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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN KEITHLEY, *et al.*,
Plaintiffs,

No. C 03-4447 SI

ORDER

v.

HOMESTORE.COM, INC., *et al.*,
Defendants.


United States District Court
For the Northern District of California

On March 4, 2009, the Court entered judgment in this case based on the Court's earlier order granting summary judgment to defendants on plaintiffs' patent infringement claims, and the Court's dismissal without prejudice of defendants' counterclaims. The parties have contacted the Court's clerk inquiring about the entry of judgment in light of the sanctions matters pending before Judge Laporte. The Court considers those matters to be collateral and not related to the merits of any parties' claims, and therefore determined that the pendency of those proceedings would not bar the entry of final judgment. It is the Court's understanding that the parties will be appealing this Court's March 4, 2009 judgment, and believes it to be presently appealable. If the parties wish to eventually appeal any subsequent rulings on the pending sanctions matters, the Court would expect such appeals to be joined with the appeal of the judgment.

If the parties jointly believe that the March 4, 2009 judgment is premature, the Court will consider a joint motion to vacate.

IT IS SO ORDERED.

Dated: March 13, 2009



SUSAN ILLSTON
United States District Judge