

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Case No. 3:14-cv-00274-RJC-DSC**

LIFESCAN, INC. and,)	
LIFESCAN SCOTLAND, LTD.,)	
)	
Plaintiffs and)	
Counterclaim-Defendants)	CLAIM CONSTRUCTION
v.)	SCHEDULING ORDER
)	
UNISTRIP TECHNOLOGIES, LLC)	
)	
Defendant and)	
Counterclaimant)	
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IN ACCORDANCE WITH the Local Civil Rules of the Western District of North Carolina, the Local Patent Rules, and pursuant to Rule 16 of the Federal Rules of Civil Procedure, the undersigned enters the following Claim Construction Scheduling Order in this matter.

DEADLINES AT A GLANCE¹

Rule 26 Disclosures:	September 17, 2014
Serve Initial Infringement Contentions:	October 30, 2014
Serve Initial Invalidity Contentions:	December 30, 2014
Exchange of Terms for Construction:	January 21, 2015
Exchange Preliminary Claim Construction:	February 9, 2015
File Joint Claim Construction Statement:	March 11, 2015
Close of Claim Construction Discovery:	April 10, 2015
File Opening Claim Construction Brief:	April 24, 2015
File Responsive Claim Construction Brief:	May 8, 2015
File Reply Claim Construction Brief:	May 15, 2015
File Surreply Claim Construction Brief:	May 22, 2015
File Claim Construction Chart:	May 29, 2015
Claim Construction Hearing:	July 21, 2015 at 10:00 a.m.

¹ Following Entry of the Claim Construction Order, if the parties request, the Court will issue a scheduling order addressing the relevant dates for discovery for that period. If no such order is issued, the parties are directed to adhere to the deadlines recognized in this district. All calculations will be based from the entry of Claim Construction Order. The parties are requested to request a trial date after the Claim Construction Hearing.

I. DISCOVERY

- A. **DISCOVERY GUIDELINES:** Discovery in this case is limited as follows: Each party may propound no more than **20** interrogatories, including subparts; no more than **20** requests for admission, and take no more than **6** depositions of non-expert witnesses.
- B. **RULE 26 DISCLOSURES:** The parties have agreed to exchange the information set forth in Rule 26 by **September 17, 2014**.
- C. **RESPONSES TO INTERROGATORIES AND REQUESTS FOR ADMISSION:** Every response to an interrogatory or request for admission, and every objection thereto, shall be preceded by the original number and complete text of the corresponding interrogatory or request for admission.
- D. **THE MAINTENANCE OF DISCOVERY MATERIALS:** Discovery materials are NOT to be filed. All counsel are advised to consult the local rule which provides that while depositions, interrogatories, and requests for admission, and responses thereto, must still be served on all parties, they are no longer to be filed unless upon order of the Court. The parties are responsible for the preservation of any and all discovery materials they may generate.
- E. **VIDEO DEPOSITIONS:** If video depositions are taken and counsel intend to use them at trial, counsel are directed to resolve any objections and edit the video accordingly so that the video may be shown without interruption. Failure to do this prior to trial will result in objections being deemed to be waived.
- F. **PROTECTIVE ORDERS:** Any objections made to discovery requests shall be accompanied by a draft proposed protective order if such order is, or will be, requested. When counsel submit proposed protective orders, they shall include a provision leaving

the ultimate disposition of protected materials subject to a final order of the Court on the completion of litigation.

**II. SANCTIONS FOR FAILURE TO COMPLY
WITH THE PRETRIAL ORDER**

Failure to comply with any of the provisions of this Order which causes added delay or expense to the Court may result in the imposition of sanctions as provided by the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: September 25, 2014



Robert J. Conrad, Jr.
United States District Judge

