



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
3470 Twelfth Street, Riverside, CA 92501  
CIVIL MINUTES -- GENERAL

Case No. CV 04-08604 SGL(OPx)

Date: October 28, 2008

Title: DAVID GROBER -v- MAKO PRODUCTS, INC., AIR SEA LAND PRODUCTIONS,  
INC., CINEVIDEOTECH, INC., SPECTRUM EFFECTS, INC., DOES 1-10

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PRESENT: HONORABLE STEPHEN G. LARSON, UNITED STATES DISTRICT JUDGE

Jim Holmes  
Courtroom Deputy Clerk

None Present  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None present

None present

PROCEEDINGS: ORDER DENYING PLAINTIFF'S EX PARTE APPLICATION

The Court has received and reviewed plaintiff's October 20, 2008 ex parte application to have heard related discovery motions with the November 3, 2008, Markman hearing. The premise underlying the ex parte application is flawed. Whereas plaintiff asserts that the Court will be hearing defendants' summary judgment motion alongside the Markman hearing, the Court's October 6, 2008, Order made clear that the only matter to be heard on November 3, 2008, is the Markman hearing, with the Court scheduling when the summary judgment motion will be heard "at the time of the Markman hearing." Thus, as it stands, the only matter being heard on November 3, 2008, is the aforementioned Markman hearing. Thus, judicial economy principles will not be served by combining the Markman hearing with those related to the discovery matters (which are currently scheduled for hearing on January 12, 2009). Accordingly, plaintiff's ex parte application is **DENIED**.

IT IS SO ORDERED.