

Wednesday, July 24, 2013. The disclosure to contradict or rebut evidence on the same matter identified by another party is due on or before **Friday, September 6, 2013.** Reply expert reports from the party with the initial burden of proof are due on or before **Friday, October 5, 2013.** All depositions of experts shall be completed **by Friday, November 4, 2013.**

6. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **30 days of receipt** of the written report of the expert's proposed testimony, or within **30 days of receipt** of the expert's deposition transcript, if a deposition is taken, whichever is later.

7. The parties shall complete all fact discovery on or before **Monday, June 24, 2013.** The agreements regarding discovery set forth in the parties' Joint Status Report and Motion for Entry of Scheduling Order may be enforced as an order of this Court. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

8. All dispositive motions shall be filed no later than **Thursday, November 21, 2013.** Dispositive motions as defined in Local Rule CV-7(c) and responses and replies to dispositive motions shall be limited to **20** pages in length.

9. The trial date will be determined at a later date by the Court. The parties shall consult Local Rule CV-16(e) regarding matters to be filed in advance of trial. At the time the trial date is set, the Court will also set the deadline for the filing of matters in advance of trial.

10. The parties have a dispute regarding whether USAA (as the party bringing a trade secret misappropriation cause of action) should, before commencing discovery, serve on Mitek's

counsel a reasonably particular identification of USAA's trade secret claims, in a manner such that each separate claim is identified with sufficient information to distinguish the information claimed as protectable from public domain information. The parties seek to brief their respective positions on this question. The parties agree that Mitek's opening brief on this question shall be due on November 21, 2012, that USAA's opposition brief shall be due on December 5, 2012, and that Mitek's reply brief shall be due on December 12, 2012.

Respectfully submitted,

Dated: November 28, 2012

/s/ Leslie S. Hyman

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