

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNIVERSITY OF BRITISH COLUMBIA,
Plaintiff,
v.
CAPTION HEALTH, INC., et al.,
Defendants.

Case No. [24-cv-03200-EKL](#)

**CASE MANAGEMENT &
SCHEDULING ORDER**

On October 9, 2024, the parties appeared before Judge Eumi K. Lee for a case management conference. The Court ORDERS as follows:

- (1) The parties shall comply with this Court’s standing orders, which are available on the Court’s website and in the Clerk’s Office.
- (2) The presumptive limits on discovery set forth in the Federal Rules of Civil Procedure shall apply to this case unless otherwise ordered by the Court.
- (3) All disputes with respect to disclosures or discovery are referred to the assigned Magistrate Judge.
- (4) The close of fact discovery is the date by which all discovery must be completed, including motions to compel, hearings on discovery motions, and any additional discovery resulting from orders on discovery motions. Accordingly, all discovery requests shall be served sufficiently in advance of the close of fact discovery to allow the discovering party enough time prior to the cut-off date to challenge allegedly deficient responses via motion to compel and to receive the necessary responses if the motion is granted. Depositions must be completed prior to the close of fact discovery.

CAPTION HEALTH Ex1029
Caption Health, Inc. v.
University of British Columbia
Trial IPR2025-01066

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNIVERSITY OF BRITISH COLUMBIA,
Plaintiff,
v.
CAPTION HEALTH, INC., et al.,
Defendants.

Case No. [24-cv-03200-EKL](#)

**CASE MANAGEMENT &
SCHEDULING ORDER**

On October 9, 2024, the parties appeared before Judge Eumi K. Lee for a case management conference. The Court ORDERS as follows:

- (1) The parties shall comply with this Court’s standing orders, which are available on the Court’s website and in the Clerk’s Office.
- (2) The presumptive limits on discovery set forth in the Federal Rules of Civil Procedure shall apply to this case unless otherwise ordered by the Court.
- (3) All disputes with respect to disclosures or discovery are referred to the assigned Magistrate Judge.
- (4) The close of fact discovery is the date by which all discovery must be completed, including motions to compel, hearings on discovery motions, and any additional discovery resulting from orders on discovery motions. Accordingly, all discovery requests shall be served sufficiently in advance of the close of fact discovery to allow the discovering party enough time prior to the cut-off date to challenge allegedly deficient responses via motion to compel and to receive the necessary responses if the motion is granted. Depositions must be noticed at least 30 days prior to the close of fact discovery.

United States District Court
Northern District of California

1 IT IS FURTHER ORDERED that this case is referred to private mediation. By February
 2 21, 2025, the parties shall hold an initial ADR session with their chosen mediator. Within seven
 3 days after the initial ADR session, the parties shall file a joint status report identifying the parties'
 4 mediator and confirming that the initial ADR session was completed. The status report shall state
 5 the outcome of the session and the parties' proposals for further ADR efforts if the initial ADR
 6 session was unsuccessful.

7 IT IS FURTHER ORDERED that a claims construction tutorial is scheduled for April 29,
 8 2025, at 2:00 p.m. via Zoom video. A claims construction hearing is scheduled for May 6, 2025,
 9 at 2:00 p.m. in person. The parties shall meet and confer regarding the format, scope, and content
 10 of both the tutorial and the claim construction hearing, including but not limited to the permissible
 11 subjects of discussion at each, whether experts will testify, and what audio-visual equipment, if
 12 any, will be needed by the parties.

13 IT IS FURTHER ORDERED that the following schedule and deadlines shall apply to this
 14 case:

Event	Deadline
Initial case management conference held	October 9, 2024
Infringement Contentions & Accompanying Production Pat. L.R. 3-1 & 3-2	October 23, 2024
Proposed Joint Protective Order and ESI Order	November 8, 2024
Invalidity Contentions & Accompanying Production Pat. L.R. 3-3 & 3-4	December 6, 2024
Deadline to Amend Pleadings Without Leave of Court	December 6, 2024
Exchange of Terms for Construction Pat. L.R. 4-1	December 20, 2024
Exchange of Preliminary Constructions and Extrinsic Evidence Pat. L.R. 4-2	January 13, 2025
Plaintiff's Damages Contentions Pat. L.R. 3-8	January 28, 2025

United States District Court
Northern District of California

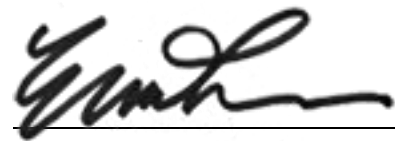
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Event	Deadline
Joint Claim Construction & Prehearing Statement Pat. L.R. 4-3	February 7, 2025
Deadline to Complete Initial ADR Session	February 21, 2025
Defendants' Responsive Damages Contentions Pat. L.R. 3-9	February 27, 2025
Completion of Claim Construction Discovery Pat. L.R. 4-4	March 10, 2025
Plaintiff's Opening Claim Construction Brief Pat. L.R. 4-5(a)	March 24, 2025
Defendants' Responsive Claim Construction Brief Pat. L.R. 4-5(b)	April 7, 2025
Plaintiff's Reply Claim Construction Brief Pat. L.R. 4-5(c)	April 14, 2025
Claim Construction Tutorial	April 29, 2025
Claim Construction Hearing Pat. L.R. 4-6	May 6, 2025

The parties may not modify these dates by stipulation without leave of court. Civil L.R. 6-1(b).

IT IS SO ORDERED.

Dated: October 11, 2024



Eumi K. Lee
United States District Judge