

## United States District Court, Northern District of Illinois

<b>Name of Assigned Judge or Magistrate Judge</b>	Samuel Der-Yeghiayan	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	08 C 393	<b>DATE</b>	7/1/2010
<b>CASE TITLE</b>	IP Innovation LLC, et al. Vs. Vizio, Inc. , et al.		

### DOCKET ENTRY TEXT

For the reasons stated below, all pending motions for summary judgment [193], [196], [204], [209], [215], and [218] are stricken and the current briefing schedule is stricken. The parties will be granted leave to file one memorandum in support of a motion for summary judgment, and the court will extend the page limit for the memorandums and corresponding briefs to fifty pages. The consolidated motions will be due by July 14, 2010. The responses will be due by July 28, 2010, and replies will be due by August 13, 2010. Vizio may also file a motion to dismiss relating to standing by July 14, 2010. The response to the motion to dismiss will be due by July 28, 2010, and reply will be due by August 13, 2010. The memorandum in support of the motion to dismiss and the corresponding briefs are limited to 15 pages. All other dates stand. Defendant's motion for leave to file exhibits under seal [223] is granted. Motion hearing set for 07/01/10 is stricken.

■ [ For further details see text below.]

Docketing to mail notices.

### OPINION

This matter is before the court on Defendant Vizio, Inc.'s (Vizio) motions for summary judgment. On October 21, 2009, the court indicated that dispositive motions needed to be filed by June 25, 2010. On June 25, 2010, Vizio filed six separate summary judgment motions relating to issues of invalidity, non-infringement, damages, standing, and unenforceability. We note that Vizio has also presented the motion related to standing, in the alterative, as a motion to dismiss. Federal Rule of Civil Procedure 56 does not provide a party with the opportunity to file a separate motion for summary judgment for each argument a party desires to present. Fed. R. Civ. P. 56; *See also, e.g., BPI Energy, Inc. v. IEC (Montgomery), LLC*, 2009 WL 3518154, at \*1 (S.D. Ill. 2009)(concluding that local rule on page limitations was an indication that a party is limited to one motion for summary judgment). Vizio never sought leave from the court to file six separate summary judgment motions. All pending motions for summary judgment are stricken and the current briefing schedule is stricken. The parties will be granted leave to file one memorandum in support of a motion for summary judgment, and the court will extend the page limit for the memorandums and

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