

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN OPTOELECTRONIC DEVICES,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING THE SAME

Inv. No. 337-TA-669


ORDER NO. 6: SETTING THE AMENDED PROCEDURAL SCHEDULE

(August 13, 2009)

Pursuant to Order No. 5, the parties submitted a joint proposed procedural schedule. The investigation will hereby be controlled by the procedural schedule attached hereto as Attachment

A.<sup>1</sup>

SO ORDERED.



Theodore R. Essex  
Administrative Law Judge

<sup>1</sup> The responses to motions *in limine* was moved to November 10, 2009. November 11, 2009 is a Federal holiday (Veterans' Day) and the U.S. International Trade Commission will be closed that day.

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# **ATTACHMENT A**

<b>EVENT</b>	<b>DATE</b>	<b>PROPOSED NEW DATE</b>
File requests for receipt of evidence without a witness	September 24, 2009	October 22, 2009
File objections to direct exhibits (including witness statements)	September 28, 2009	October 26, 2009
Submit and serve rebuttal exhibits (including witness statements) with rebuttal physical and demonstrative exhibits available - all parties	September 25, 2009	October 23, 2009
Deadline for motions in limine	September 30, 2009	November 2, 2009
File Pre-hearing statement and brief-Staff	October 5, 2009	November 6, 2009
File responses to objections to direct exhibits (including witness statements)	October 6, 2009	November 3, 2009
File objections to rebuttal exhibits (including witness statements)	October 1, 2009	October 29, 2009
File high priority objections statement	October 1, 2009	October 30, 2009
File response to objections to rebuttal exhibits (including witness statements)	October 6, 2009	November 6, 2009
File responses to high priority objections statement	October 6, 2009	November 9, 2009
Submission of declarations justifying confidentiality of exhibits	October 8, 2009	November 4, 2009
File responses to motions in limine	October 8, 2009	November 10, 2009
Tutorial on technology (if necessary)	October 15, 2009	November 13, 2009
Pre-hearing conference	October 15, 2009	November 16, 2009*
Hearing	October 19-23, 2009	November 16-20, 2009*
File initial post-hearing briefs, proposed findings of fact and conclusions of law, and final exhibit lists.	November 10, 2009	December 4, 2009*
File reply post-hearing briefs, objections and rebuttals to proposed findings of fact	November 24, 2009	December 18, 2009*

\* Per Order No. 5: Extending the Target Date and Rescheduling the Hearing Dates (Aug. 10, 2009)

**EXHIBIT A**

**PROCEDURAL SCHEDULE**

Inv. No. 337-TA-669

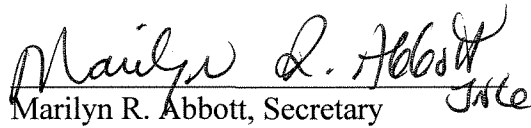
EVENT	DATE	PROPOSED NEW DATE
Exchange of initial expert reports (identify tests/surveys/data)	August 20, 2009	September 17, 2009
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	August 7, 2009	September 4, 2009
Exchange of rebuttal expert reports	September 3, 2009	October 1, 2009
Fact discovery cutoff and completion	August 14, 2009	August 28, 2009 (except that fact depositions may be scheduled through September 11, 2009)
Deadline for motions to compel <b>FACT</b> discovery	August 17, 2009	September 3, 2009
Expert discovery cutoff and completion	September 25, 2009	October 23, 2009
Deadline for Motion to Compel Expert discovery	September 28, 2009	October 26, 2009
Third settlement conference	On or about September 4, 2009	October 2, 2009
Submission of third settlement conference joint report	September 14, 2009	October 13, 2009
Cut-off date for responses to contention interrogatories	August 7, 2009	September 4, 2009
Deadline for filing summary determination motions	August 20, 2009	September 17, 2009
Exchange of <b>direct</b> exhibit lists by Complainant and Respondent	September 8, 2009	October 6, 2009
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available - Complainant(s) and Respondent(s)	September 15, 2009	October 13, 2009
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available - Staff	September 18, 2009	October 16, 2009
File Pre-hearing statements and briefs - Complainant(s) and Respondent(s)	September 22, 2009	October 20, 2009

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**CERTIFICATE OF SERVICE**

I, Marilyn R. Abbott, hereby certify that the attached **ORDER 6** has been served by hand upon, the Commission Investigative Attorney, **Christopher G. Paulraj, Esq. and Erin D. E. Joffre, Esq.** and the following parties as indicated on August 13, 2009.



Marilyn R. Abbott, Secretary  
U.S. International Trade Commission  
500 E Street, SW, Room 112A  
Washington, D.C. 20436

**COMPLAINANTS AVAGO TECHNOLOGIES FIBER, IP AND AVAGO  
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**CERTIFICATE OF SERVICE - PAGE 2**

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