UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of **CERTAIN DYNAMIC RANDOM ACCESS MEMORY (DRAM) DEVICES, PRODUCTS CONTAINING THE SAME, AND COMPONENTS THEREOF**	**Inv. No. 337-TA-1472**

ORDER NO. 13: AMENDED ADOPTED PROCEDURAL SCHEDULE

(February 6, 2026)

On January 14, 2026, a Proposed Procedural Schedule was issued in this Investigation ("PPS"). (Order No. 4 (Jan. 14, 2026).). In the PPS, the Evidentiary Hearing ("Hearing") was scheduled for October 28, 29, 30, November 2, November 3, and November 4, 2026. (*Id.* at 2–3.). The PPS set April 2, 2027 as the deadline for the Final Initial Determination ("ID") and August 2, 2027 as the Target Date. (*Id.*). The deadline for the Parties to submit their selections/inserts to the Proposed Procedural Schedule was January 21, 2026.

On January 22, 2026, Complainant Netlist, Inc. ("Complainant" or "Netlist"), Respondents Samsung Electronics Co., Ltd., Samsung Electronics America Inc., Samsung Semiconductor, Inc. (collectively "Samsung"), Google LLC ("Google"), and Super Micro Computer Inc. ("Super Micro") (collectively, "Respondents" and, with Netlist, "the Private Parties"), and the Commission Investigative Staff ("Staff" and, with the Private Parties, "the Parties") jointly moved ("Motion") for a modification to the dates for the Evidentiary Hearing ("Hearing") and for an extension of time to submit a Proposed Procedural schedule. (Motion Dkt. No. 1472-005.). The Parties requested the Hearing be rescheduled for either the week of November 9 or the week of November 16, 2026. (*Id.*). On January 27, 2026, the Motion was granted in part. (Order No. 10 (Jan. 27, 2026).). The Parties' request to extend the deadline to submit their Proposed Procedural Schedule was granted. The Parties' request to change the

Netlist EX2131
Samsung v. Netlist
PGR2025-00071

Russell Warnick downloaded 871844-2495550 on Fri Feb 06 15:13:00 EST 2026

Hearing dates was granted, but the dates the Parties requested were not adopted. An Amended Proposed Procedural Schedule ("APPS") was provided. (Order No. 10, Attachment A.). The rescheduled Hearing dates are November 23, 24, 30, December 1, 2, and 3, 2026. The new deadline for the Final ID is May 3, 2026.

Pursuant to Order No. 10, on February 3, 2026 the Parties filed their Joint Proposed Procedural Schedule ("JPPS"). (EDIS Doc. ID No. 871408 (Feb. 3, 2026).). The JPPS contains three (3) deviations from the APPS. One, the Parties requested deadlines for Staff that differ from the deadlines for the Private Parties. (JPPS at 2.). Two, the Parties requested deadlines for initial and final burden contention interrogatory responses. (*Id.*). Three, the Parties requested one additional week of expert discovery. (*Id.*). The Parties argue that adopting their requested changes will enable Staff to review the Private Parties' filings before submitting their own, help the Parties provide timely disclosures of their respective contentions, and enable Staff to more fully participate in expert discovery. (*Id.*).

The Parties' joint requests are granted and hereby adopted. Although these Chambers did not propose burden contention interrogatory deadlines, the Parties have requested them. The Parties will be held to their agreement to the extent they have a mutual understanding as to the meaning of "initial" and "final" burden contentions. The close of fact discovery, including all testing, is July 8, 2026. The Amended Adopted Procedural Schedule ("AAPS") is Attachment A hereto.

SO ORDERED.

MaryJoan McNamara
Administrative Law Judge

Russell Warnick downloaded 871844-2495550 on Fri Feb 06 15:13:00 EST 2026

ATTACHMENT A TO ORDER NO. 13

Inv. No. 337-TA-1472

AMENDED ADOPTED PROCEDURAL SCHEDULE

Event	Date(s)
Parties file their Proposed Procedural Schedule and identify USPTO/PTO Proceedings as well as State and Federal Litigation that is relevant to this Investigation	**February 3, 2026**
Complainants File Notice of Patent Priority Dates/Dates of Conception	February 4, 2026
Deadline for Disclosure of Domestic Industry Products (Per Ground Rule 1.13)	February 11, 2026
First Status Report on Foreign and Third-Party Discovery	February 13, 2026
Private Parties Exchange List of Patent Claim Terms for Construction	February 13, 2026
Staff Exchanges List of Patent Claim Terms for Construction	February 17, 2026
Management Conference	**February 17, 2026 2:00 p.m.**
Technology Stipulation Deadline	February 20, 2026
Complainants and Respondents provide Each Other with Their Proposed Construction of Disputed Claim Terms	March 3, 2026
File Identification of Expert Witnesses, which should include a statement of their Expertise in the subject matter together with Curriculum Vitae	March 3, 2026
Initial deadline for responses to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest issues	March 4, 2026
File Tentative List of Witnesses a Party will call to testify at the Evidentiary Hearing, with an identification of each Witness's relationship to the party	March 6, 2026
Staff provides Their Proposed Construction of Disputed Claim Terms (w/ supporting evidence)	March 10, 2026
Parties Meet and Confer to Attempt to Limit Claim Terms and Claim Term Disputes	March 12, 2026
Second Joint Status Report on Foreign and Third-Party Discovery	March 13, 2026
Respondents File Notice of Prior Art (This should be limited at the outset to no more than 10 pieces of prior art per patent including combinations, with the expectation that the number will be reduced to no more than 3-4 pieces per patent by the	March 13, 2026

Russell Warnick downloaded 871844-2495551 on Fri Feb 06 15:13:00 EST 2026

Event	Date(s)
close of fact discovery)	
Management Conference (To discuss potential discovery issues/timing, any relevant corollary proceedings) (Likely on Webex)	**March 17, 2026 2:00 p.m.**
Initial deadline for responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	March 25, 2026
File Joint Claim Construction Chart	**March 27, 2026**
Deadline to File *Markman* Hearing Proposals (Including Final Proposed *Markman* Exhibit Lists)	**March 27, 2026**
Private Parties File Markman Briefs with each Party's Proposed Construction of Disputed Claim Terms and Explanation of Their Initial Claim Constructions and Expert Declarations.	April 1, 2026
Staff files Markman Brief with its Proposed Construction of Disputed Claim Terms and Explanation of Their Initial Claim Constructions and Expert Declarations.	April 15, 2026
Parties to Exchange Proposed Markman Exhibit Lists and Exhibits (Except for Expert Declarations and Demonstratives) (Per Ground Rule 1.14.3.1)	April 16, 2026
***Markman* Hearing**	**April 21, 2026**
Management Conference (Likely on Webex)	**April 21, 2026**
File Joint Chart Setting Forth Parties' Post-Hearing Claim Constructions (Per Ground Rule 1.14)	May 1, 2026
Deadline for Having Identified ALL Accused Products and/or Representative Accused Products (Must Be At Least 6 Weeks Before Close of Fact Discovery)	May 15, 2026
Management Conference (Likely on Webex)	**May 22, 2026 2:00 p.m.**
Final deadline for responses to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest issues	June 5, 2026
Last Day to File Motions to Compel (Unless leave is granted)	**June 8, 2026**
Final deadline for responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	July 1, 2026

Russell Warnick downloaded 871844-2495551 on Fri Feb 06 15:13:00 EST 2026

Event	Date(s)
Fact Discovery Cutoff and Completion (This includes completion of fact Tests/Surveys/Data) (No extensions without Leave) (Note: this means that all fact contentions on infringement and invalidity have been exchanged and completed)	**July 8, 2026**
Exchange of Initial Expert Reports (Send copies to McNamara337@usitc.gov)	July 22, 2026
Exchange of Rebuttal Expert Reports (Send copies to McNamara337@usitc.gov)	August 5, 2026
Expert Discovery Cutoff and Completion (No extensions without Leave)	**August 24, 2026**
Last Day to file Summary Determination Motions	**September 24, 2026**
Parties Exchange Hearing Exhibit Lists (Most likely, Tentative)	October 1, 2026
Attendance at One-day Mediation Session	October 6, 2026
Submission of Mediation Report	October 13, 2026
File Motions for Receipt of Evidence Without a Witness	October 14, 2026
Submission of Declarations Justifying Confidentiality of Exhibits	October 14, 2026
Complainants and Respondents file Pre-Hearing Statements and Pre-Hearing Briefs	October 19, 2026
Last day to file Motions in Limine ("MIL") (Complainants and Respondents are each limited to no more than two (2) MILs and HPOs in combination, and Respondents are limited to no more than three (3) MILs and HPOs in combination) without Leave	**October 23, 2026**
Last day to file High Priority Objections ("HPO") (See note for MIL)	**October 23, 2026**
Staff files Pre-Hearing Statement and Pre-Hearing Brief	October 29, 2026
File Responses to Motions *in Limine*	**October 30, 2026**
File Responses to High Priority Objections	**October 30, 2026**
Staff Files Responses to Motion *in Limine* and High Priority Objections	November 6, 2026
Parties file Joint Outline of Issues from Pre-Hearing Briefs (Per Ground Rule 7.3)	November 10, 2026
File on EDIS any Stipulations Regarding Exchange of Demonstratives for Evidentiary Hearing and Any Other	November 10, 2026

Russell Warnick downloaded 871844-2495551 on Fri Feb 06 15:13:00 EST 2026

Event	Date(s)
Stipulations into Which the Parties Enter	
Pre-Hearing Conference (There May Be One or More Conferences Before to Resolve MILS or Other Issues)	**November 23, 2026**
Evidentiary Hearing (Starting with Tutorials, as Parties Propose)	**November 23, 24, 30, December 1, 2, and 3, 2026**
Last Day to submit Final Exhibits to Box. All Exhibits should be properly labeled (Follow the Ground Rules and Docket Requirements)	**December 11, 2026**
Complainants and Respondents file Initial Post-Hearing Briefs (Only on Issues for Which the Party Bears the Burden of Proof) and Final Exhibit Lists. Staff May File on All Issues.	**December 29, 2026**
Complainants and Respondents file Reply Post-Hearing Briefs (Only on Issues Discussed in the Initial Post-Hearing Brief of an Opposing Party).	**January 5, 2027**
Staff file Reply Post-Hearing Brief. Staff May File on All Issues.	**January 11, 2027**
Parties File Outline of Issues, Tracing Arguments from Pre-Hearing Through Post-Hearing Reply Briefs (Include Arguments That Have Been Dropped, Per Ground Rule 7.3)	**January 12, 2027**
Private Parties File Statement of Undisputed FACTS and Theories (This includes: facts that are not disputed; if patents: claim terms that are infringed/practiced are not disputed, theories/facts that experts agree upon)	**January 12, 2027**
Final ID due	**May 3, 2027**
Target date	**September 3, 2027**

Russell Warnick downloaded 871844-2495551 on Fri Feb 06 15:13:00 EST 2026