

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

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

**This Document Relates To:
Nikon, No. 08-CV-985**

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

**NIKON'S AND PAPST'S JOINT STATEMENT REGARDING MODIFICATIONS TO
THE SECOND PRACTICE AND PROCEDURE ORDER**

Nikon Corporation, Nikon Americas Inc. and Nikon Inc. (collectively "Nikon") and Papst Licensing GmbH & Co. KG ("Papst"), upon conferring, respectfully submit the following statement regarding proposed modifications to the Second Practice and Procedure Order.

I. ADJUSTMENTS TO THE CASE SCHEDULE

On April 8, 2008, this Court issued a Second Practice & Procedure Order which set a schedule for the consolidated action. *See* Second Practice & Procedure Order (Dkt. No. 36). On May 2, 2008, Papst sued Nikon in the Northern District of Illinois. The Nikon case was transferred to this Court for consolidated pretrial proceedings on June 9, 2008.

Counsel for Nikon and Papst have met and conferred regarding modifications to the schedule set forth in the Second Practice & Procedure Order. Nikon and Papst came to agreement on all case deadlines. Nikon's and Papst's proposed modifications to the case schedule are summarized in the table below.

Description	Current Date	Proposed New Date
Answers or Other Responses Due	April 14, 2008	June 30, 2008
Notice of Document Depository	April 21, 2008	July 1, 2008
Initial Disclosures	April 21, 2008	July 1, 2008
Claims and Infringement Contentions	May 28, 2008	June 16, 2008
Invalidity Contentions	June 18, 2008	Invalidity contentions of which Nikon was already aware at the time it filed its counterclaims: June 30, 2008 Supplemental invalidity contentions: July 23, 2008
Initial Privilege Logs	June 25, 2008	70 days after service of the initial set of document requests
Motions to join 3d parties or to amend	June 25, 2008	Same
Papst's Markman Brief	July 9, 2008	Same
Camera Mfrs.' Response	July 23, 2008	Same
Papst's Reply	July 30, 2008	Same
Camera Mfrs.' Surreply	August 6, 2008	Same
Markman Hearing	September 22-26, 29-30, October 1-3, 2008	Same
Fact Discovery Re Liability Completed	December 19, 2008	Same
Principal Experts	January 30, 2009	Same
Rebuttal Experts	February 27, 2009	Same

Papst would like to further advise the Court that Papst may need to later request a reasonable extension of time to Papst's *Markman* briefing dates depending on Nikon's invalidity

submissions, such as the citation of alleged invalidating prior art not previously cited by the other Camera Manufacturers. Nikon has agreed to fairly consider any such request for an extension by Papst.

Dated: June 16, 2008

Respectfully submitted,

/s/ Marc S. Blackman

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CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record at their e-mail address on file with the Court.

s/ Marc S. Blackman

One of the Attorneys for the Nikon Defendants