

F. Christopher Austin, (NV Bar No. 6559)
WEIDE & MILLER, LTD.
7251 W. Lake Mead Blvd., Suite 530
Las Vegas, NV 89128-8373
(702) 382-4804
caustin@weidemiller.com

Peter N. Jansson (admitted *pro hac vice*)
JANSSON MUNGER MCKINLEY & SHAPE LTD
245 Main Street
Racine, WI 53403
(262) 632-6900
pjansson@janlaw.com

Attorneys for Plaintiff
Empire Level Manufacturing Corp.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Empire Level Manufacturing Corp.,
a Wisconsin corporation,
Plaintiff,

v.

Toolrich Imp. & Exp. Co., Ltd.,
a Chinese company,
Zhejiang Yongkang Shiya Wanxing Tools Factory,
a Chinese company,
Wuxi Just Int'l Trading Co., Ltd.,
a Chinese company,
Pro-Starter Tools Co. Ltd.,
a Chinese company,
Zhejiang Boda Measure Tools Co., Ltd.,
a Chinese company,
Jinhua Shunchi Tools Factory,
a/k/a Jinhua Chunyi Tools Co., Ltd.,
a/k/a Jinhua City Shunchi Tools Factory,
a Chinese company,
Cixi Ocean Trade Co., Ltd.,
a Chinese company, and
Shaoxing Sunway Tools & Hardware Export &
Import Co. Ltd.,
a Chinese company.

Defendants.

Case No.: 2:14-cv-00718

**ORDER GRANTING EMPIRE'S
MOTION FOR EXEMPTION FROM
FED. R. CIV. P. 26(f)**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Before the Court is “Empire’s Motion for Exemption from Fed.R.Civ.P. 26(f) and Supporting Memorandum,” as filed by Plaintiff, and the Court having reviewed all the relevant pleadings in this matter,

THE COURT FINDS THAT:

1. Plaintiff has shown good cause for exemption from Fed.R.Civ.P. 26(f).

IT IS HEREBY ORDERED THAT:

A. Plaintiff’s motion is granted. As of the date of this Order, Plaintiff may serve discovery on all defendants in this action as well as relevant third parties including but not limited to King Tools & Equipment, Apex Tool Group, LLC and Menards, Inc., relating to the following subject areas:

- i. manufacture, offer, sale, importation, advertisement, display and/or other commercial uses of torpedo-level products; and
- ii. willful infringement.

Dated this 27th day of June, 2014.



UNITED STATES MAGISTRATE JUDGE