

Judge Albright's Latest Changes to Case Management and Discovery Hearings

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Judge Albright issued two new standing orders on June 16 and 17, 2021, which are now published on the Western District of Texas website [here](#) and [here](#).

Here are the highlights:

Proposed Orders After Discovery Hearings: Judge Albright now requires the prevailing party in discovery hearings to submit an agreed proposed order to the Court within 7 days of the ruling. The agreed proposed order should include a brief summary of the nature of the dispute and the parties' understanding of the Court's ruling. The parties may submit competing proposed orders if they cannot agree.

Case Management and Notice of Readiness for Patent Cases: Judge Albright amended his prior standing order regarding notice of readiness for patent cases. With the changes to the timeline, the parties will not be waiting on information from the Court before [the OGP deadlines](#) can take effect. The new order lays out the following timeline after the filing of the Case Readiness Status Report:

- The CMC is deemed to occur 14 days after the filing date of the CRSR (or the last CRSR if there are related cases).
- The Court will schedule one *Markman* hearing 23 weeks after the CMC, and the hearing date should be included in the proposed scheduling order.

The new order also defines "CRSR Related Cases" as cases "filed within thirty (30) days after the first case is filed" **and** "shar[ing] at least one common asserted patent."

In addition, for any pre-*Markman* issues, the parties should email the Court a joint submission of their respective positions after filing the CRSR so the Court can determine whether to hold a telephonic hearing.

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