

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IMMERSION CORPORATION,  
Plaintiff,  
v.  
FITBIT, INC.,  
Defendant.

Case No. 17-CV-03886-LHK  
**CASE MANAGEMENT ORDER**

Plaintiff's Attorneys: Bahrad Sokhansanj, Jennifer Estremera, Jon Campbell, Jr.  
Defendant's Attorneys: Adam Alper, Kim-Lien Dang, Michael De Vries

An initial case management conference was held on October 18, 2017. A further case management conference is set for February 28, 2018, at 2:00 p.m. The parties shall file their joint case management statement by February 21, 2018.

The request to stay discovery pending resolution of the motion to dismiss is denied.

Fitbit's discovery limit requests are granted. If an expert issues more than one report (not counting reply and rebuttal reports), the opposing side can have 7 additional hours of expert witness deposition testimony for each extra report. In addition, each party shall be limited to:

- No more than 30 interrogatories;
- No more than 60 requests for admissions, not including requests for admissions for the purpose of authenticating documents; and
- No more than 70 total hours of party fact witness deposition testimony.

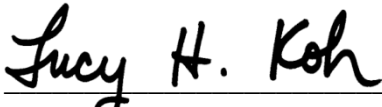
The Court set the following case schedule:

Scheduled Event	Date
Initial Disclosures	November 1, 2017
Deadline Serve Infringement Contentions and Accompanying Production	November 1, 2017
Deadline to Serve Invalidity Contentions and Accompanying Production	December 18, 2017
Deadline to Exchange Terms for Construction	January 2, 2018
Deadline to Exchange Proposed Constructions and Extrinsic Evidence	January 23, 2018
Deadline to Complete ADR	January 25, 2018
Deadline to Serve Damages Contentions	February 6, 2018
Deadline to File Joint Claim Construction and Prehearing Statement	February 16, 2018
Further CMC	February 28, 2018
Deadline to Serve Responsive Damages Contentions	March 8, 2018
Deadline to Complete Claim Construction Discovery	March 19, 2018
Claim Construction Briefing	<b>Pl.'s Op.:</b> April 2, 2018 <b>Def.'s Resp.:</b> April 16, 2018 <b>Pl.'s Reply:</b> April 23, 2018
Claim Construction Hearing	May 10, 2018 at 1:30 pm
Close of Fact Discovery	September 14, 2018
Opening Expert Reports Due	October 12, 2018
Rebuttal Expert Reports Due	November 9, 2018
Close of Expert Discovery	December 14, 2018
Deadline to File Dispositive Motions and <i>Daubert</i> Motions	January 17, 2019
Hearing on Dispositive Motions	February 28, 2019 at 1:30 pm
Final Pretrial Conference	April 25, 2019 at 1:30 pm
Jury Trial	May 6, 2019 at 9:00 am
Length of Trial	5 days

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IT IS SO ORDERED.**

Dated: October 18, 2017



\_\_\_\_\_  
LUCY H. KOH  
United States District Judge

United States District Court  
Northern District of California