

U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:21-cv-01115-PRW

Magnesium Machine LLC v. Terves LLC
Assigned to: Judge Patrick R Wyrick
Cause: 28:1332 Diversity-Account Receivable

Date Filed: 11/23/2021
Date Terminated: 11/02/2022
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Magnesium Machine LLC
an Oklahoma limited liability company

represented by **Bryan R Lynch**
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V.

Defendant

Terves LLC

a Nevada limited liability company

represented by **Christopher M Scaperlanda**

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Date Filed	#	Docket Text
11/23/2021	<u>1</u>	COMPLAINT against Terves LLC filed by Magnesium Machine LLC. (Attachments: # <u>1</u> Exhibit 1- US Patent, # <u>2</u> Exhibit 2- US Patent, # <u>3</u> Exhibit 3- Letter from McDonald Hopkins, # <u>4</u> Exhibit 4- Letter from Hall Estill, # <u>5</u> Exhibit 5- Invention Patent Application, # <u>6</u> Exhibit Letter form US Patent and Trademark Office, # <u>7</u> Civil Cover Sheet)(dtb) (Entered: 11/24/2021)
11/24/2021	<u>2</u>	Summons Issued Electronically as to Terves LLC. (dtb) (Entered: 11/24/2021)
11/24/2021		PAYMENT FOR A CIVIL CASE Filing fee \$ 402, receipt number AOKWDC-3804933. (Carsey, Daniel) (Entered: 11/24/2021)
11/24/2021	<u>3</u>	ENTRY of Appearance by Daniel V Carsey on behalf of Magnesium Machine LLC (Carsey, Daniel) (Entered: 11/24/2021)
11/24/2021	<u>4</u>	ENTRY of Appearance by Michael H Smith on behalf of Magnesium Machine LLC (Smith, Michael) (Entered: 11/24/2021)
11/24/2021	<u>5</u>	ENTRY of Appearance by Bryan R Lynch on behalf of Magnesium Machine LLC (Lynch, Bryan) (Entered: 11/24/2021)
11/24/2021	<u>6</u>	DISCLOSURE STATEMENT - LLC by Magnesium Machine LLC . (Carsey, Daniel) (Entered: 11/24/2021)
12/06/2021	<u>7</u>	SUMMONS Returned Executed by Magnesium Machine LLC. Terves LLC served on

		11/29/2021. (Attachments: # 1 Exhibit Returned Green Card)(Carsey, Daniel) (Entered: 12/06/2021)
12/17/2021	8	ENTRY of Appearance by Christopher M Scaperlanda on behalf of Terves LLC (Scaperlanda, Christopher) (Entered: 12/17/2021)
12/17/2021	9	UNOPPOSED MOTION for Extension of Time to File Answer re 1 Complaint, by Terves LLC. (Scaperlanda, Christopher) (Entered: 12/17/2021)
12/17/2021	10	ENTRY of Appearance by Michael D McClintock on behalf of Terves LLC. (McClintock, Michael) (Entered: 12/17/2021)
12/20/2021	11	ORDER granting 9 defendant's unopposed motion for extension of time to respond to complaint. Defendant shall file any response to Plaintiff's Complaint on or before January 19, 2022. Signed by Judge Patrick R Wyrick on 12/20/2021. (ks) (Entered: 12/20/2021)
12/21/2021	12	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number AOKWDC-3821390 by Terves LLC. (Attachments: # 1 Exhibit EX 1-Request for Admission)(McClintock, Michael) (Entered: 12/21/2021)
12/21/2021	13	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number AOKWDC-3821398 by Terves LLC. (Attachments: # 1 Exhibit EX 1-Request for Admission)(McClintock, Michael) (Entered: 12/21/2021)
12/22/2021	14	ORDER granting 12 and 13 Motions to Appear Pro Hac Vice; David B. Cupar and Matthew J. Cavanagh are admitted to practice before this Court for the limited purpose of participating in this case on behalf of Defendant, provided each counsel becomes properly registered and files an entry of appearance, consistent with LCvR 83.4. Signed by Judge Patrick R Wyrick on 12/22/2021. (ks) (Entered: 12/22/2021)
01/19/2022	15	MOTION to Dismiss for Lack of Jurisdiction <i>or Alternatively</i> , MOTION to Transfer Case , MOTION to Stay Case <i>or Dismiss Based on the First to File Rule</i> by Terves LLC. (Attachments: # 1 Exhibit EX 1-Cavanagh Declaration, # 2 Exhibit EX 2-Sherman Declaration)(McClintock, Michael) (Entered: 01/19/2022)
01/28/2022	16	UNOPPOSED MOTION for Extension of Time to File Response/Reply as to 15 MOTION to Dismiss for Lack of Jurisdiction <i>or Alternatively</i> , MOTION to Transfer Case MOTION to Stay Case <i>or Dismiss Based on the First to File Rule</i> by Magnesium Machine LLC. (Carsey, Daniel) (Entered: 01/28/2022)
01/28/2022	17	ORDER granting 16 the unopposed motion for extension of time to respond to motion to dismiss. Plaintiff shall file any response to Defendant's Motion to Dismiss 15 , on or before March 11, 2022. Signed by Judge Patrick R Wyrick on 1/28/2022. (ks) (Entered: 01/28/2022)
03/14/2022	18	RESPONSE in Opposition re 15 MOTION to Dismiss for Lack of Jurisdiction <i>or Alternatively</i> , MOTION to Transfer Case MOTION to Stay Case <i>or Dismiss Based on the First to File Rule</i> filed by Magnesium Machine LLC. (Carsey, Daniel) (Entered: 03/14/2022)
03/17/2022	19	UNOPPOSED MOTION for Extension of Time of Reply Brief Deadline by Terves LLC. (Scaperlanda, Christopher) (Entered: 03/17/2022)
03/18/2022	20	ORDER granting 19 defendant's unopposed motion for extension. Defendant shall file any reply on or before March 25, 2022. Signed by Judge Patrick R Wyrick on

		3/18/2022. (ks) (Entered: 03/18/2022)
03/25/2022	<u>21</u>	REPLY to Response to Motion re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction <i>or Alternatively</i> , MOTION to Transfer Case MOTION to Stay Case <i>or Dismiss Based on the First to File Rule</i> filed by Terves LLC. (Scaperlanda, Christopher) (Entered: 03/25/2022)
11/02/2022	<u>22</u>	ORDER granting <u>15</u> Defendant Terves LLC's Motion to Dismiss for Lack of Personal Jurisdiction (as more fully set out in order). Signed by Judge Patrick R Wyrick on 11/2/2022. (ks) (Entered: 11/02/2022)

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01/24/2023 14:00:47			
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