**IN THE UNITED STATES DISTRICT COURT**

**FOR THE EASTERN DISTRICT OF TEXAS**

**[ ] DIVISION**

|  |  |
| --- | --- |
| **[PLAINTIFF]**    **Plaintiff**    **vs.**    **[DEFENDANT][, et al.]**    **Defendants.** | **§**  **§**  **§**  **§**  **§ CAUSE NO. X:XX-CV-XXX**  **§**  **§**  **§**  **§** |

SAMPLE MARKMAN TRACK B SCHEDULE[[1]](#footnote-1)

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| --- | --- |
| 14 days from the date of the Track B Initial Patent Case Management Order | Infringement contentions due P.R. 3-1 and 3-2  Production of all licenses/settlements concerning patents |
| One month after infringement contentions | Initial Disclosures per FRCP 26 (a)(1)  Production of summary sales information |
| Two weeks after disclosures | Good faith estimate of expected damages |
| Two weeks after estimate | Invalidity contention due P.R. 3-3 and 3-4 |
| 10 days after invalidity contentions | P.R. 4-1 |
| Three weeks after 4-1 | P. R. 4-2 |
| One month after 4-2 | P. R. 4-3 |
| Date certain[[2]](#footnote-2) | Management conference (see Case Management Order, paragraphs 5, 6 and 8) |
| One month after MC | P. R. 4-4 |
| Two weeks after 4-4 | P. R. 4-5(a) |
| Four weeks after 4-5(a) | P. R. 4-5(b) |
| One week after 4-5(b) | P. R. 4-5(c) |
| Date certain | Pre-*Markman* mediation deadline and P.R. 4-5(d) |
| Date certain | *Markman* Hearing and 2nd Discovery issue Hearing |

1. This form supplements the Track B Initial Case Management Order by providing a sample docket control order. These sample deadlines, like the discovery limitations in the Track B Initial Case Management Order, may be adjusted by agreement from the parties. [↑](#footnote-ref-1)
2. Due to this Court’s schedule, despite paragraph 5 of the Track B Initial Patent Case Management Order, this Court prefers to set the Management Conference, pre-*Markman* and *Markman* dates at the Scheduling Conference, with input from the parties. [↑](#footnote-ref-2)