UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VOXER, INC. AND VOXER IP LLC, Plaintiffs, v. AMAZON.COM, INC., AMAZON WEB SERVICES, INC., AND TWITCH INTERACTIVE, INC., Defendants.	Case No. 25-cv-00872-GBW **JURY TRIAL DEMANDED**
VOXER, INC. AND VOXER IP LLC, Plaintiffs, v. GOOGLE, LLC AND YOUTUBE, LLC, Defendants.	Case No. 25-cv-00873-GBW **JURY TRIAL DEMANDED**

[PROPOSED] SCHEDULING ORDER

This 8th day of January, 2026, the Court having conducted an initial Rule 16(b) scheduling conference pursuant to Local Rule 16.1(b), and Plaintiffs Voxer, Inc. and Voxer IP LLC (collectively, "Voxer" or "Plaintiffs"), Defendants Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc. (collectively, "Twitch Defendants"), and Defendants Google, LLC and YouTube, LLC (collectively, "Google Defendants"; collectively with the Twitch Defendants, the "Defendants"; and collectively with Voxer and the Twitch Defendants, the "Parties"); and the Parties having determined after discussion that the matter cannot be resolved at this juncture by settlement, voluntary mediation, or binding arbitration;

IT IS HEREBY ORDERED that:

1. Rule 26(a)(l) Initial Disclosures and E-Discovery Default Standard. Unless otherwise agreed to by the Parties, the Parties shall make their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(l) on December 19, 2025. The Parties will confer and submit a proposed Electronically Stored Information ("ESI") order by January 16, 2026.

2. Joinder of Other Parties and Amendment of Pleadings. All motions to join other parties, and to amend or supplement the pleadings, shall be filed on or before September 7, 2026. Unless otherwise ordered by the Court, any motion to join a party or motion to amend the pleadings shall be made pursuant to the procedures set forth in Paragraphs 4(g) and 5.

3. Disclosures. Absent agreement among the Parties, and approval of the Court:

(a) By February 19, 2026, Plaintiffs shall identify the accused product(s), including accused methods and systems, and their damages model, as well as the asserted patent(s) that the accused product(s) allegedly infringe(s). Plaintiffs shall also produce the file history for each asserted patent.

(b) By April 30, 2026, Defendants shall produce core technical documents related to the accused product(s), sufficient to show how the accused product(s) work(s), including but not limited to non-publicly available operation manuals, product literature, schematics, and specifications. Defendants shall also produce sales figures for the accused product(s).

(c) By July 23, 2026, Plaintiffs shall produce an initial claim chart relating each known accused product to the asserted claims each such product allegedly infringes.

(d) By September 3, 2026, Defendants shall produce their initial invalidity contentions for each asserted claim, as well as the known related invalidating references.

(e) By August 30, 2027, Plaintiffs shall provide final infringement contentions.

(f) By October 7, 2027, Defendants shall provide final invalidity contentions.

4. Discovery. Unless otherwise ordered by the Court or agreed to by Parties, the limitations on discovery set forth in the Federal Rules of Civil Procedure shall be strictly observed.

(a) Fact Discovery Cut Off. All fact discovery in this case shall be initiated so that it will be completed on or before November 4, 2027.

(b) Document Production. Document production shall be substantially complete by February 18, 2027.

(c) Requests for Admission. Plaintiffs may serve up to ten (10) requests for admission stated identically to the Twitch Defendants and to the Google Defendants, as well as twenty (20) requests for admission stated individually to the Twitch Defendants, and twenty (20) requests for admission stated individually to Google Defendants. The Twitch Defendants and Google Defendants may each serve up to ten (10) requests for admission stated identically to Plaintiffs, and the Twitch Defendants and the Google Defendants may each also serve up to twenty (20) additional requests for admission stated individually to Plaintiffs. The foregoing limitations are exclusive of requests to admit the authenticity and/or admissibility of documents at trial *provided, however*, that the parties agree to work in good faith, as part of their pre-trial negotiations, toward a suitable stipulation regarding the authenticity and admissibility of intended trial exhibits.

(d) Interrogatories. Plaintiffs may serve up to thirteen (13) interrogatories stated identically to the Twitch Defendants and to the Google Defendants, as well as fifteen (15) interrogatories stated individually to the Twitch Defendants, and fifteen (15) interrogatories stated individually to the Google Defendants. The Twitch Defendants and Google Defendants may each serve up to thirteen (13) interrogatories stated identically to Plaintiffs, and the Twitch Defendants

and the Google Defendants may each also serve up to fifteen (15) interrogatories stated individually to Plaintiffs.

(e) The Court encourages the Parties to serve and respond to contention interrogatories early in the case. In the absence of agreement among the Parties, contention interrogatories, if filed, shall first be addressed by the party with the burden of proof. The adequacy of all interrogatory answers shall be judged by the level of detail each party provides (i.e., the more detail a party provides, the more detail a party shall receive).

(f) Depositions.

i. Limitation on Hours for Deposition Discovery.

a. Fact Depositions

Party Depositions: Plaintiffs shall be permitted to take up to one hundred and thirty (130) hours of deposition time of Defendants (inclusive of both Rule 30(b)(6) and 30(b)(1) (officers, employees, representatives)), provided, however, that Plaintiffs shall take no more than sixty-five (65) hours total deposition time of the Twitch Defendants and sixty-five (65) hours total deposition time of the Google Defendants. The Twitch Defendants and the Google Defendants collectively shall be permitted to take up to one hundred and thirty (130) hours of deposition time of Plaintiffs (inclusive of both Rule 30(b)(6) and 30(b)(1) (officers, employees, representatives)), provided, however, that the Twitch Defendants shall take no more than sixty-five (65) hours total deposition time of Plaintiffs and the Google Defendants shall take no more than sixty-five (65) hours of deposition time of Plaintiffs. Each deposition shall count as a minimum of 3.5 hours, *i.e.*, the greater of 3.5 hours or the time on record. If the noticing party desires an individual deposition of a

deponent designated as a Rule 30(b)(6) witness, both the individual deposition and the 30(b)(6) deposition will be taken in a single continuous deposition, to the extent practicable

Third Party Depositions: The above limitations do not apply to third parties. The Parties shall be permitted to serve third party deposition subpoenas as necessary and appropriate and those depositions shall be subject to the seven (7) hour limit specified under the Federal Rules of Civil Procedure.

Defendant Coordination. The Twitch Defendants and the Google Defendants shall coordinate to the extent possible when scheduling and taking depositions to ensure that they limit any duplication and avoid undue burden of all witnesses.

Use of Testimony. The use of deposition testimony will be governed by the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

b. Expert Depositions:

Expert depositions will proceed separately in each case. In each case, no expert shall be deposed for more than seven (7) hours without leave of the Court.

c. Claim Construction Depositions: If a party offers a witness declaration in support of its claim construction positions, the opposing party/ies may depose that witness for up to three (3) hours regarding that witness declaration, without that time counting towards any of the above-stated limitations

d. For any deposition that requires translation between English and any foreign language, the time limits set forth above shall be doubled, provided, however, that only half of that on the record time shall count towards the deposition limits established in this

Order. In no event however shall a witness be required to testify for more than seven (7) hours of actual deposition time during any single day unless otherwise stipulated or ordered.

e. The above deposition limitations may be modified on a showing of good cause or on written agreement of the Parties.

ii. Location of Depositions. Any party or representative (officer, director, or managing agent) of a party filing a civil action in this district court must ordinarily be required, upon request, to submit to a deposition at a place designated within this district. Exceptions to this general rule may be made by order of the Court. A defendant who becomes a counterclaimant, cross-claimant, or third-party plaintiff shall be considered as having filed an action in this Court for the purpose of this provision. The Parties shall endeavor to complete depositions of third parties in-person at a mutually-agreeable location proximate to the third party's work and/or residence or by mutual agreement at another location; provided, however, that for party witnesses and third party former employees of the Parties and named inventors on the asserted patents, the Parties shall make good faith efforts to coordinate their deposition(s) to take place in the United States or remotely (as contemplated by the following sentence). Depositions shall be taken in-person or by videoconference, at the option of the noticing party/ies. In the event the noticing party elects to take a deposition by videoconference, the noticing party will notify the defending party or parties of that election in the deposition notice at least one (1) week in advance of the noticed deposition date. Nothing herein should be construed to prevent a defending attorney from defending the witness in person at a deposition that the noticing party takes by videoconference.

(g) Disclosure of Expert Testimony.

i. Expert Reports. For the party who has the initial burden of proof on the subject matter, the initial Federal Rule of Civil Procedure 26(a)(2) disclosure of expert testimony is due on or before December 1, 2027. The supplemental disclosure to contradict or rebut evidence on the same matter identified by another party is due on or before January 26, 2028. Reply expert reports from the party with the initial burden of proof are due on or before February 23, 2028. No other expert reports will be permitted without either the consent of all Parties or leave of the Court. Along with the submissions of the reply expert reports, the Parties shall advise of the dates and times of their experts' availability for deposition.

ii. Objections to Expert Testimony. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), as incorporated in Federal Rule of Evidence 702, it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court. Briefing on such motions is subject to the page limits set out in connection with briefing of case dispositive motions.

iii. Expert Discovery Cut-Off. All expert discovery in this case shall be initiated so that it will be completed on or before April 5, 2028.

(h) Discovery Matters and Disputes Relating to Protective Orders.

i. Any discovery motion filed without first complying with the following procedures will be denied without prejudice to renew pursuant to these procedures.

ii. Should counsel find, after good faith efforts – including verbal communications among Delaware and Lead Counsel for all Parties to the dispute – that they are unable to resolve a discovery matter or a dispute relating to a protective order, the Parties involved in the discovery matter or protective order dispute shall submit a joint letter in substantially the

following form:

> Dear Judge Williams:
>
> The parties in the above-referenced matter write to request the scheduling of a discovery teleconference.
>
> The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in a verbal meet-and-confer (in person and/or by telephone) on the following date(s):
>
> Delaware Counsel:
>
> Lead Counsel:
>
> The disputes requiring judicial attention are listed below:
>
> [provide here a non-argumentative list of disputes requiring judicial attention]

iii. On a date to be set by separate order, generally not less than forty-eight (48) hours prior to the conference, the party seeking relief shall file with the Court a letter, not to exceed three (3) pages, outlining the issues in dispute and its position on those issues. On a date to be set by separate order, but generally not less than twenty-four (24) hours prior to the conference, any party opposing the application for relief may file a letter, not to exceed three (3) pages, outlining that party's reasons for its opposition.

iv. Each party shall submit two (2) courtesy copies of its discovery letter and any attachments.

v. Should the Court find further briefing necessary upon conclusion of the telephone conference, the Court will order it. Alternatively, the Court may choose to resolve the dispute prior to the telephone conference and will, in that event, cancel the conference.

5. <u>Motions to Amend.</u>

(a) Any motion to amend (including a motion for leave to amend) a pleading

shall ***NOT*** be accompanied by an opening brief but shall, instead, be accompanied by a letter, not to exceed three (3) pages, describing the basis for the requested relief, and shall attach the proposed amended pleading as well as a "blackline" comparison to the prior pleading.

(b) Within seven (7) days after the filing of a motion in compliance with this Order, any party opposing such a motion shall file a responsive letter, not to exceed five (5) pages.

(c) Within three (3) days thereafter, the moving party may file a reply letter, not to exceed two (2) pages, and, by this same date, the Parties shall file a letter requesting a teleconference to address the motion to amend.

6. Motions to Strike.

(a) Any motion to strike any pleading or other document shall ***NOT*** be accompanied by an opening brief but shall, instead, be accompanied by a letter, not to exceed three (3) pages, describing the basis for the requested relief, and shall attach the document to be stricken.

(b) Within seven (7) days after the filing of a motion in compliance with this Order, any party opposing such a motion shall file a responsive letter, not to exceed five (5) pages.

(c) Within three (3) days thereafter, the moving party may file a reply letter, not to exceed two (2) pages, and, by this same date, the Parties shall file a letter requesting a teleconference to address the motion to strike.

7. Technology Tutorials. The Parties will meet and confer following the service of Plaintiffs' reply claim construction brief regarding whether the parties believe a technology tutorial would be helpful and the format for the tutorial. If the Parties agree that a technology tutorial would be helpful for the Court or the Court requests a tutorial, then the Parties shall submit an electronic tutorial of not more than thirty (30) minutes to the Court, no later than the date on which the Joint Claim Construction Brief is due, in the format agreed upon by the Parties. The tutorial

shall focus on the technology in issue and educate the Court about the same and should not be used for argument. As to the format selected, the Parties should confirm the Court's technical abilities to access the information contained in the tutorial ("mpeg", "quicktime", etc.). The parties may choose to file their tutorial under seal, subject to any protective order in effect.

8. Claim Construction Issue Identification. On or before September 24, 2026, the Parties shall exchange a list of those claim term(s)/phrase(s) that they believe need construction and their proposed claim construction of those term(s)/phrase(s). On or before October 8, 2026, the Parties shall respond to and provide their proposed construction for any term(s)/phrase(s) presented by the other side for which the party did not initially provide a construction. These documents will not be filed with the Court. Subsequent to exchanging that list, the Parties will meet and confer to prepare a Joint Claim Construction Chart to be filed no later than October 22, 2026. The Joint Claim Construction Chart, in Word format, shall be e-mailed simultaneously with filing to gbw_civil@ded.uscourts.gov. The Parties' Joint Claim Construction Chart should identify for the Court the term(s)/phrase(s) of the claim(s) in issue, and should include each party's proposed construction of the disputed claim language with citation(s) only to the intrinsic evidence in support of their respective proposed constructions. A copy of the patent(s) in issue as well as those portions of the intrinsic record relied upon shall be submitted with this Joint Claim Construction Chart. In this joint submission, the Parties shall not provide argument.

9. Claim Construction Briefing. Plaintiffs shall serve, but not file, their opening brief, not to exceed 5,500 words, on November 5, 2026. Defendants shall serve, but not file, their answering brief not to exceed 8,000 words, on December 10, 2026. Plaintiffs shall serve, but not file, their reply brief, not to exceed 5,500 words, on January 7, 2027. Defendants shall serve, but not file their sur-reply brief, not to exceed 3,000 words, on January 28, 2027. No later than

February 11, 2027, the Parties shall file a Joint Claim Construction Brief. The Parties shall copy and paste their unfiled briefs into one brief, with their positions on each claim term in sequential order, in substantially the form below.[1] The Parties agree to meet and confer in good faith at least 30 days before opening claim construction briefs to discuss whether any adjustments to these limitations are required in light of any differences in claims asserted against the Twitch defendants and the Google Defendants or other defendant-specific or unforeseen issues.

JOINT CLAIM CONSTRUCTION BRIEF

I. Agreed-Upon Constructions

II. Disputed

[TERM 1]

1. Plaintiff's Opening Position
2. Defendant's Answering Position
3. Plaintiff's Reply Position
4. Defendant's Sur-Reply Position

[TERM 2]

1. Plaintiff's Opening Position
2. Defendant's Answering Position
3. Plaintiff's Reply Position
4. Defendant's Sur-Reply Position

If there are any materials that would be submitted in an index, the Parties shall submit them in a Joint Appendix.

10. Hearing on Claim Construction. Beginning at 2:00 p.m. on April 8, 2027, the Court

[1] The Parties have increased page limits by 500 words per brief (i.e., 2,000 words across 4 briefs).

will hear argument on claim construction. The Parties shall notify the Court, by joint letter submission, no later than the date on which their joint claim construction brief is due: (i) whether they request leave to present testimony at the hearing; and (ii) the amount of time they are requesting be allocated to them for the hearing.

Provided that the Parties comply with all portions of this Scheduling Order, and any other orders of the Court, the Parties should anticipate that the Court will issue its claim construction order within sixty (60) days of the conclusion of the claim construction hearing. If the Court is unable to meet this goal, it will advise the Parties no later than sixty (60) days after the conclusion of the claim construction hearing.

11. Interim Status Report. On September 16, 2027, counsel shall submit a joint letter to the Court with an interim report of the matters in issue and the progress of discovery to date. Thereafter, if the Court deems it necessary, it will schedule a status conference.

12. Supplementation. Absent agreement among the Parties, and approval of the Court,

(a) no later than August 30, 2027, the patentee must finally supplement the identification of all accused products and serve final infringement contentions; and

(b) no later than October 7, 2027, the accused infringers must finally supplement the identification of all invalidity references and serve final invalidity contentions.

13. Case Dispositive Motions.

(a) All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before May 4, 2028. Briefing will be presented pursuant to the Court's Local Rules. No case dispositive motion under Rule 56 may be filed more than ten (10) days before the above date without leave of the Court.

(b) Concise Statement of Facts Requirement. Any motion for summary

judgment shall be accompanied by a separate concise statement, not to exceed six (6) pages, which details each material fact which the moving party contends is essential for the Court's resolution of the summary judgment motion (not the entire case) and as to which the moving party contends there is no genuine issue to be tried. Each fact shall be set forth in a separate numbered paragraph and shall be supported by specific citation(s) to the record.

Any party opposing the motion shall include with its opposing papers a response to the moving party's concise statement, not to exceed six (6) pages, which admits or disputes the facts set forth in the moving party's concise statement on a paragraph-by-paragraph basis. To the extent a fact is disputed, the basis of the dispute shall be supported by specific citation(s) to the record. Failure to respond to a fact presented in the moving party's concise statement of facts shall indicate that fact is not in dispute for purposes of summary judgment. The party opposing the motion may also include with its opposing papers a separate concise statement, not to exceed four (4) pages, which sets forth material facts as to which the opposing party contends there is a genuine issue to be tried. Each fact asserted by the opposing party shall also be set forth in a separate numbered paragraph and shall be supported by specific citation(s) to the record.

The moving party shall include with its reply papers a response to the opposing party's concise statement of facts, not to exceed four (4) pages, on a paragraph-by-paragraph basis. Failure to respond to a fact presented in the opposing party's concise statement of facts shall indicate that fact remains in dispute for purposes of summary judgment.

(c) Page limits combined with Daubert motion page limits. Each party is permitted to file as many case dispositive motions as desired provided, however, that (1) Plaintiffs and the Twitch Defendants will each be limited to a combined total of 40 pages for all opening briefs, a combined total of 40 pages for all answering briefs, and a combined total of 20 pages for

all reply briefs in the -872 Action regardless of the number of case dispositive motions that are filed; and (2) Plaintiffs and the Google Defendants will each be limited to a combined total of 40 pages for all opening briefs, a combined total of 40 pages for all answering briefs, and a combined total of 20 pages for all reply briefs in the -873 Action regardless of the number of case dispositive motions that are filed. In the event that a party files, in addition to a case dispositive motion, a Daubert motion to exclude or preclude all or any portion of an expert's testimony, the total amount of pages permitted for all case dispositive and Daubert motions shall be increased to 50 pages for all opening briefs, 50 pages for all answering briefs, and 25 pages for all reply briefs for (1) each of Plaintiffs and the Twitch Defendants in the -872 Action, and (2) each of Plaintiffs and the Google Defendants in the -873 Action.[2]

(d) Ranking of Summary Judgment Motions. Any party that files more than one summary judgment motion shall number each motion to indicate the order in which the party wishes the Court to review its pending motions. The first motion the party wishes the Court to consider shall be designated #1, the second motion shall be designated #2, and so on. The Court will review the party's summary judgment motions in the order designated by the party. If the Court decides to deny a motion filed by the party, barring exceptional reasons determined *sua sponte* by the Court, the Court will not review any lower ranked summary judgment motions filed by the party.

14. Applications by Motion. Except as otherwise specified herein, any application to the Court shall be by written motion. Any non-dispositive motion should contain the statement

[2] The parties must work together to ensure that the Court receives no more than a total of 250 pages (i.e., 50 + 50 + 25 regarding one side's motions, and 50 + 50 + 25 regarding the other side's motions) of briefing on all case dispositive motions and Daubert motions in the -872 Action and no more than a total of 250 pages of briefing on all case dispositive motions and Daubert motions in the -873 Action.

required by Local Rule 7.1.1.

15. Application to Court for Protective Order. Should counsel find it will be necessary to apply to the Court for a protective order specifying terms and conditions for the disclosure of confidential information, counsel should confer and attempt to reach an agreement on a proposed form of order and submit it to the Court no later than January 14, 2026. Should counsel be unable to reach an agreement on a proposed form of order, counsel must follow the provisions of Paragraph 4(h) above.

Any proposed protective order must include the following paragraph:

> Other Proceedings. By entering this order and limiting the disclosure of information in this case, the Court does not intend to preclude another court from finding that information may be relevant and subject to disclosure in another case. Any person or party subject to this order who becomes subject to a motion to disclose another party's information designated "confidential" [the parties should list any other level of designation, such as "highly confidential," which may be provided for in the protective order] pursuant to this order shall promptly notify that party of the motion so that the party may have an opportunity to appear and be heard on whether that information should be disclosed.

16. Papers Filed Under Seal. In accordance with section G of the Revised Administrative Procedures Governing Filing and Service by Electronic Means, a redacted version of any sealed document shall be filed electronically within seven (7) days of the filing of the sealed document.

17. Courtesy Copies. The Parties shall provide to the Court two (2) courtesy copies of filings (*i.e.*, briefs, appendices, exhibits, declarations, affidavits etc.). Courtesy copies of appendices and exhibits should include hard tabs. This provision also applies to papers filed under seal.

18. Motions *in Limine*. Motions *in limine* shall not be separately filed. All *in limine* requests and responses thereto shall be set forth in the proposed pretrial order. Each SIDE (each

of Plaintiffs and the Twitch Defendants in the -872 Action; and each of Plaintiffs and the Google Defendants in the -873 Action) shall be limited to three (3) *in limine* requests, unless otherwise permitted by the Court. The *in limine* request and any response shall contain the authorities relied upon; each *in limine* request may be supported by a maximum of three (3) pages of argument, may be opposed by a maximum of three (3) pages of argument, and the side making the *in limine* request may add a maximum of one (1) additional page in reply in support of its request. If more than one party is supporting or opposing an *in limine* request, such support or opposition shall be combined in a single three (3) page submission (and, if the moving party, a single one (1) page reply), unless otherwise ordered by the Court. No separate briefing shall be submitted on *in limine* requests, unless otherwise permitted by the Court.

19. Pretrial Conference (Civil Action No. 25-872). On November 21, 2028, the Court will hold a first pretrial conference in Court with counsel for the first trial beginning at 3:00 p.m. Unless otherwise ordered by the Court, the Parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3). The Parties shall file with the Court the joint proposed final pretrial order in compliance with Local Rule 16.3(c) and the Court's Preferences and Procedures for Civil Cases not later than seven (7) days before the pretrial conference. Unless otherwise ordered by the Court, the Parties shall comply with the timeframes set forth in Local Rule 16.3(d)(1)-(3) for the preparation of the joint proposed final pretrial order.

The Parties shall provide the Court two (2) courtesy copies of the joint proposed final pretrial order and all attachments. The proposed final pretrial order shall contain a table of contents and the paragraphs shall be numbered.

20. Pretrial Conference (Civil Action No. 25-873). On January 30, 2029, the Court will

hold a second pretrial conference in Court with counsel for the second trial beginning at 3:00 p.m. Unless otherwise ordered by the Court, the Parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3). The Parties shall file with the Court the joint proposed final pretrial order in compliance with Local Rule 16.3(c) and the Court's Preferences and Procedures for Civil Cases not later than seven (7) days before the pretrial conference. Unless otherwise ordered by the Court, the Parties shall comply with the timeframes set forth in Local Rule 16.3(d)(1)-(3) for the preparation of the joint proposed final pretrial order.

The Parties shall provide the Court two (2) courtesy copies of the joint proposed final pretrial order and all attachments. The proposed final pretrial order shall contain a table of contents and the paragraphs shall be numbered.

21. Jury Instructions, Voir Dire, and Special Verdict Forms. Where a case is to be tried to a jury, pursuant to Local Rules 47.1(a)(2) and 51.1 the Parties should file (i) proposed voir dire, (ii) preliminary jury instructions, (iii) final jury instructions, and (iv) special verdict forms seven (7) business days before the final pretrial conference. This submission shall be accompanied by a courtesy copy containing electronic files of these documents, in Microsoft Word format, which may be submitted by e-mail to gbw_civil@ded.uscourts.gov.

22. Trial (Civil Action No. 25-872). The first trial is scheduled for a five-day jury trial beginning at 9:30 a.m. on November 27, 2028 (or a date and time available to and convenient for the Court), with the subsequent trial days beginning at 9:30 a.m. Until the case is submitted to the jury for deliberations, the jury will be excused each day at 5:30 p.m. The trial will be timed, as counsel will be allocated a total number of hours in which to present their respective cases.

23. Trial (Civil Action No. 25-873). The second trial is scheduled for a five-day jury

trial beginning at 9:30 a.m. on February 5, 2029 (or a date and time available to and convenient for the Court), with the subsequent trial days beginning at 9:30 a.m. Until the case is submitted to the jury for deliberations, the jury will be excused each day at 5:30 p.m. The trial will be timed, as counsel will be allocated a total number of hours in which to present their respective cases.

24. Judgment on Verdict and Post-Trial Status Report. Within seven (7) days after a jury returns a verdict in any portion of a jury trial, the Parties shall jointly submit a form of order to enter judgment on the verdict. At the same time, the Parties shall submit a joint status report, indicating among other things how the case should proceed and listing any post-trial motions each party intends to file.

25. Post-Trial Motions. Unless otherwise ordered by the Court, all ***SIDES*** are limited to a maximum of 20 pages of opening briefs, 20 pages of answering briefs, and 10 pages of reply briefs relating to any post-trial motions filed by that side, no matter how many such motions are filed.

26. ADR Process. This matter may be referred to a magistrate judge to explore the possibility of alternative dispute resolution if the Parties jointly request such a referral.

27. Narrowing of Asserted Claims and Prior Art.

At the time Plaintiffs serve their initial infringement contentions, July 23, 2026, Plaintiffs shall identify no more than thirty-two (32) asserted claims. At the time Defendants serve their initial invalidity contentions, September 3, 2026, Defendants shall identify no more than forty (40) asserted prior art references[3].

[3] To the extent Defendants rely on prior art systems, each system shall count as a single reference.

At the time Plaintiffs serve their final infringement contentions, August 30, 2027, Plaintiffs shall identify no more than sixteen (16) asserted claims. At the time Defendants serve their final invalidity contentions, October 7, 2027, Defendants shall identify no more than twenty (20) asserted prior art references.

The Honorable Greogory B. Williams
United States District Judge

Counsel Shall Provide a Chart of All Relevant Deadlines

EVENT	PARTIES' AGREED PROPOSED SCHEDULE (2028 TRIAL)
Rule 26(a)(1) Initial Disclosures	December 19, 2025
Protective Order	January 14, 2026
ESI Order	January 16, 2026
Plaintiffs shall identify asserted patent(s), the accused product(s), and damages model. Plaintiffs shall also produce the file history for each asserted patent.	February 19, 2026
The parties shall serve and respond to discovery requests in accordance with Rules 26 and 34 of the Federal Rules of Civil Procedure, and any other applicable rule, law, or court order.	N/A
Default Standard Paragraph 3 Initial Disclosures	March 2, 2026
Defendants shall produce core technical documents and sales figures for the accused product(s).	April 30, 2026
Initial Infringement Contentions.	July 23, 2026
Plaintiffs shall identify no more than thirty-two (32) asserted claims.	July 23, 2026
Initial Invalidity Contentions	September 3, 2026
Defendants shall identify no more than forty (40) asserted prior art references.	September 3, 2026
Joinder of Other Parties and Amendment of Pleadings.	September 7, 2026
The parties shall exchange a list of those claim term(s)/phrase(s) that they believe need construction and their proposed claim construction of those term(s)/phrase(s).	September 24, 2026

EVENT	PARTIES' AGREED PROPOSED SCHEDULE (2028 TRIAL)
The parties shall meet and confer to discuss adjusting claim construction briefing limits.	October 1, 2026
The parties shall respond to and provide their proposed construction for any term(s)/phrase(s) presented by the other side for which the party did not initially provide a construction.	October 8, 2026
Joint Claim Construction Chart.	October 22, 2026
Opening Claim Construction Brief.	November 5, 2026
Answering Claim Construction Brief.	December 10, 2026
Deadline to Request Leave to Present Testimony at Claim Construction Hearing and Inform Court of Time Needed for Hearing	December 17, 2026
Reply Claim Construction Brief.	January 7, 2027
Sur-Reply Claim Construction Brief.	January 28, 2027
Joint Claim Construction Brief and Technology Tutorial.	February 11, 2027
Substantial Completion of Document Production.	February 18, 2027
Claim Construction Hearing.	April 8, 2027, at 2:00pm
Deadline for Plaintiffs to Supplement Identification of All Accused Products and Serve Final Infringement Contentions.	August 30, 2027
Plaintiffs shall identify no more than sixteen (16) asserted claims.	August 30, 2027
Interim Status Report on Discovery.	September 16, 2027
Deadline for Defendants to Supplement Invalidity References and Serve Final Invalidity Contentions.	October 7, 2027
Defendants shall identify no more than twenty (20) asserted prior art references.	October 7, 2027

EVENT	PARTIES' AGREED PROPOSED SCHEDULE (2028 TRIAL)
Close of Fact Discovery.	November 4, 2027
Opening Expert Reports.	December 1, 2027
Rebuttal Expert Reports.	January 26, 2028
Reply Expert Reports.	February 23, 2028
Expert Discovery Cut-Off.	April 5, 2028
Case Dispositive Motions and *Daubert* Motions.	May 4, 2028
Responses to Case Dispositive Motions and *Daubert* Motions.	June 1, 2028
Replies in Support of Case Dispositive Motions and *Daubert* Motions.	June 22, 2028
Deadline to File Joint Proposed Final Pretrial Order, including proposed voir dire, preliminary jury instructions, final jury instructions, and special verdict forms	September 27, 2028
Pretrial Conference (Civil Action No. 25-872).	November 21, 2028, at 3:00 pm
Trial (Civil Action No. 25-872).	November 27, 2028, at 9:30 am
Pretrial Conference (Civil Action No. 25-873).	January 30, 2029, at 3:00 pm
Trial (Civil Action No. 25-873).	February 5, 2029, at 9:30 am