

4. Trial counsel (which under present plans would be limited to two per side) are to be present and ready to proceed at 9:00 a.m. each and every day of trial. **COUNSEL SHOULD UNDERSTAND THAT THERE MAY BE LONG LINES (PARTICULARLY WHEN A JURY IS BEING SELECTED) TO ENTER THE COURTHOUSE AND SHOULD PLAN ACCORDINGLY.** Issues that need to be addressed outside the presence of the jury will be taken up at 9 a.m. and at the end of the day. There will be an hour for lunch and a fifteen-minute break in both the morning and the afternoon. The Court does not generally want to use the lunch and break time to take up issues that need to be addressed outside the presence of the jury.

5. Unless otherwise ordered, Plaintiff is responsible for the preparation and revising of the jury instructions and verdict form that will be given to the jury. The Court expects to give the bulk of the jury instructions before the closing arguments are made.

6. Some of the motions in limine were resolved by prior order. (D.I. 367). There was further discussion of Plaintiff's MILs #1 and #2 and Defendant's MIL #1 at the pretrial conference, and there will further submissions on a schedule to be determined by the parties as to the first two and maybe the third. The Court did rule that the ITC rulings in 2020 will be excluded, resolving one of the issues related to Plaintiff's first motion. (D.I. 353).

7. The Court explained some of its expectations in relation to COVID-19, and also set a conference on December 14, 2020, at 10 a.m. to further refine them in light of then-current events.

8. The Court has filed the preliminary jury instructions and voir dire, which will require some revisions as indicated in what has been filed. (D.I. 368, 369).

9. Any trial logistics should be coordinated through the Courtroom Deputy.

/s/ Richard G. Andrews
United States District Judge