

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1501

FLEXITEEK AMERICAS, INC.
and FLEXITEEK INTERNATIONAL AS,

Plaintiffs-Appellees,

v.

PLASDECK, INC. and
PLASTEAK, INC.,

Defendants-Appellants,

and

ANDRE BATISTA,

Defendant.

Appeal from the United States District Court for the Southern District of
Florida in case no 08-CV-60996, Judge James I. Cohn.

ON MOTION

Before LOURIE, Circuit Judge.

ORDER

PlasDECK, Inc. and PlasTEAK, Inc. move to deactivate this appeal or alternatively for an extension of time, until October 22, 2009, to provide a designation of the appendix, and for an extension of time to file their opening brief. The appellees oppose and move to dismiss this appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motions to deactivate and dismiss this appeal are denied.

(2) The motions for extension of time are granted. The appellants' opening brief, if it has not already been filed, is due within 21 days of the date of filing of this order.

FOR THE COURT

NOV 13 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: S. Tracy Long, Esq.
Bruce H. Wilson, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

NOV 13 2009

JAN HORBALY
CLERK