IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BALDWIN GRAPHIC SYSTEMS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 06-077-JJF
	)	
FIBERWEB SIMPSONVILLE, INC., and FIBERWEB, INC.,	)	
	)	
Defendants.	)	

[redacted] THIRD AMENDED SCHEDULING ORDER

It is ORDERED that:

1. **Joinder of Other Parties.** All motions to join other parties shall be filed on or before **June 15, 2007**.

2. **Discovery.**

(a) Exchange and completion of contention interrogatories, and identification of fact witnesses shall be commenced so as to be completed by **January 29, 2007**.

(b) Document production shall be commenced so as to be completed by **April 2, 2007**.

(c) Maximum of **25** interrogatories, including contention interrogatories, for each side.

(d) Maximum of **50** requests for admissions by each side.

(e) Maximum of **12** depositions by plaintiff(s) and **12** by defendant(s), excluding expert depositions. Depositions shall not commence until the discovery required by paragraph 3(a, b and c) is completed.

(f) Reports from retained experts required by Fed. R. Civ. P. 26(a)(2) are due from the party bearing the burden of proof on an issue by **December 17, 2007**, with rebuttal reports due **January 18, 2008**.

(g) Any party desiring to depose an expert witness shall notice and complete said deposition no later than thirty (30) days from receipt of said expert's report, unless otherwise agreed in writing by the parties or ordered by the Court.

3. **Discovery Disputes.**

The parties shall follow the Court's December 15, 2006 Procedure For Filing Non-Dispositive Motions In Patent Cases for discovery disputes and all other non-dispositive motions.

4. **Amendment of the Pleadings**. All motions to amend the pleadings shall be filed on or before **January 19, 2007**.

5. **Case Dispositive Motions.** Any case dispositive motions, pursuant to the Federal Rules of Civil Procedure, shall be served and filed with an opening brief on or before **February 15, 2008**. Briefing shall be pursuant to D. Del. LR 7.1.2. No case dispositive motion may be filed more than ten (10) days from the above date without leave of the Court. The Court will issue a separate Order regarding procedures for filing summary judgment motions.

@ 11:30 A.m

6. **Markman**. A Markman Hearing will be held on **September 18, 2007**. Briefing on the claim construction issues shall be completed at least ten (10) business days prior to the hearing. The Court, after reviewing the briefing, will allocate time to the parties for the hearing.

7. **Application by Motion.**

(a) Any application to the Court shall be by written motion filed with the Clerk of the Court in compliance with the Federal Rules of Civil Procedure and the Local Rules of Civil

Practice for the United States District Court for the District of Delaware (Amended Effective January 1, 1995). Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1. Parties may file stipulated and unopposed Orders with the Clerk of the Court for the Court's review and signing. The Court will not consider applications and requests submitted by letter or in a form other than a motion.

(b) No facsimile transmissions will be accepted.

(c) No telephone calls shall be made to Chambers.

(d) Any party with a true emergency matter requiring the assistance of the Court shall e-mail Chambers at: jjf_civil@ded.uscourts.gov. The e-mail shall provide a short statement describing the emergency.

8. **Pretrial Conference and Trial.**

a) A Pretrial Conference will be held on **May 8, 2008,** at 11:00 A.m ~~**or as determined by the Court after reviewing the parties' Proposed Third Amended Scheduling Order**~~. The Federal Rules of Civil Procedure and the Local Rules of Civil Practice for the United States District Court for the District of Delaware (Amended Effective January 1, 1995) shall govern the pretrial conference;

b) Trial will be scheduled at the Pretrial Conference to commence within 120 days of the pretrial conference. Counsel should be available during the 120 day period for trial.

SO ORDERED this 1 day of March, 2007.

Joseph J. Farnan

UNITED STATES DISTRICT COURT JUDGE

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