

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**IN RE PAPST LICENSING GMBH & CO.
KG LITIGATION**

**This Document Relates To:
ALL CASES**

**Misc. Action No. 07-493 (RMC);
MDL Docket No. 1880**

THIRD PRACTICE & PROCEDURE ORDER

This Order shall, unless superseded by subsequent orders, govern the practice and procedure in all actions transferred to this Court by the Judicial Panel on Multidistrict Litigation pursuant to its order of November 5, 2007, as well as any related or "tag-along" actions originally filed in this Court or transferred or removed to this Court (the "Consolidated Actions"). The addition of actions to this case shall have no effect on the case schedule for already-present parties. As of this date, the Consolidated Actions are:

No. 06-cv-1751, *Casio Inc. v. Papst Licensing GMBH & Co. KG*;

No. 07-cv-1118, *Fujifilm Corp. v. Papst Licensing GMBH & Co. KG*;

No. 07-cv-1222, *Matsushita Elec. Indus. Co., Ltd. v. Papst Licensing GMBH & Co. KG*;

No. 07-cv-2086, *Papst Licensing GMBH & Co. KG v. Olympus Corp.*;

No. 07-cv-2087, *Papst Licensing GMBH & Co. KG v. Fujifilm Corp.*;

No. 07-cv-2088, *Papst Licensing GMBH & Co. KG v. Samsung Techwin Co*;

No. 08-cv-612, *Papst Licensing GMBH & Co. KG v. Ricoh Co., Ltd.*;

No. 08-cv-865, *Hewlett Packard Co. v. Papst Licensing GMBH & Co. KG.*; and

N.D. Ill. No. 08-2510, *Papst Licensing GMBH & Co. KG. v. Nikon Corp.*¹

Pursuant to the status conference held on June 5, 2008, the Court hereby **ORDERS** as follows:

1. No later than June 16, 2008, Papst Licensing GMBH & Co. KG (“Papst”) shall file a brief regarding the scope of the Markman hearing and the need for expert testimony at such hearing; the other parties to this multidistrict litigation (the “Camera Manufacturers”) shall file a response no later than June 26, 2008. Papst may reply no later than July 3, 2008.
2. Where counsel for more than one party plan to file substantially identical papers, they shall, if practicable, join in the submission of such papers and shall file only one paper on behalf of all parties so joined.
3. Certain third parties have objected to the production of various documents in discovery between Papst and Casio.² Such objections, together with explanation, shall be filed. Papst and Casio shall confer and propose potential dates to the Court for a hearing on this issue.
4. Papst shall file its response to Casio’s motion for dismissal and for default judgment [Dkt.

¹ On May 9, 2008, the Panel on Multidistrict Litigation entered a conditional transfer order transferring the *Nikon* case to this Court. On May 28, 2008 the Panel notified the Court that the stay of the transfer was lifted, as no objections were filed, and the transfer order was submitted to the Clerk of this Court for filing. Because the transfer of the *Nikon* case is in process, counsel for Nikon appeared at the June 5, 2008 status conference.

² Casio Inc. (Casio USA”) and Casio Computer Company, Ltd. (“Casio Japan”) are collectively referred to as “Casio.”

111 & 113] no later than June 16, 2008. Casio may reply no later than June 23, 2008.

Papst and Casio shall confer and propose potential dates to the Court for a hearing on this issue.

5. A further status conference is scheduled for July 31 at 1:30 p.m. in Courtroom # 2.
6. The parties shall confer and agree on a joint neutral tutorial for presentation to the Court at a hearing scheduled for September 3, 2008 at 9:30 a.m.
7. Trial counsel shall appear at all hearings and status conferences, unless excused by the Court in advance.
8. This schedule shall not be modified, even where all parties consent, except upon a showing of good cause and by leave of the Court. *See* Fed. R. Civ. P. 16(b); LCvR 16.4.

SO ORDERED.

Dated: June 6, 2008

/s/

ROSEMARY M. COLLYER
United States District Judge