

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TILE TECH, INC., a California Corporation,
Plaintiff and Counterclaim Defendant,

Case No. 2:17-cv-01660-JLR

v.

APPIAN WAY SALES, INC., a Washington
Corporation, and PUGET LITE-PAVERS, INC.,
a Washington Corporation,

**(PROPOSED) ORDER GRANTING
JOINT MOTION TO STAY
PENDING MEDIATION**

Defendants and Counterclaimants.

-and-

APPIAN WAY SALES, INC., a Washington
Corporation, APPIAN WAY, LLC, a Washington
Limited Liability Company, and PUGET LITE-
PAVERS, INC., a Washington Corporation,

Counterclaimants,

v.

TILE TECH, INC., a California Corporation,
Plaintiff and Counterclaim Defendant

THIS MATTER came before the Court on the Joint Motion to Stay Pending Mediation
("Joint Motion") by Defendants and Counter-Plaintiffs Appian Way Sales, Inc. ("Appian") and
Puget Lite-Pavers, Inc. ("Puget"), Counter-Plaintiff Appian Way, LLC (collectively with

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1 “Appian” and “Puget,” “Appian/Puget”), and Plaintiff and Counter-Defendant Tile Tech, Inc.
2 (“Tile Tech”).

3 NOW, THEREFORE, having considered the Joint Motion, and finding good cause, it is
4 ORDERED that the Joint Motion is GRANTED. All deadlines in the above-captioned matter
5 (with the exception of the pending Defendants’ Motion to Stay Proceedings Against Puget (Dkt. #
6 35)) shall be stayed until June 20, 2018 for the purpose of permitting the parties to focus their
7 efforts on settling their dispute in mediation.

8 It is FURTHER ORDERED that, if the case does not resolve in mediation on or before
9 June 20, 2018:

10 (1) Appian shall promptly move for partial summary judgment of invalidity under 35
11 U.S.C. § 102 on the basis of prior invention, printed publication, on sale bar, and related activity
12 by Appian and other third parties (“Appian’s Motion for Summary Judgment”);

13 (2) Appian’s Motion for Summary Judgment shall not count towards Appian’s allotted
14 page count for summary judgment motions pursuant to Local Civil Rule 7(e);

15 (3) Tile Tech shall not oppose the Appian’s Motion for Summary Judgment on the
16 grounds that it is premature;

17 (4) The remainder of the deadlines in the case shall remain stayed pending resolution of
18 Appian’s Motion for Summary Judgment;

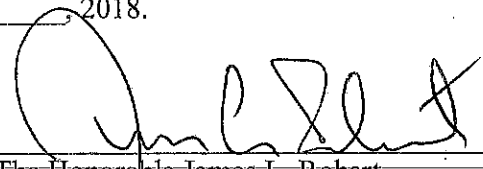
19 (5) Within 14 days of the Court’s ruling on Appian’s Motion for Summary Judgment, the
20 parties shall submit a revised proposed Scheduling Order to the Court.

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1 IT IS SO ORDERED.

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3 DATED this 26th of April, 2018.

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6 
The Honorable James L. Robart
United States District Judge

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8 Presented by:

9 FOX ROTHSCHILD LLP

10
11 By /s/ Gavin W. Skok

Gavin W. Skok, WSBA No. 29766

12 *Attorneys for Defendants/Counterclaimants*
13 *Appian Way Sales, Inc., Appian Way, LLC,*
14 *and Puget Lite-Pavers, Inc.*

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