

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

TRIANTAFYLLOS TAFAS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:07cv846(L) (JCC/TRJ)
	)	
JON W. DUDAS, et al.,	)	
	)	
Defendants.	)	
_____	)	

**CONSOLIDATED WITH**

SMITHKLINE BEECHAM	)	
CORPORATION, et al.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No. 1:07cv1008 (JCC/TRJ)
v.	)	
	)	
JON W. DUDAS, et al.,	)	
	)	
Defendants.	)	
_____	)	

**DEFENDANTS’ MOTION FOR ISSUANCE OF PROPOSED BRIEFING SCHEDULE  
IN LIEU OF A STANDARD INITIAL SCHEDULING ORDER**

Defendants Jon W. Dudas and the United States Patent and Trademark Office (collectively “USPTO”) respectfully move this Court to issue an Order setting a summary judgment briefing schedule in lieu of issuing a standard initial scheduling order, which would ordinarily commence a discovery period. Because these consolidated cases arise under the Administrative Procedures Act, 5 U.S.C. §§ 701-706, discovery should not be permitted. Therefore, the Court should quash the four Notices of Deposition already served on the USPTO by Plaintiff Tafas and should issue the attached proposed Order, which would appropriately

move the parties directly to summary judgment.

Respectfully submitted,

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/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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