

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

EXEGY, INC. and  
IP RESERVOIR LLC,

Plaintiffs,

v.

ACTIV FINANCIAL, INC.,

Defendant.

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Case No: 1:19-CV-2858

Judge John J. Tharp, Jr.

**REVISED CASE MANAGEMENT SCHEDULE**

<b>Event</b>	<b>Current Deadline</b>	<b>New Deadline</b>	<b>Source/Rule</b>
Deadline for Plaintiffs to identify no more than 20 claims to be asserted at trial	06/26/2020	09/11/2020	Local Patent Rule 3.1, and by agreement of the parties.
Deadline for Final Infringement, Unenforceability and Invalidity Contentions pursuant to Local Patent Rule 3.1(a)(2) and 3.1(b)	07/10/2020	09/25/2020	Local Patent Rule 3.1, and by agreement of the parties.
Deadline for Final Non-infringement, Enforceability and Validity Contentions pursuant to Local Patent Rule 3.2	08/07/2020	10/23/2020	Local Patent Rule 3.2 and agreement of the parties.
Deadline for Filing a Motion to Stay the Lawsuit Pending Any Proceeding in the USPTO pursuant to Local Patent Rule 3.5	08/07/2020	10/23/2020	Local Patent Rule 3.5 and agreement of the parties.
Exchange of (i) the claim terms and phrases the party contends the Court should construe; (ii) the party's proposed constructions; (iii)	08/21/2020	11/06/2020	Local Patent Rule 4.1 and agreement of the parties.

identification of any claim element that the party contends is governed by 35 U.S.C. § 112(6); and (iv) the party's description of the function of that element, and the structure(s), act(s), or material(s) corresponding to that element, identified by column and line number with respect to the asserted patent(s)			
Deadline to Meet and Confer to Identify No More than 10 terms or phrases to submit to the court for construction	08/28/2020	11/13/2020	Local Patent Rule 4.1 and agreement of the parties.
Close of Fact Discovery	09/18/2020	12/04/2020	Local Patent Rule 1.3 and agreement of the parties.
Deadline for parties opposing infringement to file Opening Claim Construction Brief pursuant to Local Patent Rule 4.2(a)	09/25/2020	12/11/2020	Local Patent Rule 4.2 and agreement of the parties.
Deadline for parties claiming infringement to file Responsive Claim Construction Brief pursuant to Local Patent Rule 4.2(c)	10/23/2020	01/08/2021	Local Patent Rule 4.2 and agreement of the parties.
Deadline for parties opposing infringement to file Reply Claim Construction Brief pursuant to Local Patent Rule 4.2(d)	11/06/2020	01/22/2021	Local Patent Rule 4.2 and agreement of the parties.
Deadline for parties to file (1) a Joint Claim Construction Chart setting forth each claim term and phrase	11/13/2020	01/29/2021	Local Patent Rule 4.2 and agreement of the parties.

addressed in the claim construction brief; each party's proposed construction, and (2) a joint status report containing the parties' proposals for the nature and form on the claim construction hearing pursuant to Local Patent Rule 4.3 (pursuant to Local Patent Rule 4.2(f))			
Claim Construction Hearing pursuant to Local Patent Rule 4.3 shall be held on or before this date	11/20/2020 at 10:00 a.m.	02/05/2021 at 10:00 a.m.	Local Patent Rule 4.3 and agreement of the parties.
Fact Discovery related to Advice of Counsel commences (pursuant to Local Patent Rule 3.6(e))	7 days after Claim Construction Ruling	7 days after Claim Construction Ruling	Local Patent Rule 3.6 and agreement of the parties.
Deadline for service of expert reports of the parties with the burden of proof pursuant to Local Patent Rule 5.1(b)	28 days after Claim Construction Ruling	28 days after Claim Construction Ruling	Local Patent Rule 5.1 and agreement of the parties.
Close of Fact Discovery related to Advice of Counsel (pursuant to Local Patent Rule 3.6(e))	42 days after Claim Construction Ruling	42 days after Claim Construction Ruling	Local Patent Rule 3.6 and agreement of the parties.
Deadline for service of rebuttal expert reports pursuant to Local Patent Rule 5.1(c)	28 days after Initial Expert Reports	28 days after Initial Expert Reports	Local Patent Rule 5.1 and agreement of the parties.
Close of Expert Discovery pursuant to Local Patent Rule 5.2	28 days after Rebuttal Expert Reports	28 days after Rebuttal Expert Reports	Local Patent Rule 5.2 and agreement of the parties.
Final day for filing Dispositive Motions pursuant to Local Patent Rule 6.1	28 days after Close of Expert Discovery	28 days after Close of Expert Discovery	Local Patent Rule 6.1 and agreement of the parties.

Dated May 5, 2020

/s/ John J. Tharp, Jr.  
John J. Tharp, Jr.  
United States District Judge