

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

E-NUMERATE SOLUTIONS, INC. and
E-NUMERATE, LLC,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

C.A. No. 19-859-RTH

**PLAINTIFFS' UNOPPOSED MOTION TO AMEND THE
SCHEDULING ORDER**

Plaintiffs e-Numerate Solutions, Inc., and e-Numerate, LLC (collectively “e-Numerate” or “Plaintiffs”) hereby moves this Court to amend the current Scheduling Order (D.I. 64) in this matter in light of conflicts with Plaintiffs’ counsel’s trial schedule and the availability of Plaintiffs’ client representatives to review Plaintiffs’ opening claim construction brief. The parties met and conferred, and the Government does not oppose this motion. In support thereof, Plaintiffs aver as follows.

WHEREAS Plaintiffs presently have a submission date of 14 January 2022 for their opening claim construction brief;

WHEREAS Plaintiffs’ counsel have a discovery cut-off in another matter that coincides with that date;

WHEREAS Plaintiffs’ client representatives are unavailable to review Plaintiffs’ opening claim construction brief during the week of January 17, 2022;

WHEREAS Plaintiffs seek an extension to file their opening brief on 24 January 2022 in light of the above-listed conflicts;

WHEREAS the Government does not oppose this motion;

WHEREFORE, Plaintiffs respectfully move this Court to amend the Scheduling Order as follows:

EVENT	PRIOR DEADLINE	NEW DEADLINE
Plaintiffs file their opening claim construction brief	14 January 2022	24 January 2022
The government files its responsive claim construction brief	18 February 2022	28 February 2022
Plaintiffs file their reply claim construction brief	4 March 2022	14 March 2022
The government files its sur-reply claim construction brief	18 March 2022	28 March 2022
The parties submit the joint claim construction statement and propose dates for the Markman hearing	25 March 2022	4 April 2022
If desired, parties may submit joint technical tutorial to the Court	1 April 2022	11 April 2022
Markman Hearing	To be scheduled	To be scheduled
Deadline for the government to produce technical documents for additional agencies named in the second amended complaint	15 April 2022	25 April 2022

Dated: January 12, 2022

Respectfully submitted,

/s/ Sean T. O'Kelly

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