

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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Before the court is Plaintiffs' Motion to Strike Shuffle Master's Revised Constructions and References to Abandoned Applications (#69, filed May 18, 2010). The Court also considers Defendant's Opposition (#73) and Plaintiffs' Reply (#74).

The motion will be denied. The Court will not attempt to evaluate or elucidate on the case law cited, noting that many (though not all) of the cases cited are unpublished cases, or cite to footnotes in decisions by other district judges. The motion does not justify an elaborate discourse on the law.

This Court simply finds that the “changes,” which Plaintiffs find offensive, appear to be minor and not more prejudicial to Plaintiffs than the original. Plaintiffs will, and have had, ample opportunity to criticize Defendant’s constructions. With respect to references to abandoned applications, it is for the Court to decide their relevance, in the context of a hearing—not in a motion to strike.

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IT IS THEREFORE ORDERED that Plaintiffs' Motion to Strike Shuffle Master's Revised Constructions and References to Abandoned Applications (#69) is DENIED.

Dated: August 12, 2010.


Roger L. Hunt
Chief United States District Judge