

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------------|---|------------------------|
| HERON THERAPEUTICS, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 24-830 (WCB) |
| |) | |
| AZURITY PHARMACEUTICAL, INC., |) | C.A. No. 24-1363 (WCB) |
| AZURITY PHARMACEUTICALS INDIA |) | |
| LLP f/k/a SLAYBACK PHARMA INDIA |) | |
| LLP, and SLAYBACK PHARMA LLC, |) | |
| |) | |
| Defendants. |) | |

SCHEDULING ORDER

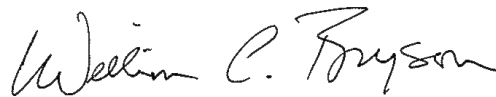
The court has reviewed the parties’ letters regarding its proposed scheduling order. The court has adopted a revised scheduling order that takes into account (1) Heron’s several conflicts, (2) the fact that moving the trial backward by one additional week (as Heron proposes) does not adequately address the problem in the current schedule of insufficient time for the parties to prepare post-trial briefing and the court to render a decision, (3) the fact that the court has Federal Circuit sittings the first week of December 2025 and January 2026, and (4) the Thanksgiving and winter holidays. In light of those considerations, the latest viable date for the start of trial is November 17, 2025. Accordingly, trial is set to begin November 17, 2025, and the scheduling order is adjusted as set forth below to account for the change in trial date.

| Previous Date | New Date | Description |
|---------------|--------------------------|--|
| 12/30/2024 | 2/10/2025 | Deadline for plaintiff’s response to defendants’ contentions |
| 2/14/2025 | No change (2/14/2025) | Deadline for document production |
| 3/7/2025 | No change (3/7/2025) | Deadline to join parties and amend or supplemental pleadings |
| | 2/17/2025 | Parties identify opening claim terms and constructions |
| | 2/28/2025 | Simultaneous opening claim construction briefs due |
| | 3/14/2025 | Simultaneous responsive claim construction briefs due |

| | | |
|---|--------------------------|--|
| 4/4/2025 | 3/21/2025 | Deadline to meet and confer to narrow claim construction disputes |
| 4/9/2025 | No change (4/9/2025) | Deadline for fact discovery |
| | 4/15/2025 | Deadline for plaintiff to narrow claims |
| 5/9/2025 | No change (5/9/2025) | Opening expert reports due |
| 6/20/2025 | 6/13/2025 | Responsive expert reports due |
| 7/7/2025 | 6/27/2025 | Reply expert reports due |
| 8/29/2025 | 7/25/2025 | Deadline for expert discovery |
| 9/26/2025 | 8/22/2025 | Opening summary judgment and <i>Daubert</i> briefs due |
| 10/10/2025 | 9/12/2025 | Responsive summary judgment and <i>Daubert</i> briefs due |
| 10/24/2025 | 9/19/2025 | Reply summary judgment and <i>Daubert</i> briefs due |
| 3 Days Before Pretrial Conference | No change | Joint proposed pretrial order, including consolidated motions <i>in limine</i> briefing, due |
| TBD | TBD | Pretrial conference |
| 1/20/2026 | 11/17/2025 | Start of 4-day trial |
| 6/12/2026 | No change (6/12/2026) | Expiration of 30-month stay |

IT IS SO ORDERED.

SIGNED this 15th day of January, 2025.



WILLIAM C. BRYSON
UNITED STATES CIRCUIT JUDGE