

THE HONORABLE RICARDO S. MARTINEZ

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

Westech Aerosol Corporation, (a Washington Corporation),

Plaintiff,

v.

Wilsonart LLC, (a Delaware limited liability company),

Defendant.

Civil Action No. 3:17-cv-05088

**JOINT STATUS REPORT AND  
STIPULATION AND ORDER TO  
EXTEND STAY**

**I. STIPULATION**

WHEREAS, the Court stayed this case pending resolution of an inter partes review (“IPR”), IPR2018-00576. Dkt. No. 40;

WHEREAS, the final written decision disposing of the IPR was appealed by Plaintiff to the Court of Appeals to the Federal Circuit (No. 20-1694);

WHEREAS, 3M Company filed a cross-appeal of the IPR (No. 20-1738), which was consolidated with the appeal filed by Plaintiff;

WHEREAS, Plaintiff filed a motion to dismiss its appeal, which the Court of Appeals for the Federal Circuit granted, leaving only 3M Company’s cross-appeal (the “Appeal,” which bore Case Number 20-1738);

1 WHEREAS, the Court stayed this case until three weeks following entry of the mandate  
2 by the Court of Appeals for the Federal Circuit;

3 WHEREAS, the Court of Appeals for the Federal Circuit held oral argument on June 10,  
4 2021;

5 WHEREAS, the Court of Appeals for the Federal Circuit affirmed the IPR on June 25,  
6 2021;

7 WHEREAS, the Court of Appeals for the Federal Circuit issued its mandate on August 2,  
8 2021;

9 WHEREAS, Westech is securing new counsel and for that reason, the parties are in  
10 agreement to extend the stay another 60 days;

11 WHEREAS, in view of the foregoing, the parties request the Court extend the stay in this  
12 case by another 60 days, so Westech may secure new counsel.  
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14  
15 Dated: August 23, 2021

LOWE GRAHAM JONES<sup>PLLC</sup>

16 s/Mark P. Walters

17 Mark P. Walters, WSBA No. 30,819

18 Ellen M. Bierman, WSBA No. 23,224

19 Lawrence D. Graham, WSBA No. 25,402

20 701 Fifth Avenue, Suite 4800

21 Seattle, Washington 98104

22 T: 206.381.3300

F: 206.381.3301

Walters@LoweGrahamJones.com

EllenB@LoweGrahamJones.com

Graham@LoweGrahamJones.com

23 *Attorneys for Plaintiff Westech Aerosol Corporation*  
24  
25  
26  
27

TOUSLEY BRAIN STEPHENS PLLC

s/Chase Alvord

Chase Alvord, WSBA No. 26080  
Lauren Hillemann, WSBA No. 54423  
1200 Fifth Avenue, Suite 1700  
Seattle, Washington 98101  
Telephone: 206.682.5600  
Facsimile: 206.682.2992  
Email: calvord@tousley.com  
Email: lhillemann@tousley.com

MCKOOL SMITH, P.C.

s/Kathy H. Li

Kathy H. Li, *Pro hac vice*  
Matthew Tyler Cameron, *Pro hac vice*  
300 West 6th Street, Suite 1700  
Austin, Texas 78701  
Telephone: 512.692.8700  
Facsimile: 512.692.8744  
Email: kli@mckoolsmith.com  
Email: mcameron@mckoolsmith.com

*Attorneys for Defendant Wilsonart LLC*

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ORDER

In view of the parties' stipulation, this case shall remain stayed for another 60 days following entry of this Order, during which time the plaintiff intends to secure new counsel. The parties shall file a Rule 26(f) Joint Status Report before the expiration of this 60-day period.

IT IS SO ORDERED

DATED this 26<sup>th</sup> day of August, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented By:

LOWE GRAHAM JONES<sup>PLLC</sup>

s/Mark P. Walters

Mark P. Walters, WSBA No. 30,819  
Ellen M. Bierman, WSBA No. 23,224  
Lawrence D. Graham, WSBA No. 25,402  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
T: 206.381.3300  
F: 206.381.3301  
Walters@LoweGrahamJones.com  
EllenB@LoweGrahamJones.com  
Graham@LoweGrahamJones.com

*Attorneys for Plaintiff Westech Aerosol Corporation*

JOINT STATUS REPORT AND STIPULATION AND PROPOSED ORDER  
TO EXTEND STAY - 4  
Civil Action No. 3:17-cv-05088

LOWE GRAHAM JONES<sup>PLLC</sup>



701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301

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TOUSLEY BRAIN STEPHENS PLLC

s/Chase Alvord

Chase Alvord, WSBA No. 26080  
Lauren Hillemann, WSBA No. 54423  
1200 Fifth Avenue, Suite 1700  
Seattle, Washington 98101  
Telephone: 206.682.5600  
Facsimile: 206.682.2992  
Email: calvord@tousley.com  
Email: lhillemann@tousley.com

MCKOOL SMITH, P.C.

s/Kathy H. Li

Kathy H. Li, *Pro hac vice*  
Matthew Tyler Cameron, *Pro hac vice*  
300 West 6th Street, Suite 1700  
Austin, Texas 78701  
Telephone: 512.692.8700  
Facsimile: 512.692.8744  
Email: kli@mckoolsmith.com  
Email: mcameron@mckoolsmith.com

*Attorneys for Defendant Wilsonart LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 23, 2021, I caused the foregoing document to be served on the following counsel of record by the method/s indicated:

PARTY/COUNSEL	METHOD OF SERVICE
TOUSLEY BRAIN STEPHENS PLLC  Chase Alvord, WSBA No. 26080 Lauren Hillemann, WSBA No. 54423 1700 Seventh Avenue, Suite 2200 Seattle, Washington 98101 Telephone: 206.682.5600 Facsimile: 206.682.2992 Email: <a href="mailto:calvord@tousley.com">calvord@tousley.com</a>	<input type="checkbox"/> Via Hand-Delivery <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via CM/ECF System <input type="checkbox"/> Via E-mail
MCKOOL SMITH, P.C.  Kathy H. Li, <i>Pro hac vice</i> Matthew Tyler Cameron, <i>Pro hac vice</i> 300 West 6th Street, Suite 1700 Austin, Texas 78701 Telephone: 512.692.8700 Facsimile: 512.692.8744 Email: <a href="mailto:kli@mckoolsmith.com">kli@mckoolsmith.com</a> Email: <a href="mailto:mcameron@mckoolsmith.com">mcameron@mckoolsmith.com</a>  <i>Attorneys for Defendant Wilsonart LLC</i>	<input type="checkbox"/> Via Hand-Delivery <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via CM/ECF System <input type="checkbox"/> Via E-mail

Dated this 23<sup>rd</sup> day of August, 2021.

LOWE GRAHAM JONES PLLC

*s/Rischel Voigt*

Rischel Voigt, Paralegal