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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADVANCED STEEL RECOVERY, LLC,

Plaintiff,

v.

X-BODY EQUIPMENT, INC., et al.,

Defendants.

No. 2:16-00148-KJM-EFB

ORDER

On August 9, 2016, the court issued the order denying the motion to dismiss and for sanctions brought by defendants X-Body Equipment and Jewell Attachments, LLC against plaintiff Advanced Steel Recovery, LLC. Order, ECF No. 42. The order provided for the taking of limited discovery and the filing of a renewed motion to dismiss, which may be converted to a motion for summary judgment. *Id.* at 8. Just prior to the court's issuing its order, the parties jointly requested acceleration of potential resolution of the patent application filing date priority issue and proposed a schedule for summary judgment briefing. *See* Joint Status Report, ECF 41.

The parties' proposal is APPROVED with the following modifications:

- The date for filing the amended complaint shall be governed by the court's order of August 9, 2016.

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■ No surreply will be filed without advance approval from the court. If a party believes a surreply is required, it may request the opportunity to file one, providing reasons supporting a determination of good cause.

The parties' request to enlarge the number of pages allowed for opening, opposition and reply briefs is granted on the condition that the parties not abuse the court's trust in granting such request as necessary to fully and concisely present their positions.

Hearing on summary judgment is confirmed for **December 2, 2016 at 10 a.m.**

IT IS SO ORDERED.

DATED: August 12, 2016.


UNITED STATES DISTRICT JUDGE