

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

INTIRION CORPORATION,

Plaintiff/Counter Defendant,

vs.

COLLEGE PRODUCTS, INC.,

Defendant/Counter Claimant.

Case No. 23-CV-4023-CJW-KEM

**SCHEDULING ORDER AND
DISCOVERY PLAN**

(Patent Case)

I. INTRODUCTION: This order sets forth the deadlines that apply to this case. The Court expects the parties to adhere strictly to all deadlines specified in this order. A party who elects to represent himself/herself is held to the same deadlines as an attorney.

II. DEADLINES: After conducting a scheduling conference, the undersigned finds the following deadlines should be set. A supplemental scheduling order will be filed after issuance of the *Markman* ruling and conferral with the parties.

A. File proposed protective order(s):¹	08/22/2023
B. Initial disclosures:	08/29/2023
C. Motions to add parties:	09/05/2023
D. Motions to amend pleadings:	09/22/2023

III. ADDITIONAL PATENT DEADLINES:

The Court imposes the following additional actions based on the nature of the case and at the suggestion of the parties (Doc. 64).

¹ Items listed in **bold** must be filed with the Court; all other items are to be exchanged or served between the parties and not filed with the Court.

<i>A.</i> Accused products identification:	09/15/2023
<i>B.</i> Technical document production:	10/27/2023
<i>C.</i> Serve initial infringement contentions:	08/15/2023
<i>D.</i> Serve initial invalidity contentions:	09/29/2023
<i>E.</i> Serve initial non-infringement contentions:	10/13/2023
<i>F.</i> Exchange claim construction terms:	10/20/2023
<i>G.</i> Exchange proposed claim constructions and supporting evidence:	10/27/2023
<i>H.</i> Serve initial validity contentions:	10/30/2023
<i>I.</i> Complete claim constructions meet and confer:	11/06/2023
<i>J.</i> File joint claim construction statement:	11/13/2023
<i>K.</i> Exchange opening claim construction briefs:	12/01/2023
<i>L.</i> Exchange answering claim construction briefs:	12/22/2023
<i>M.</i> Exchange reply claim construction briefs:	01/10/2024
<i>N.</i> File joint claim construction brief:	01/19/2024
<i>O.</i> <i>Markman</i> hearing and technology tutorial ready date:	02/02/2024

The Court will determine whether to hold a technology tutorial and will schedule any technology tutorial and *Markman* hearing by separate order.

The Court adopts and orders the parties to comply with the provisions of the proposed scheduling order and discovery plan regarding contentions, claim construction process, expert reports, advice of counsel defenses, privilege logs. *See* Doc. 64, pp. 5-10.

IV. CONSENT:

The parties unanimously consent to trial, disposition, and judgment by a U.S. Magistrate Judge, with appeal to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 636(c)(3). **No**

V. REQUESTS FOR HEARINGS:

The Court encourages participation in the conduct of hearings on motions by lawyers who drafted or contributed to the motion or resistance and/or preparation for the hearing. A representation that the argument on motions will be handled, in whole or in part, by the lawyer(s) who drafted or contributed to the motion or resistance may weigh in favor of granting a hearing.

SO ORDERED on August 15, 2023.



Kelly K.E. Mahoney
Chief United States Magistrate Judge
Northern District of Iowa