

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891  
Hon: AVERN COHN

ENVISIONTEC, INC., ENVISIONTEC  
GMBH; and SIBCO, INC.,

Defendants.

\_\_\_\_\_ /

**ORDER OF SUPPLEMENTAL REFERENCE TO SPECIAL MASTER**

**I.**

This is a patent case. On May 21, 2009, the Special Master (see Dkt. 126) filed the Special Master's Report and Recommendations on the Parties' Summary Judgment Motions (see Dkt. 146). Each party has filed objections to the recommendations (see Dkts. 147, 148). The Special Master was appointed to deal with the motions because of the complexity of the subject matter. It will simplify consideration of the objections if in the first instance the Special Master is given the opportunity to address them as if on a motion for reconsideration. Accordingly the objections are referred to the Special Master to report upon and recommend in writing the appropriate disposition of each of the motions for summary judgment in light of the Report and Recommendations and the objections.

**II.**

Fed. R. Civ. P. 53 Masters, as promulgated in 1937 and up to the 2003 amendments, read: "(5) Draft Report. Before filing his report a master may submit a

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891  
Hon: AVERN COHN

ENVISIONTEC, INC., ENVISIONTEC  
GMBH; and SIBCO, INC.,

Defendants.

\_\_\_\_\_ /

**ORDER OF SUPPLEMENTAL REFERENCE TO SPECIAL MASTER**

**I.**

This is a patent case. On May 21, 2009, the Special Master (see Dkt. 126) filed the Special Master's Report and Recommendations on the Parties' Summary Judgment Motions (see Dkt. 146). Each party has filed objections to the recommendations (see Dkts. 147, 148). The Special Master was appointed to deal with the motions because of the complexity of the subject matter. It will simplify consideration of the objections if in the first instance the Special Master is given the opportunity to address them as if on a motion for reconsideration. Accordingly the objections are referred to the Special Master to report upon and recommend in writing the appropriate disposition of each of the motions for summary judgment in light of the Report and Recommendations and the objections.

**II.**

Fed. R. Civ. P. 53 Masters, as promulgated in 1937 and up to the 2003 amendments, read: "(5) Draft Report. Before filing his report a master may submit a

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891  
Hon: AVERN COHN

ENVISIONTEC, INC., ENVISIONTEC  
GMBH; and SIBCO, INC.,

Defendants.

\_\_\_\_\_ /

**ORDER OF SUPPLEMENTAL REFERENCE TO SPECIAL MASTER**

**I.**

This is a patent case. On May 21, 2009, the Special Master (see Dkt. 126) filed the Special Master's Report and Recommendations on the Parties' Summary Judgment Motions (see Dkt. 146). Each party has filed objections to the recommendations (see Dkts. 147, 148). The Special Master was appointed to deal with the motions because of the complexity of the subject matter. It will simplify consideration of the objections if in the first instance the Special Master is given the opportunity to address them as if on a motion for reconsideration. Accordingly the objections are referred to the Special Master to report upon and recommend in writing the appropriate disposition of each of the motions for summary judgment in light of the Report and Recommendations and the objections.

**II.**

Fed. R. Civ. P. 53 Masters, as promulgated in 1937 and up to the 2003 amendments, read: "(5) Draft Report. Before filing his report a master may submit a

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891  
Hon: AVERN COHN

ENVISIONTEC, INC., ENVISIONTEC  
GMBH; and SIBCO, INC.,

Defendants.

\_\_\_\_\_ /

**ORDER OF SUPPLEMENTAL REFERENCE TO SPECIAL MASTER**

**I.**

This is a patent case. On May 21, 2009, the Special Master (see Dkt. 126) filed the Special Master's Report and Recommendations on the Parties' Summary Judgment Motions (see Dkt. 146). Each party has filed objections to the recommendations (see Dkts. 147, 148). The Special Master was appointed to deal with the motions because of the complexity of the subject matter. It will simplify consideration of the objections if in the first instance the Special Master is given the opportunity to address them as if on a motion for reconsideration. Accordingly the objections are referred to the Special Master to report upon and recommend in writing the appropriate disposition of each of the motions for summary judgment in light of the Report and Recommendations and the objections.

**II.**

Fed. R. Civ. P. 53 Masters, as promulgated in 1937 and up to the 2003 amendments, read: "(5) Draft Report. Before filing his report a master may submit a

draft thereof to counsel for all parties for the purpose of receiving their suggestions.” As explained in The Federal Rules of Civil Procedure, 25 Va. L. Rev. 261, 293 n.128 (1939), “This is known as settling the master’s report.” Charles Alan Wright & Arthur R. Miller, 9C Federal Practice and Procedure § 2611, at 623–24 (3d ed. 2008), suggests “these practices should continue under the present rule.” See Norfolk Shipbuilding & Drydock Corp. v. Seabulk Transmarine P’ship, 274 F.3d 249, 252 (5th Cir. 2001).

**III.**

This reference incorporates the provisions of the Appointment and Order of Reference to Special Master (Dkt. 126) as to the duties and procedures to be followed by the Special Master.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: June 23, 2009

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, June 23, 2009, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager, (313) 234-5160

draft thereof to counsel for all parties for the purpose of receiving their suggestions.” As explained in The Federal Rules of Civil Procedure, 25 Va. L. Rev. 261, 293 n.128 (1939), “This is known as settling the master’s report.” Charles Alan Wright & Arthur R. Miller, 9C Federal Practice and Procedure § 2611, at 623–24 (3d ed. 2008), suggests “these practices should continue under the present rule.” See Norfolk Shipbuilding & Drydock Corp. v. Seabulk Transmarine P’ship, 274 F.3d 249, 252 (5th Cir. 2001).

III.

This reference incorporates the provisions of the Appointment and Order of Reference to Special Master (Dkt. 126) as to the duties and procedures to be followed by the Special Master.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: June 23, 2009

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, June 23, 2009, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager, (313) 234-5160

draft thereof to counsel for all parties for the purpose of receiving their suggestions.” As explained in The Federal Rules of Civil Procedure, 25 Va. L. Rev. 261, 293 n.128 (1939), “This is known as settling the master’s report.” Charles Alan Wright & Arthur R. Miller, 9C Federal Practice and Procedure § 2611, at 623–24 (3d ed. 2008), suggests “these practices should continue under the present rule.” See Norfolk Shipbuilding & Drydock Corp. v. Seabulk Transmarine P’ship, 274 F.3d 249, 252 (5th Cir. 2001).

**III.**

This reference incorporates the provisions of the Appointment and Order of Reference to Special Master (Dkt. 126) as to the duties and procedures to be followed by the Special Master.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: June 23, 2009

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, June 23, 2009, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager, (313) 234-5160

draft thereof to counsel for all parties for the purpose of receiving their suggestions.” As explained in The Federal Rules of Civil Procedure, 25 Va. L. Rev. 261, 293 n.128 (1939), “This is known as settling the master’s report.” Charles Alan Wright & Arthur R. Miller, 9C Federal Practice and Procedure § 2611, at 623–24 (3d ed. 2008), suggests “these practices should continue under the present rule.” See Norfolk Shipbuilding & Drydock Corp. v. Seabulk Transmarine P’ship, 274 F.3d 249, 252 (5th Cir. 2001).

**III.**

This reference incorporates the provisions of the Appointment and Order of Reference to Special Master (Dkt. 126) as to the duties and procedures to be followed by the Special Master.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: June 23, 2009

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, June 23, 2009, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager, (313) 234-5160