

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 10/17/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

AU NEW HAVEN, LLC, *et al.*, :

Plaintiffs, :

-v- :

YKK CORPORATION, *et al.*, :

Defendants. :

----- X

1:15-cv-3411-GHW

ORDER

GREGORY H. WOODS, United States District Judge:


This Court has ordered that trial in this case be bifurcated so that the definition of the phrase “high end outerwear” as used in the parties’ licensing agreement be determined in an initial jury trial. Dkt. No. 831. The Court recognizes that this may require the parties to modify litigation strategy, which in turn may require additional time. Accordingly, the Court is prepared to adjourn the trial currently scheduled for December 5, 2022, Dkt. No. 803, to January 23, 2023, and to conduct the trial on the meaning of “high end outerwear” starting on that date. In that case, the Court would propose to begin the second trial on March 6, 2023 (and will hold that date open accordingly). If, however, the parties believe it would be possible and beneficial to conduct the first trial sometime within the three-week window that the Court previously held open for trial (December 5–23, 2022), the Court invites the parties to inform the Court of that conclusion, and the Court would be pleased to do so (understanding that it would not likely take the full three weeks).

Accordingly, the Court requests that the parties submit a joint letter no later than **October 21, 2022**, stating their views on trial dates in light of the Court’s proposals. In addition, that letter should contain the parties’ views on proposed timing for completion of revised jury charges for the first trial, proposed timing for submission of other pretrial materials for the first trial, and which

motions *in limine* must be resolved in advance of the first trial. Upon receipt of that letter, the Court will finalize the dates for trial and the final pretrial conference, as well as the deadlines for receipt of pretrial materials in this case.

SO ORDERED.

Dated: October 17, 2022
New York, New York



GREGORY H. WOODS
United States District Judge