

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CANON, INC.,

Plaintiff,

v.

**TCL ELECTRONICS HOLDINGS
LTD., TCL CORPORATION,
SHENZHEN TCL NEW
TECHNOLOGIES CO. LTD., TCL
KING ELECTRICAL APPLIANCES
(HUIZHOU) CO., LTD.,**

Defendants.

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CIVIL ACTION NO. 2:18-CV-00546-JRG


ORDER

Before the Court is the parties’ Joint Motion to Amend the Third Docket Control Order (the “Motion”). (Dkt. No. 163.) In the Motion, the parties move to amend the Docket Control Order to account for their inability to complete discovery in light of the COVID-19 pandemic. (*Id.*) The parties argue that good cause exists to extend deadlines because they have been unable to conduct depositions of foreign-based witnesses due to travel restrictions and declared states of emergency in light of the pandemic. (*Id.* at 1.) Having considered the Motion, the Court notes that the parties specifically identify impediments to proceeding with the above-captioned case, and that the parties have met and conferred to specifically identify solutions thereto. The Court is of the opinion that the Motion therefore should be and hereby is **GRANTED-IN-PART** and **DENIED-IN-PART**. It is therefore **ORDERED** that the below schedule governs deadlines in the above-captioned case until further order of the Court.

Current Deadline	Amended Deadline	Event
September 14, 2020	October 26, 2020	* Jury Selection - 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
August 27, 2020	October 12, 2020	* Pretrial Conference - 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
August 3, 2020	September 25, 2020	*Notify Deputy Clerk in Charge regarding the date and time by which juror questionnaires shall be presented to accompany by jury summons if the Parties desire to avail themselves the benefit of using juror questionnaires
August 3, 2020	October 7, 2020	*Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or motions in limine. The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
August 3, 2020	September 28, 2020	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions in Limine, Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
July 27, 2020	October 5, 2020	*File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov .
August 10, 2020	September 21, 2020	File Motions in Limine The parties shall limit their motions in limine to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
August 10, 2020	September 21, 2020	Serve Objections to Rebuttal Pretrial Disclosures
August 3, 2020	September 14, 2020	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures

Current Deadline	Amended Deadline	Event
July 20, 2020	September 7, 2020	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
July 13, 2020	August 31, 2020	<p>*Response to Dispositive Motions (including Daubert Motions).</p> <p>Responses to dispositive motions that were filed prior to the dispositive motion deadline, including Daubert Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order.2 Motions for Summary Judgment shall comply with Local Rule CV-56.</p>
June 29, 2020	August 17, 2020	<p>*File Motions to Strike Expert Testimony (including Daubert Motions)</p> <p>No motion to strike expert testimony (including a Daubert motion) may be filed after this date without leave of the Court.</p>
June 29, 2020	August 17, 2020	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</p>
June 22, 2020	August 10, 2020	Deadline to Complete Expert Discovery
June 15, 2020	August 3, 2020	Serve Disclosures for Rebuttal Expert Witnesses
June 22, 2020	July 24, 2020	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
May 25, 2020	July 24, 2020	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof

So ORDERED and SIGNED this 22nd day of May, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE