IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PFIZER INC., PFIZER PHARMACEUTICALS, LLC, PFIZER LIMITED, C.P. PHARMACEUTICALS INTERNATIONAL C.V., PFIZER IRELAND PHARMACEUTICALS, WARNER-LAMBERT COMPANY, WARNER-LAMBERT COMPANY, LLC and WARNER-LAMBERT EXPORT LTD.	)	
Plaintiffs/Counterclaim-Defendants,	)	
v.	)	Civil Action No. 07-138 (JJF)
RANBAXY LABORATORIES LIMITED, and RANBAXY INC.	)	
Defendants/Counter-Claimants.	)	

RULE 16 SCHEDULING ORDER

The parties having satisfied their obligations under Fed. R. Civ. P. 26(f) jointly submit the following Proposed Rule 16 Scheduling Order.

IT IS ORDERED that:

1. **Pre-Discovery Disclosures.** The parties have agreed to waive disclosure of the information required by Fed. R. Civ. P. 26(a) (1) and D. Del. LR 16.2.

2. **Joinder of other Parties.** All motions to join other parties shall be filed on or before January 15, 2008.

3. **Discovery.**

(a) Exchange and completion of contention interrogatories, identification of fact witnesses, and document production shall be commenced so as to be completed by January 15, 2008.

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

(c) Maximum of 50 requests for admission by each side.

(d) Depositions shall be limited to a total of 150 hours per side and a maximum of 14 hours per deponent, excluding expert depositions. Depositions shall not commence until the discovery required by Paragraph 3(a, b, and c) is completed. Fact discovery shall be completed by May 30, 2008.

(e) Opening reports from retained experts required by Fed. R. Civ. P. 26(a)(2) on issues on which a party bears the burden of proof are due on July 30, 2008; rebuttal reports by August 30, 2008.

(f) Depositions of experts are to be completed by November 30, 2008.

4. **Non-Case Dispositive Motions.**

(a) Any non-case dispositive motion, along with an Opening Brief, shall be filed with a Notice of Motion. The Notice of Motion shall indicate the date on which the movant seeks to have the motion heard. The date selected shall be within thirty (30) days of the filing of the motion and allow briefing in accordance with the Federal and Local Rules. Available motion dates will be posted on the Court's website at www.ded.uscourts.gov.

(b) At the motion hearing, each side will be allocated twenty (20) minutes to argue and respond to questions from the Court.

(c) Upon filing of the Notice of Motion, a copy of said Notice shall be sent to Chambers by email at: jjf_civil@ded.uscourts.gov.

5. **Amendment of the Pleadings.** All motions to amend the pleadings shall be filed on or before March 15, 2008.

6. **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 January 15, 2009. 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.

7. **Markman.** A Markman Hearing will be scheduled at the request of the parties in September 2008. 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.

8. **Applications by Motion.**

(a) Any applications 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 June 30, 2007). Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1 and be made in accordance with the Court's December 15, 2006 Order on Procedures for Filing Non-Disposition Motions in Patent Cases. 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.

9. **Pretrial Conference and Trial.** After reviewing the parties' Proposed Scheduling Order, the Court will schedule a Pretrial Conference. The parties request a Pretrial Conference in January 2009.

The Court will determine whether the trial date should be scheduled when the Scheduling Order is entered or at the Pretrial Conference. If scheduling of the trial date is deferred until the Pretrial Conference, the parties and counsel shall anticipate and prepare for a trial to be held within sixty (60) to ninety (90) days of the pretrial conference. The parties request a trial date in March 2009.

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July 25, 2007
DATE

Joseph J. Farnan
UNITED STATES DISTRICT JUDGE

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