

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORCA SECURITY LTD.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 23-758 (JLH)
)	
WIZ, INC.,)	
)	
Defendant.)	

STIPULATION AND PROPOSED ORDER

WHEREAS, Defendant Wiz, Inc. (“Wiz”) filed its Answer to Second Amended Complaint and Counterclaims on June 4, 2024, and asserted counterclaims of infringement against Plaintiff Orca Security Ltd. (“Orca”) with respect to five patents (D.I. 70); and

WHEREAS, the parties have met and conferred about adjustments to the existing case schedule to accommodate the addition of these five asserted patents to the case;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the following dates in the Scheduling Order (D.I. 33) shall be amended as follows:

Event	Current Date	Amended Date
Deadline for Orca’s Response to Wiz’s counterclaims	June 25, 2024	July 25, 2024
Counterclaimant Wiz shall (1) identify the accused product(s) and its damages model and (2) produce the file history for each asserted patent	N/A	June 28, 2024
Orca shall complete production of core technical documents related to the accused product(s)	N/A	July 9, 2024
Counterclaimant Wiz shall produce initial infringement claim charts	N/A	August 2, 2024

Event	Current Date	Amended Date
Counterclaim-Defendant Orca shall produce initial invalidity contentions	N/A	August 30, 2024
Parties shall exchange a list of those claim term(s)/phrase(s) that they believe need construction and their proposed claim construction of those term(s)/phrase(s)	June 21, 2024	September 10, 2024
Responses to proposed claim constructions	June 28, 2024	September 17, 2024
Parties file Joint Claim Construction Chart	July 5, 2024	September 24, 2024
Parties serve simultaneous Opening Claim Construction Briefs Related to Serving Party's Asserted Patents	July 19, 2024	October 8, 2024
Parties serve simultaneous Answering Claim Construction Briefs Related to Opposing Party's Asserted Patents	August 9, 2024	October 22, 2024
Parties serve simultaneous Reply Claim Construction Brief Related to Serving Party's Asserted Patents	August 23, 2024	November 5, 2024
Parties serve simultaneous Sur-Reply Claim Construction Brief Related to Opposing Party's Asserted Patents	September 6, 2024	November 19, 2024
Parties file Joint Claim Construction Briefs (one brief for Orca's Asserted Patents; one brief for Wiz's Asserted Patents)	September 13, 2024	November 22, 2024
Delaware and Lead Counsel shall meet and confer, file an amended Joint Claim Construction Chart setting forth all agreed-upon constructions and all terms that remain in dispute, and email a copy of the amended chart in Microsoft Word format to the Court.	No earlier than October 4, 2024, and no later than October 18, 2024	No earlier than three weeks before the claim construction hearing and no later than one week before the claim construction hearing

Event	Current Date	Amended Date
Claim Construction Hearing	October 24, 2024, at 10:00 a.m.	December 27, 2024, at 10:00 a.m.
Document Production substantially complete	November 1, 2024	January 8, 2025
Parties shall finally supplement the identification of all accused products and all invalidity references	November 15, 2024	January 22, 2025
Joinder of Other Parties and Amendment of Pleadings	November 22, 2024	January 29, 2025
Interim Status Report	December 6, 2024	February 12, 2025
Parties shall provide final infringement contentions	30 days after the Claim Construction Order	30 days after the Claim Construction order
Parties shall provide final invalidity contentions	30 days after service of Plaintiff's final infringement contentions	30 days after service of service of the parties' final infringement contentions
Fact Discovery Cut-off	March 7, 2025	May 13, 2025
Opening Expert Reports (for the party who has the initial burden of proof)	April 4, 2025	June 10, 2025
Supplemental Disclosure to Contradict or Rebut Initial Expert Reports	April 25, 2025	July 1, 2025
Reply Expert Reports	May 9, 2025	July 15, 2025
Expert Discovery Cut-off	May 30, 2025	August 5, 2025
Case Dispositive and <i>Daubert</i> Motions Deadline	June 20, 2025	August 26, 2025
Hearing on all pending Case Dispositive and <i>Daubert</i> Motions	September 10, 2025, at 10:00 a.m.	November 7, 2025, at 10:00 a.m.

Event	Current Date	Amended Date
Pretrial Conference	November 18, 2025, at 2:00 p.m.	February 23, 2026 at 1:00 p.m.
Trial	December 8-12, 2025	March 2-6, 2026

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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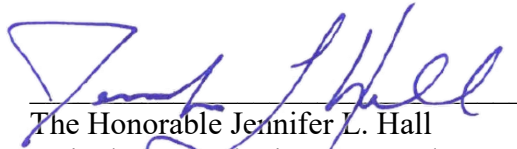
*/s/ Rodger D. Smith II**/s/ Frederick L. Cottrell, III*

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*Attorneys for Plaintiff**Attorneys for Defendant*

June 21, 2024

SO ORDERED, this 25th day of June 2024.


The Honorable Jennifer L. Hall
United States District Court Judge