

CLOSED, JURY

**U.S. District Court
Eastern District of Virginia (Alexandria)
CIVIL DOCKET FOR CASE #: 1:07-cv-00764-LMB-TCB**

08/02/07 0051 PHX NVW

Avitecture, Inc. v. Avitecture, LLC et al
Assigned to: District Judge Leonie M. Brinkema
Referred to: Magistrate Judge Theresa Carroll Buchanan
Cause: 15:1114 Trademark Infringement

Date Filed: 08/02/2007
Date Terminated: 10/23/2007
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

Avitecture, Inc.

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Defendant

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Defendant**Ron Birkla**

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Date Filed	#	Docket Text
08/02/2007	● <u>1</u>	COMPLAINT against Avtecture, LLC, Ron Birkla (Filing fee \$ 350 receipt number 100002680.), filed by Avtecture, Inc.. Jury Demand (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> cover letter# <u>3</u> Receipt)(nmck,) Modified on 8/7/2007 to correct parties names (nmck,). Additional attachment(s) added on 8/13/2007 (nmck,). (Entered: 08/07/2007)
08/02/2007	● <u>2</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by Avtecture, Inc.. (nmck,) Modified on 8/7/2007 to correct pltf's name (nmck,). (Entered: 08/07/2007)
08/02/2007	● <u>3</u>	Summons Issued and given to atty for service by SPS as to defts Avtecture, LLC, Ron Birkla. (nmck,) Modified on 8/7/2007 to correct deft Avtecture's name (nmck,). (Entered: 08/07/2007)
08/09/2007	● <u>4</u>	Letter to court from pltf's counsel (Attachments: # <u>1</u> Report on the Filing or determination of an action regarding a patent or trademark) (nmck,) (Entered: 08/13/2007)
08/28/2007	● <u>5</u>	SUMMONS Returned Executed as to deft Avtecture, LLC served on 8/19/2007, answer due 9/10/2007 (nmck,) (Entered: 09/07/2007)
08/28/2007	● <u>6</u>	SUMMONS Returned Executed as to deft Ron Birkla served on 8/19/2007, answer due 9/10/2007 (nmck,) (Entered: 09/07/2007)
09/10/2007	● <u>7</u>	Consent MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> by Avtecture, LLC, Ron Birkla. (Attachments: # <u>1</u> Proposed Order) (Brilliant, Hana) (Entered: 09/10/2007)
09/11/2007	● <u>8</u>	ORDER granting <u>7</u> Consent Motion for Extension of Time to Answer or otherwise plead, Avtecture, LLC answer due 10/1/2007; Ron Birkla answer due 10/1/2007.. Signed by Judge Leonie M. Brinkema on 9/11/07. (nmck,) (Entered: 09/11/2007)
09/21/2007	● <u>9</u>	Financial Interest Disclosure Statement (Local Rule 7.1) by Avtecture, LLC. (Brilliant, Hana) (Entered: 09/21/2007)
09/24/2007	●	Notice of Correction re <u>9</u> Financial Disclosure Statement. The filing user

		has been notified to file future documents with the correct signature block, to include the e-mail address. (nmck,) (Entered: 09/24/2007)
09/27/2007	● <u>10</u>	NOTICE of Appearance by Roger Patrick Furey on behalf of all defendants (Furey, Roger) (Entered: 09/27/2007)
09/28/2007	●	Notice of Correction re <u>10</u> Notice of Appearance. The filing user has been notified to file a separate Certificate of Service and to file future documents with the correct signature block. (nmck,) (Entered: 09/28/2007)
09/28/2007	● <u>11</u>	CERTIFICATE of Service re <u>10</u> Notice of Appearance by Roger Patrick Furey on behalf of Avtecture, LLC, Ron Birkla (Furey, Roger) (Entered: 09/28/2007)
09/28/2007	● <u>12</u>	ORDER granting Pro hac vice of Charles William Jirauch Filing fee \$ 50, receipt number 100003806.. Signed by Judge Leonie M. Brinkema on 9/28/07. (Attachments: # <u>1</u> motion for admission pro hac vice# <u>2</u> Receipt) (nmck,) (Entered: 09/28/2007)
09/28/2007	● <u>13</u>	ORDER granting Pro hac vice of Wendy Kemp Akbar Filing fee \$ 50, receipt number 100003807.. Signed by Judge Leonie M. Brinkema on 9/28/07. (Attachments: # <u>1</u> letter# <u>2</u> motion for admission pro hac vice# <u>3</u> Receipt)(nmck,) (Entered: 09/28/2007)
10/01/2007	● <u>14</u>	MOTION to Dismiss <i>Under Rule 12(b)(2) and (b)(3)</i> by Avtecture, LLC, Ron Birkla. (Attachments: # <u>1</u> Memorandum in Support of Motion to Dismiss# <u>2</u> Affidavit of Ron Birkla# <u>3</u> Exhibit A# <u>4</u> Exhibit B)(Furey, Roger) (Entered: 10/01/2007)
10/02/2007	●	Notice of Correction re <u>14</u> MOTION to Dismiss <i>Under Rule 12(b)(2) and (b)(3)</i> The filing user has been notified to file the document separately for each motion relief and The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (nmck,) (Entered: 10/02/2007)
10/02/2007	● <u>15</u>	MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to Rule 12(b)(2)</i> by Avtecture, LLC, Ron Birkla. (Attachments: # <u>1</u> Memorandum In Support# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C)(Furey, Roger) (Entered: 10/02/2007)
10/02/2007	● <u>16</u>	MOTION to Dismiss <i>Pursuant to Rule 12(b)(3)</i> by Avtecture, LLC, Ron Birkla. (Attachments: # <u>1</u> Memorandum In Support# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C)(Furey, Roger) (Entered: 10/02/2007)
10/02/2007	● <u>17</u>	MOTION to Change Venue / <i>Motion to Transfer</i> by Avtecture, LLC, Ron Birkla. (Attachments: # <u>1</u> Memorandum In Support# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C)(Furey, Roger) (Entered: 10/02/2007)
10/16/2007	● <u>18</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to Rule 12(b)(2)</i> , <u>16</u>

		MOTION to Dismiss Pursuant to Rule 12(b)(3), <u>17</u> MOTION to Change Venue /Motion to Transfer by Avitecture, Inc., Avitecture, LLC and Ron Birkla. (Attachments: # <u>1</u> Proposed Order Consent Motion to Enlarge Time to File Responsive Briefs)(Oliveira, Kevin) Modified on 10/17/2007 to add additional filers (nmck,). (Entered: 10/16/2007)
10/17/2007	●	Notice of Correction re <u>18</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction Pursuant to Rule 12(b)(2), <u>16</u> MOTION to Dismiss Pursuant to Rule 12(b)(3), <u>17</u> MOTION to Change Venue /Motion to TransfConsent MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction Pursuant to Rule 12(b)(2), <u>16</u> MOTION to Dismiss Pursuant to Rule 12(b)(3), <u>17</u> MOTION to Change Venue /Motion to Transf. The text has been modified to reflect the correct party/filer of the document. (nmck,) (Entered: 10/17/2007)
10/17/2007	● <u>19</u>	ORDER <u>18</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction Pursuant to Rule 12(b)(2), <u>16</u> MOTION to Dismiss Pursuant to Rule 12(b)(3), <u>17</u> MOTION to Change Venue /Motion to TransfConsent MOTION for Extension of Time to File Response/Reply, that pltf's time to file responsponsive briefs to defts motions to dismiss under FRCP, and for lack of personal jurisdiction and improper venue and alternative motion for transfer venue is enlarged to 10/23/2007. Signed by Judge Theresa Carroll Buchanan on 10/17/07. (nmck,) (Entered: 10/17/2007)
10/23/2007	● <u>20</u>	Consent MOTION to Transfer Case to the United States District Court for the District of Arizona by Avitecture, Inc.. (Attachments: # <u>1</u> Proposed Order)(Oliveira, Kevin) (Entered: 10/23/2007)
10/23/2007	● <u>21</u>	ORDER granting <u>20</u> Motion to Transfer Case and this action shall be transferred to the United States District Court for the District of Arizona.. Signed by Judge Leonie M. Brinkema on 10/23/07. (nmck,) (Entered: 10/24/2007)
01/04/2008	● <u>22</u>	CASE transferred to the United States District Court for the District of Arizona, with a certified copy of the transfer order and the docket sheet. (nmck,) (Entered: 01/04/2008)

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

BY 
DEPUTY CLERK