

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN ELECTRONIC DEVICES,
INCLUDING MOBILE PHONES, PORTABLE
MUSIC PLAYERS, AND COMPUTERS

Inv. No. 337-TA-701

ORDER NO. 3: SETTING PROCEDURAL SCHEDULE

(March 9, 2010)

Pursuant to Order No. 2, the parties submitted a joint proposed procedural schedule. The Investigation will be controlled by the procedural schedule attached hereto as Appendix A.

SO ORDERED.


E. James Gildea
Administrative Law Judge

ATTACHMENT A

FORM OF PROCEDURAL SCHEDULE & DATES

Deadline for proposals requesting a Markman hearing	March 30, 2010
First settlement conference	April 2, 2010
Submission of first settlement conference joint report	April 9, 2010
File identification of expert witnesses, including their expertise and curriculum vitae	May 12, 2010
File notice of prior art	May 17, 2010
Parties exchange list of patent claim terms for construction	May 21, 2010
Submission of a joint list showing each party's proposed construction of the disputed claim terms—Complainants and Respondent	June 2, 2010
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	June 3, 2010
Submission of a joint list showing each party's proposed construction of the disputed claim terms—Staff	June 9, 2010
Deadline for responses to contention interrogatories—for party bearing burden of proof	June 15, 2010
Deadline for remaining contention interrogatory responses	June 22, 2010
Fact discovery cutoff and completion	July 2, 2010
Deadlines for motions to compel fact discovery	July 12, 2010
Exchange of initial expert reports (identify tests/surveys/data)	July 14, 2010
Exchange of rebuttal expert reports	July 28, 2010
Second settlement conference	July 30, 2010

Submission of second settlement conference joint report	August 6, 2010
Submission of statements regarding the use of witness statements in lieu of live direct testimony, and statements regarding whether any party intends to offer expert reports into evidence	August 13, 2010
Expert discovery cutoff and completion	August 19, 2010
Deadline for filing summary determination motions	September 1, 2010
Third settlement conference	September 17, 2010
Exchange of exhibit lists among the parties	September 22, 2010
Submission of third settlement conference joint report	September 24, 2010
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available—Complainants and Respondent	September 29, 2010
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available—Staff	October 5, 2010
File pre-hearing statements and briefs—Complainants and Respondent	October 6, 2010
File objections to direct exhibits (including witness statements)	October 13, 2010
Deadline for motions <i>in limine</i>	October 13, 2010
File pre-hearing statement and brief—Staff	October 13, 2010
Parties submit and serve rebuttal exhibits (including witness statements), with rebuttal physical and demonstrative exhibits available	October 18, 2010
Submission of declarations justifying confidentiality of exhibits	October 20, 2010
File responses to objections to direct exhibits (including witness statements)	October 22, 2010

File objections to rebuttal exhibits (including witness statements)	October 22, 2010
File responses to motions <i>in limine</i>	October 26, 2010
File requests for receipt of evidence without a witness	October 27, 2010
File statement of high priority objections	October 27, 2010
File response to objections to rebuttal exhibits (including witness statements)	October 27, 2010
File responses to statement of high priority objections	November 1, 2010
Tutorial on technology	9:30 a.m., November 5, 2010, Hearing Room A
Pre-hearing conference	November 5, 2010, Hearing Room A (following tutorials)
Hearing	November 5-18, 2010,¹ Hearing Room A
File initial post-hearing briefs, proposed findings of fact and conclusions of law, and final exhibit lists	November 30, 2010
File reply post-hearing briefs, objections and rebuttals to proposed findings of fact	December 8, 2010
Final ID due	January 31, 2011
Target Date	May 31, 2011

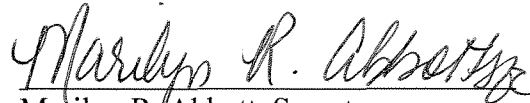
¹ Note: November 11 is a Federal Holiday and will not be a hearing day.

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337-TA-701

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **ORDER** has been served by hand upon, the Commission Investigative Attorney, **Rett Snotherly, Esq.**, and the following parties as indicated on March 9, 2010.



Marilyn R. Abbott, Secretary
U.S. International Trade Commission
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