IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No:	12-cv-02640-REB-KMT	Date:	October 15, 2013
Courtroom Deputy:	Sabrina Grimm	FTR:	Courtroom C-201

Parties:	*Counsel:*
WYERS PRODUCTS GROUP, a Colorado corporation, and PHILIP W. WYERS, Plaintiffs, v.	Jessie Pellant Aaron Bradford
CEQUENT PERFORMANCE PRODUCTS, INC., Defendants.	Andrew Petrie David Cupar (*by telephone*) Matt Cavanagh (*by telephone*)

COURTROOM MINUTES

SCHEDULING CONFERENCE

10:54 a.m. Court in session.

Court calls case. Appearances of counsel.

Discussion regarding Cequent contesting subject matter jurisdiction and reserving the right to appeal the Court's ruling.

Counsel confirm initial disclosures have been made and nothing new needs to be disclosed. Discussion regarding e-discovery.

THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE SCHEDULING CONFERENCE HELD THIS DATE.

Each side shall be limited to 10 depositions, including experts.
Depositions shall not exceed 7 hours, except Rule 30(b)(6) depositions shall be limited to 14 hours, without prior agreement or absent leave of court.

Each side shall be limited to 30 interrogatories, 30 requests for admission, and 30 requests for documents.

Discussion regarding potential case consolidation with a federal case filed in Detroit with respect to a third patent. Mr. Cupar states a stipulated Motion to consolidate should be filed by the end of the month.

ORDERED: If they so choose, the parties shall file a stipulated motion to consolidate on or before October 31, 2013.

Discussion regarding Chart of Patent Related Deadlines and Markman briefing schedule pursuant to [5]. Mr. Cupar states certain dates are unnecessary and dates should be followed pursuant to the Markman briefing schedule as stated in [5]. Mr. Bradford states additional deadlines should be added to facilitate discovery.

Argument by Mr. Bradford and Mr. Cupar.

ORDERED: Briefing shall follow the Markman briefing schedule as set forth by District Judge Robert E. Blackburn [5]. The Court adopts the Chart of Patent Related Deadlines, page 7 of the Scheduling Order, except that Defendant's Non-Infringement Contentions shall be due on or before November 1, 2013 and Defendant's Invalidity Contentions shall be due on or before December 17, 2013.

Mr. Bradford states he will file a motion to set a Markman hearing before District Judge Robert E. Blackburn.

Joinder of Parties/Amendment to Pleadings: If applicable, 30 days from the date on which Cequent files an Answer to Plaintiff's First Amended Complaint.
Discovery Cut-off: June 30, 2014
Dispositive Motions Deadline: July 25, 2014
Each side shall be unlimited as to expert witnesses, absent leave of court.
Disclosure of Affirmative Experts: April 18, 2014
Disclosure of Rebuttal Experts: May 19, 2014

Written Discovery shall be served 33 days prior to the discovery cutoff or date.

A Final Pretrial Conference/Trial Preparation Conference is set for October 3, 2014 at 2:00 p.m. and a 12 day jury trial is set for October 20, 2014 at 8:30 a.m. before District Judge Robert E. Blackburn.

ORDERED: Unopposed Motion for Leave for Cequent's Cleveland-Based Counsel to Appear at Scheduling Conference by Phone [70] is GRANTED.

Parties are directed to www.cod.uscourts.gov and shall fully comply with the procedures of the judicial officer assigned to try this case on the merits.

Scheduling Order entered.

11:27 a.m. Court in recess.

Hearing concluded.
Total in-court time: 00:33

*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.