

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 13-cv-00170-PAB-KLM

ORALABS, INC., a Colorado Corporation,

Plaintiff,

v.

THE KIND GROUP LLC, a New York Limited Liability Company,

Defendant.

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**ORDER**

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This matter is before the Court on the parties' briefs [Docket Nos. 105 and 106/110] filed in response to the Court's April 24, 2014 order [Docket No. 101]. Although the Court does not necessarily agree that instructions on the law are dependent on expert discovery or that plaintiff's burden on the issue of functionality prevents the Court and the parties from addressing instructions on that issue at this time, the Court perceives no prejudice to postponing the hearing until a later date. As a result, the hearing will be vacated and reset on March 23, 2015.

Wherefore, it is

**ORDERED** that the claim construction hearing currently set for July 10, 2014 is VACATED and reset on March 23, 2015 at 2:00 p.m. Defendant shall file a brief responsive to the Court's April 24, 2014 order on or before March 9, 2015. Plaintiff shall file a brief on or before March 16, 2015.

DATED July 3, 2014.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge