

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PROCTER AND GAMBLE CO.,
Plaintiff(s),
v.
KRAFT FOODS GLOBAL, INC.
Defendant(s).

No. C 07-4413 PJH
ORDER FOLLOWING REMAND

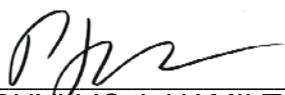
TO ALL PARTIES AND COUNSEL OF RECORD:

The mandate of the Court of Appeals for the Federal Circuit having been filed in this court on January 5, 2009, the court orders as follows:

The parties shall meet and confer to agree upon a briefing schedule for plaintiff's motion for preliminary injunction. Because the moving papers were filed more than a year ago, plaintiff may wish to amend or revise them before defendant files an opposition. The reply brief should be filed three rather than two weeks before the hearing. The court is unavailable for hearing February 11 - March 11, 2009. Given the amount of time that has transpired since the filing of the motion and the possibility that a stay might again be ordered following a decision on the motion, the court will endeavor to resolve the motion before formal claim construction proceedings are held. The parties shall submit a stipulated schedule within one week.

SO ORDERED.

Dated: January 6, 2009



PHYLLIS J. HAMILTON
United States District Judge