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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEKSANDR L. YUFA,
Plaintiff,
v.
PARTICLE MEASURING SYSTEMS,
INC.,
Defendant.

Case No. 09-cv-01388-PJH
ORDER CONTINUING STAY
Re: Dkt. Nos. 108, 109

United States District Court
Northern District of California

On February 18, 2015, the court granted a stay in this case based on the possibility of the patents-in-suit being assigned to a receiver and sold at auction in order to satisfy a judgment in another suit involving the plaintiff in this action. Dkt. 90. Since then, the parties have filed status reports every six months seeking to continue the stay; the court has repeatedly ordered the stay to continue as the appointment of a receiver was appealed. Dkt. 92, 95, 98, 101, 104, 107.

On October April 5, 2018, pro se plaintiff Aleksandr Yufa filed an updated status statement requesting that the court continue the stay. Dkt. 108. Defendant Particle Measuring Systems, Inc. agrees that an additional stay is appropriate. Dkt. 109.

In Yufa v. TSI Incorporated, No. 4:09-cv-1315 KAW ("TSI"), the Federal Circuit has now affirmed the order to appoint a receiver for Yufa's patents. TSI Dkt. 250. However, no assignment has yet taken place and TSI's motion to compel assignment was denied without prejudice on December 11, 2017. TSI Dkt. 273.

In addition, On July 7, 2017, Yufa appealed the TSI court's order denying Yufa's request to order the time range for receiver's evaluations and granting TSI's motion to

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approve instruction of the receiver. TSI Dkt. 262. The Federal Circuit has yet to issue a decision on that appeal.

The court agrees that the stay should remain in place. The parties shall file an updated status statement no later than six months from the date of this order, apprising the court as to whether the patents have been assigned.

IT IS SO ORDERED.

Dated: April 12, 2018



PHYLLIS J. HAMILTON
United States District Judge