

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN WINDSHIELD WIPERS
AND COMPONENTS THEREOF

Inv. No. 337-TA-928
Inv. No. 337-TA-937
(consolidated)

ORDER NO. 10 SETTING CONSOLIDATED PROCEDURAL SCHEDULE

(January 21, 2015)

On December 9, 2014, I issued Order No. 8 consolidating Investigations 337-TA-928 and 337-TA-937. As a result, a new consolidated procedural schedule needs to be devised. To that end, on December 18, 2014, I issued Order No. 9 requesting that the parties meet and confer, and file a proposed joint procedural schedule by December 29, 2014.

I am receipt of the parties' filing. The parties could not agree on a joint procedural schedule. Instead each party proposed its own procedural schedule. I have reviewed the parties' proposed procedural schedules. Based on my review of the procedural schedules and in consideration of my obligations to the other investigations on my docket I am hereby setting the procedural schedule in this consolidated investigation as specified in Appendix A, attached hereto.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

APPENDIX A

Procedural Schedule, Investigation Nos. 337-TA-928 / 937 (consolidated)	
Event	Date
First settlement conference	The parties may hold the first settlement conference on a date of their choosing. However, the first settlement conference joint report must be submitted no later than Friday, February 13, 2015.
Submit first settlement conference joint report	
Trico provides all proposed claim constructions and Valeo and Federal Mogul provide proposed claim constructions for terms newly identified by Trico - exchange proposed claim constructions	Friday, January 23, 2015
File revised joint claim construction chart ¹	Tuesday, January 27, 2015
Trico files omnibus claim construction brief	Tuesday, February 3, 2015
Deadline for Revised Ground Rule 7.3 Disclosure of Domestic Industry Contentions	Tuesday, February 10, 2015
Trico files identification of expert witnesses, including their expertise and curriculum vitae	Thursday, February 12, 2015
Deadline for Trico Ground Rule 7.2 Disclosure of Products	Monday, February 16, 2015
Valeo and Federal Mogul file claim construction briefs in reply to Trico's omnibus brief	Tuesday, February 17, 2015
Technical Tutorial	Monday, March 2, 2015
<i>Markman</i> Hearing	Monday, March 2, 2015 through Tuesday, March 3, 2015
Deadline for Ground Rule 7.4 Disclosure of Infringement Contentions	Friday, March 20, 2015
Deadline for Ground Rule 7.5 Disclosure of Invalidity Contentions	Friday, March 20, 2015
Deadline for Serving Contention Interrogatory Responses (Burden of Proof)	Friday, March 20, 2015
Deadline for Serving Contention Interrogatory Responses (Remaining)	Wednesday, April 1, 2015
Fact discovery cutoff and completion	Friday, April 10, 2015

¹ NOTE: Ground Rule 8.3 limits the terms the parties' may jointly propose for construction as part of the Markman procedure to a maximum of 10.

Procedural Schedule, Investigation Nos. 337-TA-928 / 937 (consolidated)	
Event	Date
Issue Order Construing Terms (*tentative date*)	Friday, April 10, 2015
Second settlement conference	Thursday, April 16, 2015
Submit second settlement conference joint report	Thursday, April 23, 2015
Serve initial expert reports	Friday, April 24, 2015
Serve rebuttal expert reports	Friday, May 8, 2015
Deadline for filing summary determination motions	Wednesday, May 13, 2015
Expert discovery cutoff and completion	Wednesday, May 20, 2015
Serve proposed exhibit lists	Friday, May 22, 2015
Serve direct exhibits (including witness statements), with available physical and demonstrative exhibits	Thursday, May 28, 2015
File objections to direct exhibits (including witness statements)	Thursday, June 4, 2015
File responses to objections to direct exhibits (including witness statements)	Wednesday, June 10, 2015
File requests for receipt of evidence without a witness	Thursday, June 11, 2015
Serve rebuttal exhibits (including witness statements), with available rebuttal physical and demonstrative exhibits	Friday, June 12, 2015
File pre-hearing statements and briefs	Friday, June 19, 2015
Submit on electronic media proposed direct and rebuttal exhibits (including witness statements) with available proposed direct and rebuttal physical and demonstrative exhibits	Monday, June 22, 2015
Deadline for filing motions <i>in limine</i>	Wednesday, June 24, 2015
File objections to rebuttal exhibits (including witness statements)	Thursday, June 25, 2015
File responses to objections to rebuttal exhibits (including witness statements)	Tuesday, June 30, 2015
File responses to motions <i>in limine</i>	Tuesday, July 1, 2015
Third settlement conference	Friday, July 2, 2015
Submit third settlement conference joint report	Wednesday, July 8, 2015
Pre-hearing conference	Thursday, July 16, 2015

Procedural Schedule, Investigation Nos. 337-TA-928 / 937 (consolidated)	
Event	Date
Hearing	Thursday, July 16, 2015 through Friday, July 24, 2015
File initial post-hearing briefs and final exhibit lists	Friday, August 7, 2015
Submit final direct and rebuttal exhibits (including witness statements) with direct and rebuttal physical and demonstrative exhibits	Friday, August 7, 2015
File reply post-hearing briefs	Friday, August 21, 2015
Initial Determination Due	Friday, October 23, 2015
Target date for completion of investigation	Monday, February 23, 2016