

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INGEVITY CORPORATION, et al., :
 :
 Plaintiffs, :
 :
 v. : Civil Action No. 18-1391-RGA
 :
 BASF CORPORATION, :
 :
 Defendant. :

MEMORANDUM ORDER

The parties dispute whether expert depositions should go forward. (D.I. 249, 250).

Trial is set for September 14, 2020. (D.I. 41). If the trial date is not able to be maintained, it may not be able to be rescheduled to a date certain for a long time, maybe until 2022.

Reply expert reports are due by April 10, 2020. The parties anticipate complying with that deadline. Expert depositions are due to be completed between that date and the dispositive motions date of April 29, 2020. (D.I. 197). That is an accelerated pace. After reading both letters and considering current circumstances, in an attempt to keep this case on track for trial, and without prejudice to one or both parties seeking to modify the schedule in light of developing circumstances, which, as BASF notes in what can only be called understatement, are “very fluid” (D.I. 249 at 3), I **ORDER** this 30th day of March 2020:

1. Deadlines for depositions and dispositive motions relating to the bifurcated claims, are **VACATED**, and will be subject to a separate schedule to be set after the patent trial is held.
2. The deadline for completing expert depositions is **EXTENDED** to May 29, 2020. The parties should prepare to do the six expert depositions that are at issue by means other than in-person if governmental restrictions continue to make that necessary.

3. The new deadline for the filing of Daubert and dispositive motions on the patent claims is June 12, 2020. Answering briefs will be due June 19, 2020, and reply briefs will be due June 24, 2020.

The teleconference set for March 31st is **VACATED**.

March 30, 2020
Date

/s/ Richard G. Andrews
United States District Judge