

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

,

Plaintiff,

v.

Case No:

,

Defendant.

CASE MANAGEMENT REPORT FOR PATENT CASES

The Court notes that patent cases present unique challenges and require special attention. In an effort to streamline these proceedings, the Court requires the parties to utilize this Case Management Report form in patent cases. Importantly, **the Court limits the parties to construction of 10 claims.** In that regard, the parties shall jointly identify the 10 terms likely to be most significant to resolving the parties' dispute, including those terms for which construction may be case or claim dispositive.

DEADLINE OR EVENT	PARTIES' AGREED DATE
Mandatory Initial Disclosures (pursuant to Fed. R. Civ. P. 26(a)(1))	[Court recommends 1 month after CMR meeting]
Certificate of Interested Persons and Corporate Disclosure Statement	[Each party who has not previously filed must file immediately]
Motions to Add Parties or Amend Pleadings	[Court recommends 1-2 months after CMR meeting]
Plaintiff shall serve Disclosure of Asserted Claims and Preliminary Infringement Contentions and accompanying document production	[Court recommends 1 month after CMR meeting]
Defendants shall serve the Preliminary Invalidity Contentions and accompanying document production	[Court recommends 2 months after CMR meeting]

Parties shall exchange Proposed Terms and Claim Elements for Construction	[Court recommends 3 months after CMR meeting]
Parties shall exchange Preliminary Claim Constructions and Extrinsic Evidence	[Court recommends 4 months after CMR meeting]
Parties shall file Joint Claim Construction and Prehearing Statement	[Court recommends 5 months after CMR meeting]
Claim Construction Discovery shall be completed	[Court recommends 6 months after CMR meeting]
First Mediation Conference	[Court will appoint mediator and set the mediation deadline sometime immediately after claim construction discovery and before completion of Claim Construction briefing]
Plaintiff shall file Opening Claim Construction Brief	[Court recommends one month after Claim Construction Discovery Completion]
Defendants shall file Claim Construction Opposition Brief	[Court recommends 17 days after above deadline]
Plaintiff shall file Claim Construction Reply Brief	[Court recommends 10 days after above deadline]
Claim Construction Hearing	[to be set after Claim Construction briefing]
Second Case Management Hearing	[to be set on same date as above - held immediately after Claim Construction Hearing]
Factual Discovery Closes	[To be set at Second Case Management Hearing]
Parties shall serve Opening Expert Reports	[To be set at Second Case Management Hearing]
Parties shall serve Rebuttal Expert Reports	[To be set at Second Case Management Hearing]
Expert Discovery Closes	[To be set at Second Case Management Hearing]
Second Mediation Conference	[Court recommends immediately after Expert Discovery closes and before summary judgment briefing]
Last day to file summary judgment motions	[To be set at Second Case Management Hearing]

Last day to file opposition to summary judgment motions	[To be set at Second Case Management Hearing]
Last day to file replies to summary judgment motions	[To be set at Second Case Management Hearing]
Parties shall file motions in limine and Daubert motions	[To be set at Second Case Management Hearing]
Parties shall file pretrial statement and single set of jointly proposed jury instructions and verdict form	[To be set at Second Case Management Hearing]
The Court will hold the pretrial conference	[To be set at Second Case Management Hearing]
Trial Term Begins [district judge trial terms begin on the first Monday of each month; trials before magistrate judges will be set on a date certain after consultation with the parties]	[To be set at Second Case Management Hearing]
Estimated Length of Trial	
Jury/Non-Jury	
All Parties Consent to Proceed Before Assigned Magistrate Judge	Yes ___ No ___ Likely to agree in the Future ___