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**United States District Court**  
**Northern District of Illinois – CM/ECF LIVE, Ver 4.2 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:10-cv-01615**

Simonian v. Maybelline LLC  
Assigned to: Honorable Virginia M. Kendall  
Cause: 28:1338 Patent Infringement

Date Filed: 03/11/2010  
Date Terminated: 03/01/2011  
Jury Demand: Plaintiff  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff****Thomas A. Simonian**

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Date Filed	#	Docket Text
03/11/2010	<u>1</u>	COMPLAINT <i>for False Patent Marking</i> filed by Thomas A. Simonian; Jury Demand. Filing fee \$ 350, receipt number 0752-4608147. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Vanek, Joseph) (Entered: 03/11/2010)
03/11/2010	<u>2</u>	CIVIL Cover Sheet (Vanek, Joseph) (Entered: 03/11/2010)
03/11/2010	<u>3</u>	ATTORNEY Appearance for Plaintiff Thomas A. Simonian by Joseph Michael Vanek (Vanek, Joseph) (Entered: 03/11/2010)
03/11/2010	<u>1</u>	CASE ASSIGNED to the Honorable Virginia M. Kendall. Designated as Magistrate Judge the Honorable Jeffrey Cole. (daj, ) (Entered: 03/11/2010)

03/12/2010	<u>4</u>	ATTORNEY Appearance for Plaintiff Thomas A. Simonian by Martin Goering (Goering, Martin) (Entered: 03/12/2010)
03/12/2010	<u>5</u>	ATTORNEY Appearance for Plaintiff Thomas A. Simonian by Jessica Elyse Rissman (Rissman, Jessica) (Entered: 03/12/2010)
03/15/2010	<u>7</u>	Local Rule 3.4 Notice by Thomas A. Simonian (Vanek, Joseph) (Entered: 03/15/2010)
03/24/2010	<u>8</u>	WAIVER OF SERVICE returned executed by Thomas A. Simonian. Maybelline LLC waiver sent on 3/15/2010, answer due 5/14/2010. (Vanek, Joseph) (Entered: 03/24/2010)
03/24/2010	<u>9</u>	MINUTE entry before Honorable Virginia M. Kendall:Initial Status hearing set for 5/10/2010 at 09:00 AM. Joint Status Report due by 5/4/2010. (See Judge Kendall's web page found at www.ilnd.uscourts.gov for information about status reports). The parties are to report on the following: (1) Possibility of settlement in the case; (2) If no possibility of settlement exists, the nature and length of discovery necessary to get the case ready for trial. Plaintiff is to advise all other parties of the Court's action herein. Lead counsel is directed to appear at this status hearing. Mailed notice (jms, ) (Entered: 03/24/2010)
04/13/2010	<u>10</u>	ATTORNEY Appearance for Defendant Maybelline LLC by Jeffrey Mark Drake (Drake, Jeffrey) (Entered: 04/13/2010)
04/13/2010	<u>11</u>	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Maybelline LLC (Drake, Jeffrey) (Entered: 04/13/2010)
04/13/2010	<u>12</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-4707630. (Digiovanni, Francis) (Entered: 04/13/2010)
04/13/2010	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-4707644. (Zelley, Geoffrey) (Entered: 04/13/2010)
04/13/2010	<u>14</u>	ATTORNEY Appearance for Defendant Maybelline LLC by Dean A. Monco (Monco, Dean) (Entered: 04/13/2010)
04/14/2010	<u>15</u>	MINUTE entry before Honorable Virginia M. Kendall:Motions by Francis DiGiovanni and Geoffrey Zelley to appear pro hac vice [12, 13] are granted. Mailed notice (jms, ) (Entered: 04/14/2010)
04/14/2010	<u>16</u>	ATTORNEY Appearance for Plaintiff Thomas A. Simonian by John Paul Bjork (Bjork, John) (Entered: 04/14/2010)
04/14/2010	<u>17</u>	ATTORNEY Appearance for Defendant Maybelline LLC by Francis Digiovanni (Digiovanni, Francis) (Entered: 04/14/2010)
04/14/2010	<u>18</u>	ATTORNEY Appearance for Defendant Maybelline LLC by Geoffrey A. Zelley (Zelley, Geoffrey) (Entered: 04/14/2010)
04/30/2010	<u>19</u>	MOTION by Defendant Maybelline LLC to dismiss <i>Complaint</i> (Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>20</u>	MEMORANDUM by Maybelline LLC in support of motion to dismiss <u>19</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B-D, # <u>3</u> Exhibit E-H)(Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>21</u>	NOTICE of Motion by Jeffrey Mark Drake for presentment of motion to dismiss <u>19</u> before Honorable Virginia M. Kendall on 5/10/2010 at 09:00 AM. (Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>22</u>	MOTION by Defendant Maybelline LLC to stay <i>PENDING THE APPELLATE DECISION IN DISPOSITIVE CASES</i> (Drake, Jeffrey) (Entered: 04/30/2010)

04/30/2010	<u>23</u>	MEMORANDUM by Maybelline LLC in support of motion to stay <u>22</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B–F, # <u>3</u> Exhibit G–K, # <u>4</u> Exhibit L–O)(Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>24</u>	NOTICE of Motion by Jeffrey Mark Drake for presentment of motion to stay <u>22</u> before Honorable Virginia M. Kendall on 5/10/2010 at 09:00 AM. (Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>25</u>	MOTION by Defendant Maybelline LLC to transfer case <i>to the Southern District of New York</i> (Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>26</u>	MEMORANDUM by Maybelline LLC in support of motion to transfer case <u>25</u> (Attachments: # <u>1</u> Exhibit A–C, # <u>2</u> Exhibit D, # <u>3</u> Exhibit E–J)(Drake, Jeffrey) (Entered: 04/30/2010)
04/30/2010	<u>27</u>	NOTICE of Motion by Jeffrey Mark Drake for presentment of motion to transfer case <u>25</u> before Honorable Virginia M. Kendall on 5/10/2010 at 09:00 AM. (Drake, Jeffrey) (Entered: 04/30/2010)
05/04/2010	<u>28</u>	Joint Initial Status Report by Maybelline LLC, Thomas A. Simonian (Vanek, Joseph) (Entered: 05/04/2010)
05/07/2010	<u>29</u>	MINUTE entry before Honorable Virginia M. Kendall: Briefing as to motion to transfer case <u>25</u> , motion to stay <u>22</u> , motion to dismiss <u>19</u> is set as follows: Response due by 6/7/2010. Reply due by 6/21/2010. Ruling by mail. Status set for 5/10/2010 is stricken. Mailed notice (tlp, ) (Entered: 05/07/2010)
06/07/2010	<u>30</u>	RESPONSE by Thomas A. Simonian in Opposition to MOTION by Defendant Maybelline LLC to dismiss <i>Complaint 19</i> (Attachments: # <u>1</u> Exhibit A–C, # <u>2</u> Exhibit D–E, # <u>3</u> Group. Ex. 1)(Vanek, Joseph) (Entered: 06/07/2010)
06/07/2010	<u>31</u>	RESPONSE by Thomas A. Simonian in Opposition to MOTION by Defendant Maybelline LLC to transfer case <i>to the Southern District of New York 25</i> (Attachments: # <u>1</u> Exhibit A–D, # <u>2</u> Exhibit E–G, # <u>3</u> Group Ex. 1)(Vanek, Joseph) (Entered: 06/07/2010)
06/07/2010	<u>32</u>	RESPONSE by Thomas A. Simonian in Opposition to MOTION by Defendant Maybelline LLC to stay <i>PENDING THE APPELLATE DECISION IN DISPOSITIVE CASES 22</i> (Attachments: # <u>1</u> Exhibit A–B, # <u>2</u> Exhibit C–D, # <u>3</u> Group Ex. 1)(Vanek, Joseph) (Entered: 06/07/2010)
06/16/2010	<u>33</u>	NOTICE by Thomas A. Simonian <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Bjork, John) (Entered: 06/16/2010)
06/21/2010	<u>34</u>	REPLY by Defendant Maybelline LLC to response in opposition to motion <u>32</u> <i>to stay</i> (Attachments: # <u>1</u> Exhibit A–K, # <u>2</u> Exhibit L–S)(Drake, Jeffrey) (Entered: 06/21/2010)
06/21/2010	<u>35</u>	REPLY by Defendant Maybelline LLC to response in opposition to motion <u>30</u> <i>to dismiss</i> (Attachments: # <u>1</u> Exhibit A)(Drake, Jeffrey) (Entered: 06/21/2010)
06/21/2010	<u>36</u>	REPLY by Defendant Maybelline LLC to response in opposition to motion <u>31</u> <i>to transfer</i> (Attachments: # <u>1</u> Exhibit A–B)(Drake, Jeffrey) (Entered: 06/21/2010)
07/08/2010	<u>37</u>	NOTICE by Maybelline LLC re MOTION by Defendant Maybelline LLC to dismiss <i>Complaint 19 of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Drake, Jeffrey) (Entered: 07/08/2010)
07/09/2010	<u>38</u>	NOTICE by Thomas A. Simonian <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Bjork, John) (Entered: 07/09/2010)
07/20/2010	<u>39</u>	NOTICE by Maybelline LLC <i>of Recent Related Decision</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Drake, Jeffrey) (Entered: 07/20/2010)
08/09/2010	<u>40</u>	

		NOTICE by Maybelline LLC of <i>Additional Recent Related Decisions</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Drake, Jeffrey) (Entered: 08/09/2010)
08/13/2010	<u>41</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Goering, Martin) (Entered: 08/13/2010)
08/24/2010	<u>42</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Bjork, John) (Entered: 08/24/2010)
08/30/2010	<u>43</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Drake, Jeffrey) (Entered: 08/30/2010)
08/30/2010	<u>44</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Goering, Martin) (Entered: 08/30/2010)
09/20/2010	<u>45</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Bjork, John) (Entered: 09/20/2010)
09/21/2010	<u>46</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Drake, Jeffrey) (Entered: 09/21/2010)
10/01/2010	<u>47</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Drake, Jeffrey) (Entered: 10/01/2010)
10/04/2010	<u>48</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Bjork, John) (Entered: 10/04/2010)
10/21/2010	<u>49</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Drake, Jeffrey) (Entered: 10/21/2010)
11/04/2010	<u>50</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Bjork, John) (Entered: 11/04/2010)
11/05/2010	<u>51</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B Part 1, # <u>3</u> Exhibit B Part 2, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J)(Drake, Jeffrey) (Entered: 11/05/2010)
11/10/2010	<u>52</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A – C)(Goering, Martin) (Entered: 11/10/2010)
11/18/2010	<u>53</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Drake, Jeffrey) (Entered: 11/18/2010)
02/15/2011	<u>54</u>	NOTICE by Thomas A. Simonian of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A–C)(Bjork, John) (Entered: 02/15/2011)
02/28/2011	<u>55</u>	NOTICE by Maybelline LLC of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Drake, Jeffrey) (Entered: 02/28/2011)
03/01/2011	<u>56</u>	MINUTE entry before Honorable Virginia M. Kendall:Enter MEMORANDUM, OPINION AND ORDER: For these reasons, the Court denies Maybellines Motion to Dismiss, denies as moot Maybellines Motion to Stay, and grants Maybellines Motion to Transfer to the Southern District of New York. Civil case terminated. Mailed notice (tsa, ) (Entered: 03/01/2011)
03/01/2011	<u>57</u>	MEMORANDUM Opinion and Order Signed by the Honorable Virginia M. Kendall on 3/1/2011.(tsa, ) (Entered: 03/01/2011)
03/16/2011	<u>58</u>	MAILED Patent Report with Minute Order and Memorandum opinion and order dated 3/11/11 to the Commissioner of Patents and Trademarks Office, Alexandria, VA 23313 to Commissioner of Patents and Trademarks. (smm) (Entered: 03/16/2011)

03/18/2011

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TRANSFERRED to the Southern District of New York the electronic record. Mailed to all counsel of record. (smm) (Entered: 03/18/2011)