

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

)	CASE NO.:
)	
)	
)	JUDGE PATRICIA A. GAUGHAN
Plaintiff(s))	
)	
vs.)	<u>NOTICE OF CASE MANAGEMENT</u>
)	<u>CONFERENCE</u>
)	
)	
Defendant(s).)	

All counsel and/or parties will take notice that the above-entitled action has been set for a Case Management Conference (“CMC”) on _____ before Judge Patricia A. Gaughan. United States District Court Local Rule Section 16 and the Local Patent Rules will apply to this case. **The conference will be held by telephone with the court initiating the call.**

The parties shall meet prior to the CMC to discuss the case and prepare the proposed discovery plan pursuant to Fed. R. Civ. P. 26 (f). The parties shall, within 10 days after the meeting, provide the basic information to the other parties specified by Fed. R. Civ. P. 26 (a) (1) (initial disclosures). A Report of Parties’ Planning Meeting (see attached form), shall be filed with the Court at least three work days prior to the CMC.

Unless otherwise ordered by the Court, initial disclosures, discovery depositions, interrogatories, requests for documents, request for admissions, and answers and responses thereto shall not be filed with the Clerk's Office, except that discovery materials may be filed as evidence in support of a motion or for use at trial.

It is the responsibility of counsel for the plaintiff (s) to verify that a copy of this Order has been received by counsel for defendant (s) or, if no counsel has entered an appearance for defendant (s), has been received by defendant(s).

During the course of litigation, any questions or concerns regarding any aspect of this case should be directed (216) 357-7210.

IT IS SO ORDERED.

PATRICIA A. GAUGHAN
UNITED STATES DISTRICT JUDGE

Date: _____

ATTACHMENT 1

UNITED STATES DISTRICT COURT
NORTHER DISTRICT OF OHIO

)	CASE NO.:
)	
Plaintiff(s),)	
)	JUDGE PATRICIA A. GAUGHAN
)	
vs.)	
)	<u>REPORT OF PARTIES' PLANNING</u>
)	<u>MEETING UNDER FED. R. CIV.P.</u>
)	<u>26F), L.R.16.3 (b)(3) AND LPR 2.1</u>
)	
Defendant (s).)	

1. Pursuant to Fed. R. Civ. P. 26 (f) and L.R. 16.3 (b)(3) and L.P.R. 2.1, a meeting was held on

_____, 201____, and was attended by:

	Counsel for plaintiff (s) _____
	Counsel for plaintiff (s) _____
	Counsel for defendant(s) _____
	Counsel for defendant(s) _____

2. The parties do/ do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

3. **Scheduling**

a. Proposed Schedule:

Counsel shall set forth in this report the proposed schedule of Case Management dates through claim construction as set for in the Local Patent Rules for the Northern District of Ohio.

b. If the parties are advocating a departure from the dates set forth in the Patent Local Rules, set forth the basis for said departure: _____

4. **Anticipated Motions**

a. The parties anticipate filing the following motions:

i. ___Preliminary injunction. Proposed briefing schedule: _____

ii. ___Motion to add or substitute parties. Proposed briefing schedule: _____

iii. ___[Other]. Proposed briefing schedule: _____

b. The following issues may be the proper subject of an early motion for summary judgment or partial summary adjudication:

i. ___Inventorship of Indefiniteness (describe basis) _____

ii. ___Invalidating sale, offer for sale, or display (described basis) _____

iii. ___ Other (describe basis) _____

5. **Nature of Dispute**

a. Describe the field of the claimed invention: _____

b. Claims asserted: _____

c. The parties anticipate requesting that the Court construe _____ claim terms.

d. Describe the allegedly infringing activity or product: _____

e. Describe any potentially non-fringing alternative designs: _____

f. The parties have/have not stipulated that the above-described designs do not infringe the patents in issue.

6. **Discovery**

- a. If the parties anticipate needing to propound interrogatories and/or take depositions in excess of the number provided in the Federal Rules of Civil Procedure, set forth the proposed limit and basis for the request: _____

- b. The parties have/have not agreed to an electronic discovery plan. Absent agreement by the parties, the default standard for e-discovery set forth in Appendix K to the Local Rules applies.
- c. The parties anticipate the following discovery issues: _____

7. **Protective Order**

- a. The parties have/have not agreed to the form Patent Protective Order set forth in Appendix C to the local Patent Rules.
- b. The parties do/ do not plan to submit an alternative proposed protective order for adoption by the Court.
- c. Identify any issues the Court should be aware of with respect to the confidentiality concerns of the parties: _____

8. **Claim Construction.**

The parties will submit simultaneous briefs regarding any disputed claims construction issues on or before _____.

- 9. The parties have/have not consented, pursuant to Fed.R.Civ.P. 5(b)(2)(E), to the electronic exchange of pleadings, notices, discovery, and other mandated disclosures not otherwise served electronically via the Court's electronic filing system.
- 10. The parties have/have not discussed settlement and the appropriateness of Alternative Dispute Resolution.

Date: _____, 20__

Attorney for Plaintiff (s) _____
Attorney for Plaintiff (s) _____
Attorney for Plaintiff (s) _____
Attorney for Defendant(s) _____
Attorney for Defendant(s) _____
Attorney for Defendant(s) _____