

*This is the sample scheduling stipulation for a motion for preliminary injunction referenced in Section C(5)(d)(iii) (“Scheduling Stipulations”), page 15 of the Guidelines on Best Practices for Litigating Cases Before the Court of Chancery. It should be modified to fit the circumstances and used in conformity with the Guidelines.*

**IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE**

\_\_\_\_\_, )  
 )  
Plaintiff, )  
 )  
v. ) C.A. No. \_\_\_\_ - \_\_\_\_  
 )  
\_\_\_\_\_, )  
 )  
Defendant. )

**STIPULATION AND [PROPOSED] ORDER GOVERNING  
PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION**

WHEREAS, Plaintiff filed its Verified Complaint on \_\_\_\_\_, 20\_\_;

WHEREAS, Plaintiff filed its Motion for Preliminary Injunction and Motion for Expedited Proceedings on \_\_\_\_\_, 20\_\_;

[WHEREAS, the parties agreed to conduct expedited discovery and to the scheduling of a hearing on Plaintiff’s Motion for Preliminary Injunction;]

[WHEREAS, the Court held a scheduling conference and scheduled argument on the Motion for Preliminary Injunction, and directed the parties to submit an agreed-upon case scheduling order;] and

WHEREAS, the parties have discussed and agreed upon the proposed schedule and ancillary issues as set forth below;

IT IS HEREBY STIPULATED AND AGREED, by the parties hereto, through their undersigned counsel, subject to the approval of the Court, as follows:

1. [This Proceeding is designated expedited pursuant to Rule 79.2.]
2. The following schedule shall govern Plaintiff's Motion for Preliminary

Injunction:

- (a) [Defendant files and serves answer to Verified Complaint] [\_\_\_\_\_, 20\_\_]
- (b) Parties substantially complete document production, subject to the parties' continuing obligation to make further timely document productions as additional responsive documents thereafter become available \_\_\_\_\_, 20\_\_
- (c) Parties complete depositions \_\_\_\_\_, 20\_\_
- (d) Plaintiff files and serves Opening Brief \_\_\_\_\_, 20\_\_, at \_\_\_\_:\_\_\_\_.m.
- (e) Defendant files and serves Answering Brief \_\_\_\_\_, 20\_\_ at \_\_\_\_:\_\_\_\_.m.
- (f) Plaintiff files and serves Reply Brief \_\_\_\_\_, 20\_\_ at \_\_\_\_:\_\_\_\_.m.
- (g) Hearing on Plaintiff's Motion for Preliminary Injunction \_\_\_\_\_, 20\_\_ at \_\_\_\_:\_\_\_\_.m. in \_\_\_\_\_, Delaware

3. Depositions shall be taken on reasonable notice, and the parties shall work together in good faith on the scheduling of depositions to ensure timely completion.

4. The parties may amend the dates set forth in subparagraphs 1(a)-(d) of this Order by written agreement, without Court approval. All other deadlines, and the hearing date, may be amended only by order of the Court.

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[COUNSEL]

*Attorneys for Plaintiff*

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[COUNSEL]

*Attorneys for Defendants*

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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[Vice] Chancellor