

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAWAII-PACIFIC APPAREL GROUP, :
INC., :

Plaintiff, :

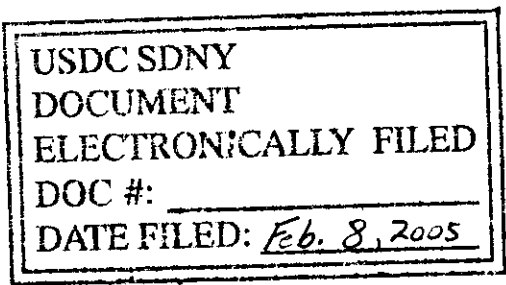
- against - :

CLEVELAND BROWNS FOOTBALL :
COMPANY LLC and NATIONAL :
FOOTBALL LEAGUE PROPERTIES, INC., :

Defendants. :

- - - - -x

ORDER
04 Civ. 7863 (DC)



CHIN, D.J.

In this trademark infringement case, defendants request an order bifurcating liability and damages, both as to discovery and trial. Plaintiff objects.

The objection is overruled; the case will be bifurcated. Discovery will proceed initially as to liability only; when liability is determined, the parties may then proceed with discovery as to damages.

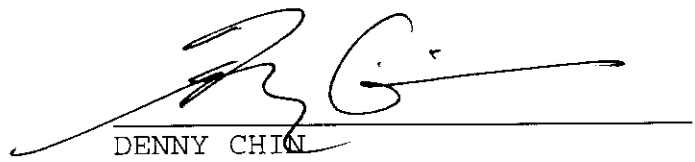
The schedule set forth in the parties' proposed joint discovery plan is not acceptable to the Court. Instead, it is hereby ordered as follows:

1. All discovery, fact and expert, on the issue of liability shall be completed by September 16, 2005. This is a firm deadline that will not be extended absent compelling reasons for additional time. The parties shall agree on dates within that time frame for document discovery, depositions, interrogatories, expert disclosures, and etc.

2. A pretrial conference will be held on September 16, 2005, at 11 a.m. At the conference, the Court will set a motion schedule or, if no motions are to be filed, a schedule for the submission of a joint pretrial order and for trial.

SO ORDERED.

Dated: New York, New York
February 8, 2005



DENNY CHIN
United States District Judge