

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

AUDIO POD IP, LLC, )  
Plaintiff, )  
 )  
v. )  
 )  
AMAZON.COM, INC., *et al.*, )  
Defendants. )  
\_\_\_\_\_ )

Lead Case No. 3:24CV406 (RCY)

**ORDER**

This matter is before the Court on the parties’ Joint Motion to Modify Scheduling Order for Claim Construction Briefing (ECF No. 90). Plaintiff’s rebuttal claim construction declaration is currently due on May 21, 2025. Due to unforeseen circumstances involving Plaintiff’s expert, the parties request that the Court adopt a proposed, modified schedule.

For good cause shown, the Court GRANTS the Motion (ECF No. 90), *nunc pro tunc*. The parties’ proposed modified schedule is hereby ADOPTED, as follows:

(1) Plaintiff SHALL serve its rebuttal expert claim construction declaration on or before **June 18, 2025**;

(2) Defendants SHALL serve their reply expert claim construction declaration on or before **July 3, 2025**;

(3) The parties SHALL conclude expert claim construction depositions on or before **July 11, 2025**;


(4) The parties SHALL file opening claim construction briefs on or before **July 31, 2025**; and

(5) The parties shall file responsive claim construction briefs on or before **August 28, 2025**.

In addition to the foregoing, the Court finds that the new briefing schedule necessitates a continuance of the *Markman* hearing, currently set for October 8, 2025. Thus, the Court hereby RESETS the *Markman* hearing for **November 12, 2025**, at **10:00 a.m.**

The Clerk is DIRECTED to send a copy of this Order to all counsel of record.

It is so ORDERED.

  
\_\_\_\_\_  
/s/ Roderick C. Young  
United States District Judge

Date: May 22, 2025  
Richmond, Virginia