff Milwaukee Electric Tool Corporation (“Plaintiff” or “Milwaukee”) and Defendant Klein Tools, Inc. (“Defendant” or “Klein”) (collectively, the “Parties”) respectfully submit this Joint Agreed Motion to Extend Certain Deadlines set forth in the Court’s scheduling order (Dkt. 42; Dkt. 30).

This Joint Agreed Motion is based on the following:

1. This is the Parties’ second request for an extension of deadlines relating to final contentions and the exchange of claim terms. The Court previously granted the Parties’ request for extension of these deadlines. *See* Dkt. 42. This is the Parties’ first request for an extension of the remaining deadlines outlined below.

2. Milwaukee served its Final Infringement Contentions (Stage 1) on January 7, 2026. The exchange of Final Infringement, Unenforceability, and Invalidity Contentions (Stage 2) is set to occur on January 21, 2026. The Parties agree that additional time is necessary to conduct discovery ahead of the exchange of final contentions and submission of claim construction briefing. Specifically, both parties believe that email discovery is appropriate in this case and have

been negotiating a proposed ESI Order to govern email discovery, which was filed on January 12, 2026, and entered on January 13, 2026 (Dkt. 52). Additionally, the parties agree that it would be more efficient to conduct depositions after email discovery. The requested extensions are therefore sought in good faith and with the goal of affording each Party sufficient time to conduct this discovery and prepare its contentions.

3. Counsel for both Parties have conferred, and no Party objects to the requested extensions.

4. The requested extensions would not have any material effect on the other deadlines in the schedule.

5. The Parties do not seek any extension for events or deadlines not expressly outlined herein.

WHEREFORE, the Parties stipulate and agree, subject to the Court's approval, that the following dates in the schedule be modified as follows:

Event	Initial Deadline	Current Deadline	Proposed Deadline
Final Infringement, Unenforceability, and Invalidity Contentions (Stage 2)	December 19, 2025	January 21, 2026	April 24, 2026
Final Non-Infringement, Validity, and Enforceability Contentions	January 16, 2026	February 11, 2026	May 15, 2026
Exchange of Claims Terms for Construction	January 30, 2026	February 6, 2026	May 29, 2026
Meet and Confer Regarding Selection of Claim Terms	February 6, 2026	February 16, 2026	June 5, 2026
Opening Claim Construction Brief + Joint Appendix	March 6, 2026		July 10, 2026
Responsive Claim Construction Brief	April 3, 2026		Aug. 7, 2026
Reply Claim Construction Brief	April 17, 2026		Aug. 21, 2026
Joint Claim Construction Chart	April 24, 2026		Aug. 28, 2026
Exchange of Claim Construction Exhibits	May 12, 2026		Sept. 15, 2026

Event	Initial Deadline	Current Deadline	Proposed Deadline
Claim Construction Hearing (Markman)		May 15, 2026	Sept. 18, 2026

IT IS SO AGREED.

Dated: January 20, 2026

/s/ Jason C. White

Jason C. White

Scott D. Sherwin

Karon N. Fowler

MORGAN, LEWIS & BOCKIUS LLP

110 N. Wacker Drive, Suite 2800

Chicago, IL 60601-5094

Telephone: 312.324.1000

Fax: 312.324.1001

jason.white@morganlewis.com

scott.sherwin@morganlewis.com

karon.fowler@morganlewis.com

Michael Barboun (to be admitted *pro hac vice*)**MORGAN, LEWIS & BOCKIUS LLP**

2222 Market Street

Philadelphia, PA 19103-3007

Telephone: 215.963.5000

Fax: 215.963.5001

michael.barboun@morganlewis.com

Respectfully submitted,

/s/ Nathaniel L. DeLucia

Brian A. Verbus

KIRKLAND & ELLIS LLP

333 West Wolf Point Plaza

Chicago, IL 60654

Telephone: (312) 862-2000

Fax: (312) 862-2200

brian.verbus@kirkland.com

Gregory S. Arovas

Ryan Kane, P.C. (*pro hac vice*)Nathaniel L. DeLucia (*pro hac vice*)**KIRKLAND & ELLIS LLP**

601 Lexington Avenue

New York, NY 10022

Telephone: (212) 446-4800

Fax: (212) 446-4900

garovas@kirkland.com

ryan.kane@kirkland.com

nathaniel.delucia@kirkland.com

Attorneys for Plaintiff Milwaukee Electric Tool Corporation *Attorneys for Defendant Klein Tools, Inc.*