

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

DEAD AIR ARMAMENT, LLC d/b/a
DEAD AIR SILENCERS,

Plaintiff,

v.

JARVIS ARMS LLC d/b/a MISSION
SILENCERS,

Defendant.

Case No. 4:25-cv-00497-BLW-DKG

SCHEDULING ORDER

In accordance with the agreements reached in the Stipulated Discovery Plan (Dkt. 14) and the revised Stipulated Patent Case Litigation Plan (Dkt. 15), and to further the just, speedy, and inexpensive determination of this matter,

NOW THEREFORE IT IS HEREBY ORDERED¹ that the following deadlines and procedures will govern this litigation:

1. Markman Hearing: a half-day *Markman* hearing shall be conducted in this matter on **Friday, August 28, 2026, at 9:00 a.m. (MT)** at the James A. McClure Federal Building and U.S. Courthouse. If necessary, the hearing may continue over the lunch break, or immediately thereafter.

¹ This case has been referred for all matters to the undersigned pursuant to 28 U.S.C. § 636. (Dkt. 11).

- a. *Markman* witnesses: The parties anticipate calling at least one to two witnesses at the *Markman* hearing. To present a witness at the hearing, the parties are directed to notify all counsel and the Court and to identify such witnesses as soon as reasonably practical.
2. As agreed upon in the stipulated revised Litigation Plan (Dkt. 15), the following deadlines shall be set:

Activity	Local Rule	Due Date
(1) Disclosure of asserted claims and infringement contentions	3-1	December 3, 2025
(2) Document production associated with asserted claims & infringement contentions	3-2	December 3, 2025
(3) Patent invalidity contentions (due from party opposing claims of infringement)	3-3	February 2, 2026
(4) Document production associated with invalidity contentions	3-4	February 2, 2026
(5) Amendments to Activity (1) and (3)	3-7	Parties may make amendments by right within 45 days of claim construction hearing.
(6) Exchange lists of Proposed Terms & identification of 10 most important terms	4-1	March 4, 2026

(7) Exchange of preliminary claim constructions and extrinsic evidence	4-2	April 3, 2026
(8) Filing of joint claim construction and prehearing statement	4-3	June 2, 2026
(9) Completion of claim construction discovery	4-4	July 2, 2026
(10) Claim construction briefs	4-5	July 17, 2026 (Opening) July 31, 2026 (Responsive) August 7, 2026 (Reply) August 14, 2026 (Sur reply)
(11) Claim construction hearing	4-6	August 28, 2026

3. Discovery Plan: All discovery must be in accordance with the Federal Rules of Civil Procedure, the Local Patent Rules for the District of Idaho, and the parties' joint discovery plan (Dkt. 14), which is incorporated herein by reference.
4. Clawback: Pursuant to Fed. R. Evid. 502(d), and the parties' stipulated discovery plan, it is hereby **ORDERED** that production of a privileged or work-product-protected document, whether inadvertent or otherwise, is not a waiver of privilege or work-product protection in this case or in any other federal or state proceeding.
5. Law Clerk: The law clerk assigned to this case is **Faustine Moulton**, and may be reached at (208) 334-9402. If this case is later reassigned or referred to another judge, consult the [Judges' webpage](#)² for the judges' staff directory.

² <http://id.uscourts.gov/district/judges/Welcome.cfm>

6. Discovery Disputes:
 - a. The parties will strictly comply with the meet and confer requirements of [Local Rule 37.1](#) prior to filing any discovery motions.
 - b. The parties are to refer to the [Judge's web page](#)³ for specific instructions regarding how the Judge handles discovery disputes.
 - c. Prior to filing any discovery motions, counsel must certify, not only that they have complied with [Local Rule 37.1](#), but that they have complied with the Judge's discovery dispute procedures.
7. Calendaring Clerk: Scheduling matters and calendar issues may be directed to **Amy Tate**, who may be reached at (208) 334-9387. If the case is later reassigned or referred, please consult the [Judges' web](#) page for a staff directory.
8. Docketing Clerk: If you have a docketing or filing question, please contact a [docket clerk](#)⁴ at (208) 334-1361.
9. Telephonic Scheduling Conference: The telephonic scheduling conference set for November 3, 2025, is **VACATED**.



DATED: October 29, 2025

A handwritten signature in black ink, appearing to read "Debora K. Grasham".

Honorable Debora K. Grasham
United States Magistrate Judge

³ <http://id.uscourts.gov/district/judges/Welcome.cfm>

⁴ The Clerk's office staff directory may be found on the Court's webpage:
http://id.uscourts.gov/district/attorneys/DocketingCourtroom_Dep.cfm