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Address

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City, State, Zip

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Phone

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Email

I am the  Plaintiff or  Defendant  
 Attorney for the  Plaintiff or  Defendant

This is a  Limited Appearance

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THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

<hr/> Plaintiff,  vs.  <hr/> Defendant.	<hr/> <b>Attorney Planning Meeting Report – Patent Case</b>  <hr/>  <hr/> District Judge  <hr/> Magistrate Judge
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Under Fed. R. Civ. P 26(f), the Local Patent Rules (LPRs), and the Order to Propose Schedule, if applicable, the parties must confer and develop a proposed discovery plan addressing the areas that follow. The parties must email a copy of the

proposed scheduling order in an editable format to the assigned magistrate judge's chambers. If a magistrate judge is not associated with the case, please email the copy to the district judge's chambers.

**1. PRELIMINARY MATTERS**

a.		Claims and Defenses: <i>(describe the nature and basis of claims and any affirmative defenses)</i>		
b.		Fed. R. Civ. P. 26(f)(1) Conference: <i>(date the conference was held)</i>		
c.		Participants: <i>(include the name of the party and attorney, if applicable)</i>		
d.		Under Fed. R. Civ. P. 5(b)(2)(E), the parties agree to receive all items required to be served under Fed. R. Civ. P. 5(a) by the court's electronic-filing system or email transmission.  Electronic service constitutes notice and service as required by those rules. The right to service by USPS mail is waived.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**2. PROTECTIVE ORDER**

a.	The parties anticipate the case will involve the disclosure of information, documents, or other materials that will be designated as confidential.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
b.	If the case will involve the disclosure of information, documents, or other materials that will be designated as CONFIDENTIAL, then good cause exists for the court to enter the court's Standard Protective Order (SPO) under DUCivR 26-2: <i>(describe the need for a protective order)</i>		
c.	<p>If a protective order is needed and the parties <b>are not</b> using the court's SPO, then the court's SPO, in effect under DUCivR 26-2, will govern until a different protective order—proposed by the parties via motion under DUCivR 7-1(a)(4)(D)—is adopted by the court.</p> <p>The parties' stipulated protective order should identify a process to resolve all claims of waiver of attorney-client privilege or work-product protection, whether or not the information, documents, or other materials have been designated as CONFIDENTIAL or ATTORNEYS' EYES ONLY, and this process must be included in the proposed protective order under Fed. R. Evid. 502(d): <i>(describe the process)</i></p>		

d.		<p>If the parties do not anticipate the case will involve the disclosure of information, documents, or the materials that will be designated as CONFIDENTIAL, the parties still should identify, in the space below, a process to resolve all claims of waiver of attorney-client privilege or work-product protection, whether or not the information, documents, or other materials have been designated as CONFIDENTIAL or ATTORNEYS' EYES ONLY, and this process must also be included in the proposed Scheduling Order: <i>(describe the process)</i></p>
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**3. DISCOVERY PLAN**

a.		<p><u>Discovery Plan</u>: The parties agree to the following discovery plan.</p> <ul style="list-style-type: none"> <li>• If the parties disagree, clearly indicate the disagreement in the space below:</li> </ul>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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b.		<p><u>Discovery Subjects:</u> <i>(describe the subject areas in which discovery will be needed)</i></p>
c.		<p><u>Discovery Phases:</u></p> <ul style="list-style-type: none"><li>• Will discovery be conducted in phases? If so, please explain.</li>          <li>• Will discovery be limited to or focused on particular issues? If so, please explain and identify whether discovery will be accelerated on any issue and the due dates.</li></ul>

d.		<u>Electronically Stored Information</u> : (describe how the parties will handle discovery of electronically stored information)
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**4. PRELIMINARY MATTERS AND DISCLOSURES**

a.		Deadline for Plaintiff's Accused Instrumentalities Disclosure: [LPR 2.1]	
b.		Deadline for Plaintiff's Rule 26(a)(1) Initial Disclosure: [LPR 2.2]	
c.		Deadline for Defendant's Rule 26(a)(1) Initial Disclosure: [LPR 2.2]	
d.		Fed. R. Civ. P. 26(f)(1) Conference and Discovery Begins: [LPR 1.2, 1.3]	
e.		Attorney Planning Meeting Report and Proposed Scheduling Order filed: [LPR 1.2]	
f.		Deadline for Plaintiff to serve Initial Infringement Contentions: [LPR 2.3]	
g.		Deadline for Defendant to serve Initial Non-Infringement, Ineligibility, Invalidity, and Unenforceability Contentions: [LPR 2.4, 2.6]	
h.		If no infringement claims, deadline for Plaintiff to serve Initial Non-Infringement, Ineligibility, Invalidity, and Unenforceability Contentions: [LPR 2.4, 2.6]	
i.		Deadline to file motion to amend pleadings:	
j.		Deadline to file motion to join parties:	

k.		Deadline for Final Infringement Contentions: [LPR 3.1]	
l.		Deadline for final Ineligibility, Invalidity, and Unenforceability Contentions: [LPR 3.1]	
m.		Deadline for Final Non-Infringement: [LPR 3.1]	
n.		Deadline to serve written discovery before claim construction: [Fed. R. Civ. P. 34]	
o.		Deadline for fact discovery to close before claim construction: [LPR 1.3(a)]	

## 5. FACT DISCOVERY

a.		Maximum number of depositions by Plaintiff:	
b.		Maximum number of depositions by Defendant:	
c.		Maximum number of hours for each deposition: <i>(unless extended by agreement of parties)</i>	
d.		Maximum interrogatories by any party to any party:	
e.		Maximum requests for admissions by any party to any party:	
f.		Maximum requests for production by any party to any party:	

## 6. CLAIM CONSTRUCTION DEADLINES

a.		Deadline for parties to exchange proposed claim terms and claim constructions for construction: [LPR 4.2]	
b.		Deadline for parties to reach an agreement to submit no more than 10 terms for construction: [LPR 4.2]	
c.		Deadline for parties to file and serve Cross-Briefs for Claim Construction and Joint Appendix: [LPR 4.3]	
d.		Deadline for parties to file Simultaneous Responsive Claim Construction Briefs: [LPR 4.3]	
e.		Deadline for parties to file Joint Claim Construction Chart & Joint Status Report Due: [LPR 4.3]	

f.		Deadline for parties to file a Tutorial: [LPR 4.5]	
g.		Deadline for parties to exchange exhibits: [LPR 4.4]	
h.		Claim Construction Hearing: <sup>1</sup> [LPR 4.4]	

**7. TRIAL-RELATED INFORMATION**

a.		Trial:	Bench <input type="checkbox"/>	Jury <input type="checkbox"/>
b.		Trial days:		

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature and typed name of Plaintiff's Attorney (or *Party's Name if self-represented*)<sup>2</sup>

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature and typed name of Defendant's Attorney (or *Party's Name if self-represented*)

<sup>1</sup> Parties should file a joint motion to set the date for the Claim Construction Hearing per LPR 4.4.

<sup>2</sup> Instructions for attaching the Attorney Planning Meeting Report to a Stipulated Motion for Scheduling Order or Motion for a Scheduling Conference can be found on the court's [Civil Scheduling](#) webpage.