

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Cannon Technologies, Inc.,

Plaintiff,

Civ. No. 08-6456 (RHK/LIB)

ORDER

v.

Sensus Metering Systems, Inc.,

Defendant/Third-Party Plaintiff,

v.

Vishay Intertechnology, Inc.,

Third-Party Defendant.

This matter is before the Court *sua sponte*.

A jury trial is scheduled to commence in this action on January 10, 2011.

However, due to concerns under the Speedy Trial Act, 18 U.S.C. § 3161, a criminal case pending before the undersigned, which is scheduled to last approximately 3 weeks, must be moved into this case's trial block. Accordingly, the trial commencement date in this action is **CONTINUED** *sine die*. The earliest the Court anticipates being available to try this case is late February 2011, but it will consult with counsel regarding their availability (and the availability of the potential witnesses) before re-setting the trial.

The Court apologizes for the lateness of this notice. It was expected that the criminal case would resolve short of trial, but it now appears that is unlikely to happen.

Although there remains a slight possibility the criminal matter may result in a plea, the Court thought it best to alter the trial schedule now, rather than on the eve of trial.

Based on the foregoing, **IT IS FURTHER ORDERED** that the hearing on the pending Daubert Motions, currently scheduled for December 17, 2010, is **CONTINUED** *sine die*. The Court will reschedule that hearing once the trial date has been re-set.

Although the trial has been continued, the parties shall complete their pre-trial submissions (responses to motions in limine, objections to trial exhibits, etc.) on the previously established schedule.

Date: December 2, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge