

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

**In the Matter of**

**CERTAIN ARTICULATED COORDINATE  
MEASURING ARMS AND COMPONENTS  
THEREOF**

**Inv. No. 337-TA-684**

RECEIVED  
OFFICE OF THE SECRETARY  
U.S. INTERNATIONAL TRADE COMMISSION  
2009 OCT -6 AM 11:06

**ORDER NO. 5: SETTING THE PROCEDURAL SCHEDULE**

(October 6, 2009)

This investigation was instituted by the Commission on August 25, 2009 and the notice of investigation was published in the Federal Register on August 28, 2009. 74 Fed. Reg. 44,384 (Aug. 28, 2009). The undersigned set a sixteen-month target date of December 28, 2010 for completion of this investigation by the Commission in Order No. 2, issued on August 28, 2009. Order No. 2 also requested discovery statements from the parties by October 2, 2009. On October 2, 2009, Complainants Hexagon Metrology AB and Hexagon Metrology, Inc. (collectively, "Hexagon"), Respondents Metris N.V. and Metris U.S.A., Inc. (collectively, "Metris") and Mitutoyo Corporation and Mitutoyo America Corporation (collectively, "Mitutoyo"), and the Commission Investigative Staff ("Staff") filed separate discovery statements. Based on a review of the proposed procedural schedule, the undersigned hereby adopts the following procedural schedule:

<b>Event</b>	<b>Deadline Date</b>
First settlement conference	By October 15, 2009
Submission of first settlement conference joint report	October 22, 2009
File identification of expert witnesses, including their expertise and curriculum vitae	November 9, 2009
File notice of prior art	November 9, 2009

<b>Event</b>	<b>Deadline Date</b>
Exchange of initial expert reports (identify tests/surveys/data)	November 24, 2009
Second settlement conference	By December 4, 2009
Submission of second settlement conference joint report	December 11, 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	December 16, 2009
Exchange of rebuttal expert reports	December 21, 2009
Fact discovery cutoff and completion	December 22, 2009
Deadline for filing summary determination motions	December 28, 2009
Deadline for motions to compel discovery	December 29, 2009
Expert discovery cutoff and completion	January 15, 2010
Exchange of exhibit lists among the parties	January 20, 2010
Submit and serve direct exhibits (including witness statements) with physical and demonstrative exhibits available – Complainant(s) and Respondent(s)	January 27, 2010
Third settlement conference	By January 29, 2010
Submit and serve direct exhibits (including witness statements) with physical and demonstrative exhibits available – Staff	February 2, 2010
File pre-trial statements and briefs – Complainant(s) and Respondent(s)	February 5, 2010
Submission of third settlement conference joint report	February 5, 2010
File requests for receipt of evidence without a witness	February 9, 2010
File objections to direct exhibits (including witness statements)	February 9, 2010
Submit and serve rebuttal exhibits (including witness statements) with physical and demonstrative exhibits available – all parties	February 9, 2010
Deadline for motions <i>in limine</i>	February 15, 2010
File high priority objections statement	February 15, 2010
File pre-trial statement and brief – Staff	February 16, 2010


<b>Event</b>	<b>Deadline Date</b>
File responses to objections to direct exhibits (including witness statements)	February 17, 2010
File objections to rebuttal exhibits (including witness statements)	February 17, 2010
File responses to high priority objections statement	February 22, 2010
File responses to motions <i>in limine</i>	February 22, 2010
File responses to objections to rebuttal exhibits (including witness statements)	February 23, 2010
Tutorial (if necessary)	February 26, 2010 at 10:00 a.m. in Courtroom B
Pre-trial conference <sup>1</sup>	March 1, 2010 at 9:00 a.m. in Courtroom B
Trial	March 1 - 5, 2010 in Courtroom B
File initial post-trial briefs, proposed findings of fact and conclusions of law, and final exhibit lists	March 29, 2010
File reply post-trial briefs, objections and rebuttals to proposed findings of fact	April 12, 2010
Initial Determination due	September 28, 2010
Target date for completion of investigation	December 28, 2010

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<sup>1</sup> The undersigned encourages the parties to meet and confer prior to the pre-trial conference in an attempt to resolve any outstanding motions and/or high priority objections.

For the dates set forth above that require a submission or filing, the date set forth is the date that the submission or filing must be at or filed at the Commission (by the close of business) and is not the date that such submission or filing is merely served.

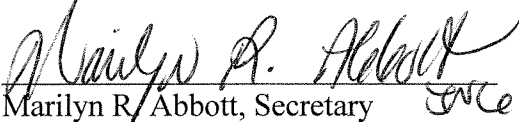
**SO ORDERED.**

  
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Charles E. Bullock  
Administrative Law Judge

**IN THE MATTER OF CERTAIN ARTICULATED COORDINATE      337-TA-684  
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CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **ORDER NO. 5** has been served upon, **Mareesa A. Frederick, Esq.**, Commission Investigative Attorney, and the following parties via first class mail and air mail where necessary on October 6, **2009**.

  
Marilyn R. Abbott, Secretary *for*  
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**337-TA-684**

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