

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN SILICON-ON-INSULATOR
WAFERS

Inv. No. 337-TA-1025

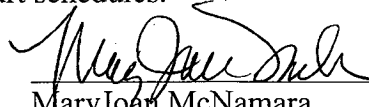
ORDER No. 10:

ADOPTING IN PART JOINT
PROPOSED PROCEDURAL SCHEDULE

(January 5, 2017)

In Order No. 9, filed on December 9, 2016, a procedural schedule was proposed for the remainder of this Investigation. (Order No. 9 (Dec. 9, 2016)). In response to Order No. 9, Complainant Silicon Genesis Corp., Respondent Soitec, S.A. and Commission Investigative Staff (collectively “the Parties”) timely filed a Joint Proposed Procedural Schedule on December 28, 2016 in which the Parties proposed alternative dates to certain of the proposed dates or offered original dates. (Joint Proposed Procedural Schedule, EDIS Doc. ID No. 599369 (Dec. 28, 2016); *cf.* Order No. 9.). Many of the Parties’ proposed dates contained in the Parties’ Joint Proposed Procedural Schedule are adopted by this Order, as set forth in Attachment A hereto, which is now the Procedural Schedule for this Investigation. However, some of the later proposed dates, particularly those pertaining to expert discovery cutoff, the submission of summary determination motions, and pre-hearing motions, *inter alia*, were not adopted where the Parties’ proposed dates either did not allow sufficient time for court review of the submissions or they impinged on other court schedules.

SO ORDERED.


MaryJoan McNamara
Administrative Law Judge

ATTACHMENT A

ADOPTED PROCEDURAL SCHEDULE INV. No. 337-TA-1025

Event Date

Parties Submit Discovery Statement Parties File a Proposed Procedural Schedule	December 28, 2016
Deadline for Propounding First Set of Interrogatories	January 3, 2017
Deadline for Propounding First Request for Production of Documents	January 3, 2017
Deadline for Complainant's Objections and Responses to Respondent's First Set of Interrogatories and Request for Production	January 9, 2017
Deadline for Respondent's Objections and Responses to Complainant's First Set of Interrogatories and Request for Production	January 11, 2017
Deadline for Initial Contention Interrogatories	January 13, 2017
Deadline for Initial Contention Deadline Interrogatory Responses	January 27, 2017
File Identification of Expert Witnesses, Including Statements Regarding Their Expertise and Curriculum Vitae	January 20, 2017
Complainant Files Notice of Patent Priority Dates/Dates of Conception and Curriculum Vitae	January 24, 2017
Parties Exchange List of Patent Claim Terms for Construction	January 27, 2017
Respondent files Notice of Prior Art	January 31, 2017
Deadline for Disclosure of Invalidity Contentions	February 10, 2017
Deadline for Disclosure of Infringement Contentions	February 10, 2017

ATTACHMENT A

ADOPTED PROCEDURAL SCHEDULE INV. No. 337-TA-1025

Event	Date
Complainant and Respondent Provide Staff with Their Proposed Construction of Disputed Claim Terms	February 17, 2017
Deadline to File <i>Markman</i> Hearing Proposals	February 17, 2017
File Joint Claim Construction Chart	February 24, 2017
Deadline for Parties to Meet and Confer (including Staff) in an Attempt to Reconcile or Otherwise Limit Disputed Claim Terms	March 3, 2017
Parties File a Joint List showing each Party's Proposed Construction of Disputed Claim Terms, with Initial Briefs by All Parties explaining their Initial Claim Constructions	March 10, 2017
Technology Stipulation Deadline	March 17, 2017
File Replies to Initial Claim Construction and Briefs	March 17, 2017
<i>Markman</i> Hearing (if Ordered)	March 24, 2017
Deadline for <i>post-Markman</i> Hearing Claim Construction and Briefs	March 31, 2017
File Tentative List of Witnesses a Party will call to testify at the Evidentiary Hearing, with an Identification of each Witness' Relationship to the Party	February 24, 2017
Fact discovery cutoff and completion	March 24, 2017
Last day to file Motions to Compel Discovery	March 31, 2017
Attendance at one-day mediation session	By April 14, 2017
Submission of Joint Report on Mediation	April 21, 2017
Exchange of Initial Expert Reports (Identify tests/surveys/data)	April 3, 2017

ATTACHMENT A

ADOPTED PROCEDURAL SCHEDULE INV. No. 337-TA-1025

Event	Date
Exchange of Rebuttal Expert Reports	April 10, 2017
Expert Discovery Cutoff and Completion	April 17, 2017
Last Day to File Summary Determination Motions	April 24, 2017
Submission of Statements with Regard to the Use of Witness statements in Lieu of Live Direct Testimony (Submit Statements also Whether Any Party Intends to offer Expert Reports into Evidence. A Ruling May Issue Regardless)	April 27, 2017
Exchange of Exhibit Lists Among the Parties	April 27, 2017
Submit and Serve Direct Exhibits (including witness statements, if appropriate), with physical and demonstrative exhibits available - Complainant and Respondent	April 28, 2017
Submit and serve Direct Exhibits (including Witness Statements), with Physical and Demonstrative exhibits available - Staff	May 2, 2017
File Pre-hearing Statements and Briefs - Complainant and Respondent	May 2, 2017
File Pre-hearing Statement and Brief — Staff	May 9, 2017
File Requests for Receipt of Evidence Without Witness	May 15, 2017
File Objections to Direct Exhibits (including Witness Statements)	May 9, 2017
Submit and serve Rebuttal Exhibits (including Witness Statements), with rebuttal physical and demonstrative exhibits available—all Parties	May 16, 2017
Last Day to File Motions <i>in Limine</i>	May 19, 2017
File responses to Objections to Direct Exhibits (including Witness Statements)	May 22, 2017
File Objections to Rebuttal Exhibits (including Witness Statements, if applicable)	May 22, 2017
Last Day to File High Priority Objections	May 19, 2017
File response to objections to Rebuttal Exhibits (including witness statements)	May 26, 2017
File Responses High Priority Objections	May 26, 2017

ATTACHMENT A

ADOPTED PROCEDURAL SCHEDULE INV. No. 337-TA-1025

Event Date

Last day to file responses to Motions <i>in Limine</i>	May 26, 2017
Pre-hearing conference	June 13, 2016, location TBA
Hearing	9:30 a.m., June 13-16, 2017 location TBA
Last day to submit Final Exhibits, by Appointment	No more than two business days after hearing
File initial Post-hearing Briefs and Final Exhibit Lists	June 30, 2017
Submit Final JOINT Direct and Rebuttal Exhibits (CDROM or Flash Drive)	July 7, 2017
File Reply Post-hearing Briefs	July 14, 2017
Final ID due	October 27, 2017
Target Date	February 28, 2018

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, **Sarah Sladic, Esq.**, and the following parties as indicated, on **January 5, 2017**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

On Behalf of Complainant Silicon Genesis Corp.:

George C. Summerfield, Esq.
STADHEIM & GREAR LTD.
400 North Michigan Ave. Suite 2200
Chicago, IL 60611

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail[®]
- Other: _____

On Behalf of Respondent Soitec, S.A.:

V. James Adduci, II, Esq.
ADDUCI, MASTRIANI & SCHAUMBERG, L.L.P.
1133 Connecticut Ave., NW, 12th Floor
Washington, DC 20036

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: _____