## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| I-FLOW CORPORATION, a Delaware corporation,                   | )           |                          |
|---|-------------|--------------------------|
| Plaintiff,  | )           |                          |
| v.  | )           | Civil Action No. 08-1232 |
| ALPIN SURGICAL SPECIALTIES, Inc., a Pennsylvania corporation. | )<br>)<br>) |                          |
| Defendants.   | )           |                          |

AMBROSE, Chief District Judge.

## ORDER OF COURT

AND NOW, this 13th day of November, 2008, after careful consideration of Defendant's Motion to Stay Pending Reexamination of Patent-in-Suit (Docket No. 18), Plaintiff's Response thereto (Docket No. 19), and Defendant's Reply (Docket No. 23) it is hereby ordered that said motion is granted, and this case will be stayed and administratively closed.

It is further ordered that the stay will be lifted upon a showing that reexamination has concluded or good cause shown. For this case, conclusion of reexamination shall be either the Issuance of *Ex Parte* Reexamination Certificate pursuant to the Manual of Patent Examining Procedure §2288 (E8r7 July 2008) ("MPEP") or the issuance of the Notice of Intent to Issue *Ex Parte* Reexamination Certificate ("NIRC") pursuant to MPEP §2287 along with a statement of the patentee that no further action will be taken to continue the reexamination prosecution pursuant to MPEP §2287.01 or any other section of the MPEP. The Reexamination Certificate, NIRC and

statement of the patentee, or other good cause shall be made known to the court by filing said documents with the court.

BY THE COURT:

/s/ Donetta W. Ambrose Donetta W. Ambrose Chief U.S. District Judge

Dated: November 13, 2008.

cc/ecf: All counsel of record.