

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 15-cv-01380-REB-KMT

DOT HILL SYSTEMS CORP.,

Plaintiff,

v.

CROSSROADS SYSTEMS, INC.,

Defendants.

---

**ORDER CONCERNING APPOINTMENT OF MASTER**

---

**Blackburn, J.**

This matter is before the court *sua sponte*. This patent infringement case concerns United States Patent No. 7,277,995, a patent for a storage controller that provides controlled access to storage devices by host computers. This case is ripe for the construction of disputed claims applying the standards of *Markman v. Westview Instruments, Inc.*, 517 U.S. 370, 384-88 (1996) and its progeny.

The patent-in-suit concerns technology that is highly specialized and technical. It is likely that a master with education and skill in the technical areas of the patent-in-suit will be able to construe the disputed claims more accurately, efficaciously, and expeditiously than a judge of this court. Under Fed. R. Civ. P. 53(a)(1), these circumstances are sufficient to warrant the appointment of a master.

Before appointing a master, the court must give the parties notice and an opportunity to be heard. **FED. R. CIV. P. 53(b)(1)**. This order shall serve as notice to the parties of the court's intent to appoint a master to construe the disputed claims of the

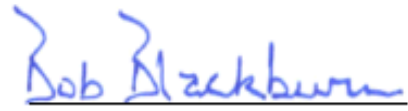
patent-in-suit. This order provides a schedule for the parties to state their positions on this issue and to suggest candidates for the position of master.

**THEREFORE, IT IS ORDERED** as follows:

1. That by September 30, 2015, each party shall file a brief addressing the question whether a master should be appointed to construe the disputed claims of the patent-in-suit and to manage related discovery and other matters;
2. That in its brief, each party shall state whether it consents to the appointment of a master to construe the disputed claims of the patent-in-suit and to manage related discovery and other matters;
3. That in its brief, each party may suggest one or more candidates for appointment as a master and shall include a curriculum vitae of the qualifications of any candidate;
4. That any party that supports and consents to the appointment of a master shall file a proposed order which appoints a master to construe the disputed claims of the patent-in-suit and to manage related discovery and other matters and which contains the contents required under Fed. R. Civ. P. 53(b)(2)(A)-(E); and
5. That the proposed order shall be filed in CM/ECF as an attachment to the brief of the party submitting the proposed order and shall be tendered separately to the court in a Microsoft Word document via e-mail at [blackburn\\_chambers@cod.uscourts.gov](mailto:blackburn_chambers@cod.uscourts.gov).

Dated August 26, 2015, at Denver, Colorado.

**BY THE COURT:**

A handwritten signature in blue ink that reads "Bob Blackburn". The signature is written in a cursive style with a horizontal line underneath the name.

Robert E. Blackburn  
United States District Judge