

MEDIATION, Transferred_Out_District

U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Corpus Christi)
CIVIL DOCKET FOR CASE #: 2:09-cv-00199

Flowbee International, Inc. et al v. Google, Inc. DO NOT DOCKET –
CASE HAS BEEN ELECTRONICALLY TRANSFERRED OUT
Assigned to: Judge Janis Graham Jack
Cause: 15:1125 Trademark Infringement (Lanham Act)

Date Filed: 08/13/2009
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

Flowbee International, Inc.

represented by **David Tarrant Bright**
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Plaintiff

Flowbee Haircutter Limited Partnership

represented by **David Tarrant Bright**
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Christopher V Goodpastor
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V.

Defendant

Google, Inc.

represented by **Margaret Caruso**
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Date Filed	#	Docket Text
08/13/2009	<u>1</u>	COMPLAINT against Google, Inc. (Filing fee \$ 350 receipt number 0541000000005368054) filed by Flowbee International, Inc., Flowbee Haircutter Limited Partnership. (Attachments: # <u>1</u> Complaint Part 2 of 2, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Bright, David) (Entered: 08/13/2009)
08/13/2009	<u>1</u>	Summons Issued as to Google, Inc., filed.(dterrell,) (Entered: 08/13/2009)
08/13/2009	<u>2</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 9/23/2009 at 01:15 PM before Judge Janis Graham Jack. (Attachments: # <u>1</u> Standing Order) Parties notified.(dterrell,) (Entered: 08/13/2009)
08/28/2009	<u>3</u>	First CERTIFICATE OF INTERESTED PARTIES by Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed.(Bright, David) (Entered: 08/28/2009)
09/02/2009	<u>4</u>	RETURN of Service of SUMMONS Executed as to Google, Inc. served on 8/25/2009, answer due 9/14/2009, filed.(Bright, David) (Entered: 09/02/2009)
09/09/2009	<u>5</u>	NOTICE of Appearance by Charles L. "Chip" Babcock on behalf of Google, Inc., filed. (Babcock, Charles) (Entered: 09/09/2009)
09/09/2009	<u>6</u>	CERTIFICATE OF INTERESTED PARTIES by Google, Inc., filed.(Babcock, Charles) (Entered: 09/09/2009)
09/10/2009	<u>7</u>	Amended CERTIFICATE OF INTERESTED PARTIES by Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed.(Bright, David) (Entered: 09/10/2009)

09/10/2009	<u>İ 8</u>	INITIAL DISCLOSURES by Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed.(Bright, David) (Entered: 09/10/2009)
09/10/2009	<u>İ 9</u>	MOTION for Margaret M. Caruso to Appear Pro Hac Vice by Google, Inc., filed. Motion Docket Date 10/5/2009. (mserpa,) (Entered: 09/11/2009)
09/11/2009	<u>İ 10</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed.(Bright, David) (Entered: 09/11/2009)
09/14/2009	<u>İ 11</u>	MOTION to Dismiss <u>1</u> Complaint, by Google, Inc., filed. Motion Docket Date 10/7/2009. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 (Part 1), # <u>3</u> Exhibit 2 (Part 2), # <u>4</u> Proposed Order)(Babcock, Charles) (Entered: 09/14/2009)
09/14/2009	<u>İ 12</u>	ORDER granting <u>9</u> Motion to Appear Pro Hac Vice.(Signed by Judge Janis Graham Jack) Parties notified.(Irivera,) (Entered: 09/15/2009)
09/17/2009	<u>İ 13</u>	NOTICE of Appearance by Christopher Goodpastor on behalf of Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed. (Bright, David) (Entered: 09/17/2009)
09/22/2009	<u>İ 14</u>	Unopposed MOTION for Margret M. Caruso to Appear as Attorney-In-Charge by Google, Inc., filed. Motion Docket Date 10/13/2009. (Attachments: # <u>1</u> Proposed Order)(Babcock, Charles) (Entered: 09/22/2009)
09/22/2009	<u>İ 15</u>	INITIAL DISCLOSURES by Google, Inc., filed.(Babcock, Charles) (Entered: 09/22/2009)
09/23/2009	<u>İ 16</u>	TRIAL BRIEF <i>Plfs Initial Brief of Law</i> by Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed.(Bright, David) (Entered: 09/23/2009)
09/23/2009	<u>İ 17</u>	ORDER granting <u>14</u> Motion for Leave to Appear.(Signed by Judge Janis Graham Jack) Parties notified.(Icayce,) (Entered: 09/23/2009)
09/23/2009	<u>İ</u>	Minute Entry for proceedings held before Judge Janis Graham Jack. Initial PRETRIAL CONFERENCE held on 9/23/2009. Discussion regarding issues of the case. Court signs scheduling order and general order. Court refers parties to mediation. Appearances:Carl Butzer, David Tarrant Bright, Margaret Caruso.(Digital # 1:08-1:44)(ERO:v gano), filed.(sscotch,) (Entered: 09/23/2009)
09/23/2009	<u>İ 18</u>	GENERAL ORDER.(Signed by Judge Janis Graham Jack) Parties notified.(Irivera,) (Entered: 09/24/2009)
09/23/2009	<u>İ 19</u>	Order for Referral to Mediation..(Signed by Judge Janis Graham Jack) Parties notified.(Irivera,) (Entered: 09/24/2009)
09/23/2009	<u>İ 20</u>	SCHEDULING ORDER. Amended Pleadings due by 3/15/2009 Joinder of Parties due by 12/15/2009 Discovery due by 6/30/2010 Dispositive Motion Filing due by 6/15/2010 Joint Pretrial Order due by 8/20/2010 Pretrial Conference set for 9/1/2010 at 08:30 AM before Judge Janis Graham Jack Jury Selection set for 9/2/2010 at 08:00AM before Judge Janis Graham Jack Jury Trial set for 9/2/2010 at 08:00 AM before Judge Janis Graham Jack.(Signed by Judge Janis Graham Jack) Parties notified.(Irivera,) (Entered: 09/24/2009)
09/24/2009	<u>İ 22</u>	AO 435 TRANSCRIPT ORDER FORM by Carl Butzer. This is to order a transcript of held on 09/23/09 before Judge Janis Graham Jack Court Reporter/Transcriber: Molly Carter, filed. (Icayce,) (Entered: 09/25/2009)

09/25/2009	<u>İ 21</u>	TRANSCRIPT re: Initial Pretrial Conference held on 09/23/09 before Judge Janis Graham Jack. Court Reporter/Transcriber Molly Carter. Release of Transcript Restriction set for 12/24/2009., filed. (mocarter) (Entered: 09/25/2009)
09/25/2009	<u>İ 23</u>	Notice of Filing of Official Transcript as to <u>21</u> Transcript. Party notified, filed. (vgano,) (Entered: 09/29/2009)
10/02/2009	<u>İ 24</u>	RESPONSE to <u>11</u> MOTION to Dismiss <u>1</u> Complaint,, filed by Flowbee International, Inc., Flowbee Haircutter Limited Partnership. (Attachments: # <u>1</u> Appendix 1, # <u>2</u> Attachment 2, # <u>3</u> Proposed Order)(Bright, David) (Entered: 10/02/2009)
10/06/2009	<u>İ 25</u>	Amended INITIAL DISCLOSURES by Google, Inc., filed.(Caruso, Margaret) (Entered: 10/06/2009)
10/06/2009	<u>İ 26</u>	MOTION for Leave to File Reply Brief to Its Pending Motion to Dismiss by Google, Inc., filed. Motion Docket Date 10/26/2009. (Attachments: # <u>1</u> Exhibit A – Reply Memorandum of Law, # <u>2</u> Caruso Declaration, # <u>3</u> Hagan Declaration, # <u>4</u> Proposed Order)(Caruso, Margaret) (Entered: 10/06/2009)
10/08/2009	<u>İ 27</u>	NOTICE of Change of Address by David Bright, Watts Guerra Craft, LLP, counsel for Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed. (Bright, David) (Entered: 10/08/2009)
10/08/2009	<u>İ 28</u>	CERTIFICATE of Conference re: <u>26</u> MOTION for Leave to File Reply Brief to Its Pending Motion to Dismiss by Google, Inc., filed.(Caruso, Margaret) (Entered: 10/08/2009)
10/08/2009	<u>İ 29</u>	Unopposed MOTION for Oral Argument Relating to Its Pending Motion to Dismiss Hearing re: <u>26</u> MOTION for Leave to File Reply Brief to Its Pending Motion to Dismiss by Google, Inc., filed. Motion Docket Date 10/28/2009. (Attachments: # <u>1</u> Proposed Order)(Caruso, Margaret) (Entered: 10/08/2009)
10/16/2009	<u>İ 30</u>	Unopposed MOTION for Leave to File Sur–Reply in Support of Response to Motion to Dismiss by Flowbee International, Inc., Flowbee Haircutter Limited Partnership, filed. Motion Docket Date 11/5/2009. (Attachments: # <u>1</u> Exhibit A)(Bright, David) (Entered: 10/16/2009)
10/19/2009	<u>İ 31</u>	PROPOSED ORDER re: <u>30</u> Unopposed MOTION for Leave to File Sur–Reply in Support of Response to Motion to Dismiss, filed.(Bright, David) (Entered: 10/19/2009)
10/19/2009	<u>İ 32</u>	ORDER granting <u>30</u> Motion for Leave to File Plaintiffs' Sur–Reply in Support of Response to Defendant Google, Inc.'s Motion to Dismiss Under Rule 12(b)(3).(Signed by Judge Janis Graham Jack) Parties notified.(srussell,) (Entered: 10/20/2009)
10/19/2009	<u>İ 33</u>	PLAINTIFFS' SUR–REPLY in Support of <u>24</u> Response to Defendant Google, Inc.'s Motion to Dismiss Under Rule 12(b)(3), filed by Flowbee International, Inc., Flowbee Haircutter Limited Partnership. (srussell,) (Entered: 10/20/2009)
10/22/2009	<u>İ 34</u>	ORDER granting <u>26</u> Motion for Leave to File Defendant Google Inc.'s Reply Brief in Support of Its Motion to Dismiss.(Signed by Judge Janis Graham Jack) Parties notified.(srussell,) (Entered: 10/23/2009)
10/22/2009	<u>İ 35</u>	Reply Memorandum of Law in Further Support re: <u>11</u> MOTION to Dismiss <u>1</u> Complaint, by Google, Inc., filed. (Attachments: # <u>1</u> Caruso Declaration, # <u>2</u>

		Hagan Declaration)(srussell,) (Entered: 10/23/2009)
11/05/2009	<u>İ 36</u>	Mail Returned Undeliverable as to attorney Margaret Caruso re: <u>32</u> Order on Motion for Leave to File, filed. (Bar website reflects the same address) (dperez,) (Entered: 11/06/2009)
12/17/2009	<u>İ 37</u>	NOTICE of Setting as to <u>11</u> MOTION to Dismiss <u>1</u> Complaint,, <u>29</u> Unopposed MOTION for Oral Argument Relating to Its Pending Motion to Dismiss Hearing re: <u>26</u> MOTION for Leave to File Reply Brief to Its Pending Motion to DismissUnopposed MOTION for Oral Argument Relating to Its Pending Motion to Dismiss Hearing re: <u>26</u> MOTION for Leave to File Reply Brief to Its Pending Motion to Dismiss. Parties notified. Motion Hearing set for 1/11/2010 at 10:00 AM before Judge Janis Graham Jack, filed. (sscotch,) (Entered: 12/17/2009)
01/11/2010	<u>İ</u>	Minute Entry for proceedings held before Judge Janis Graham Jack. MOTION HEARING held on 1/11/2010 ; Motion-related deadline set re: <u>11</u> MOTION to Dismiss <u>1</u> Complaint,, <u>29</u> Unopposed MOTION for Oral Argument Relating to Its Pending Motion to Dismiss Hearing re: <u>26</u> MOTION for Leave to File Reply Brief to Its Pending Motion to DismissUnopposed MOTION for Oral Argument Relating to Its Pending Motion to Dismiss Hearing re: <u>26</u> MOTION for Leave to File Reply Brief to Its Pending Motion to Dismiss. Appearances: Christopher V Goodpastor, David Tarrant Bright, Margaret Caruso, Carl C Butzer.(Digital # 10:05-11:04)(ERO:v gao), filed.(sscotch,) (Entered: 01/11/2010)
02/08/2010	<u>İ 38</u>	ORDER Denying <u>11</u> Motion to Dismiss this case for improper venue; Granting alternative motion to transfer case to Northern District of California, San Jose Division.(Signed by Judge Janis Graham Jack) Parties notified.(srussell,) (Entered: 02/08/2010)
02/08/2010	<u>İ</u>	Interdistrict electronic transfer to Northern District of California, San Jose Division, filed. (srussell,) (Entered: 02/08/2010)