

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:16-cv-04278-JNE-TNL**

Ddrops Company et al v. iHerb, Inc. et al
Assigned to: Judge Joan N. Erickson
Referred to: Magistrate Judge Tony N. Leung
Cause: 35:271 Patent Infringement

Date Filed: 12/19/2016
Date Terminated: 06/23/2017
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff**Ddrops Company**

represented by **Alan M Anderson**
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Plaintiff**Reinhold Vieth**

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L. Reagan Florence
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Matthew R. Palen
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Plaintiff**Elaine Vieth**

represented by

1

VIETH EXHIBIT - 2003
MOM Enterprises, LLC, v. ELAINE AND REINHOLD W. VIETH
IPR2023-00726

**U.S. District Court
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Plaintiff

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Plaintiff

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Plaintiff

Elaine Vieth

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V.

Defendant

iHerb, Inc.

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Madre Labs, Inc.
doing business as
California Gold Nutrition

represented by **Brian T. Apel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

C. G. Gordon Martin
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
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David Brandon Conrad
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Maria Elena Stiteler
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Mathias W Samuel
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Neil Joseph McNabney
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Phillip W. Goter
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Counter Claimant

iHerb, Inc.

represented by **Brian T. Apel**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Counter Claimant

Madre Labs, Inc.

represented by **Brian T. Apel**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

C. G. Gordon Martin
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LEAD ATTORNEY
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Phillip W. Goter
(See above for address)
LEAD ATTORNEY
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V.

Counter Defendant

Ddrops Company

represented by **Alan M Anderson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

L. Reagan Florence
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew R. Palen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

Elaine Vieth

represented by **Alan M Anderson**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

L. Reagan Florence
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew R. Palen
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LEAD ATTORNEY
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Counter Defendant

Reinhold Vieth

represented by **Alan M Anderson**
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L. Reagan Florence
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Matthew R. Palen
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/19/2016	<u>1</u>	COMPLAINT against Madre Labs, Inc., iHerb, Inc.. (Filing fee \$ 400 receipt number AMNDC-5250555.) Filed by DDrops Company, Elaine Vieth, Reinhold Vieth. Filer requests summons issued. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Civil Cover Sheet) (Anderson, Alan) (Entered: 12/19/2016)
12/19/2016	<u>2</u>	NOTICE of Appearance by Alan M Anderson on behalf of DDrops Company, Elaine Vieth, Reinhold Vieth. (Anderson, Alan) (Entered: 12/19/2016)

12/19/2016	<u>3</u>	RULE 7.1 DISCLOSURE STATEMENT. There is no parent corporation, publicly held corporation or wholly-owned subsidiary to report for Plaintiff DDrops Company. (Anderson, Alan) (Entered: 12/19/2016)
12/19/2016	<u>4</u>	TEXT ONLY ENTRY: CLERK'S NOTICE OF INITIAL CASE ASSIGNMENT. Case assigned to Judge Joan N. Ericksen per Patent list referred to Magistrate Judge Tony N. Leung. Please use case number 16-cv-4278 JNE/TNL. (LPH) Modified on 12/22/2016 (AKL). (Entered: 12/19/2016)
12/19/2016	<u>5</u>	Summons Issued as to Madre Labs, Inc., iHerb, Inc. (LPH) (Entered: 12/19/2016)
12/22/2016	<u>6</u>	MOTION for Preliminary Injunction by DDrops Company, Elaine Vieth, Reinhold Vieth. (Florence, L. Reagan) (Entered: 12/22/2016)
12/22/2016	<u>7</u>	NOTICE OF HEARING ON MOTION <u>6</u> MOTION for Preliminary Injunction : at date and time to be determined. (Florence, L. Reagan) (Entered: 12/22/2016)
12/22/2016	<u>8</u>	MEMORANDUM in Support re <u>6</u> MOTION for Preliminary Injunction filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Florence, L. Reagan) (Entered: 12/22/2016)
12/22/2016	<u>9</u>	Declaration of L. Reagan Florence in Support of <u>8</u> Memorandum in Support of Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G, # <u>8</u> Exhibit(s) Exhibit H)(Florence, L. Reagan) (Entered: 12/22/2016)
12/22/2016	<u>10</u>	Declaration of Susan Jankus in Support of <u>8</u> Memorandum in Support of Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G)(Florence, L. Reagan) (Entered: 12/22/2016)
12/22/2016	<u>11</u>	Declaration of Mariana Stavrikov in Support of <u>8</u> Memorandum in Support of Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) Exhibit A)(Florence, L. Reagan) (Entered: 12/22/2016)
12/22/2016	<u>12</u>	Declaration of Vahid Raoufi in Support of <u>8</u> Memorandum in Support of Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Exhibit(s) F, # <u>7</u> Exhibit(s) G, # <u>8</u> Exhibit(s) H). (Florence, L. Reagan) Modified text on 12/23/2016 (lmb). (Entered: 12/22/2016)
12/22/2016	<u>13</u>	Declaration of Warren Woessner in Support of <u>8</u> Memorandum in Support of Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A). (Florence, L. Reagan) Modified text on 12/23/2016 (lmb). (Entered: 12/22/2016)
12/22/2016	<u>14</u>	Declaration of Chris Temovsky in Support of <u>8</u> Memorandum in Support of Motion filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Exhibit(s) F, # <u>7</u> Exhibit(s) G, # <u>8</u> Exhibit(s) H, # <u>9</u> Exhibit(s) I, # <u>10</u> Exhibit(s) J). (Florence, L. Reagan) Modified text on 12/23/2016 (lmb). (Entered: 12/22/2016)
01/09/2017	<u>15</u>	SUMMONS Returned Executed by Ddrops Company, Elaine Vieth, Reinhold Vieth. iHerb, Inc. served on 12/27/2016, answer due 1/17/2017. (Anderson, Alan) (Entered: 01/09/2017)
01/09/2017	<u>16</u>	SUMMONS Returned Executed by Ddrops Company, Elaine Vieth, Reinhold Vieth. Madre Labs, Inc. served on 12/27/2016, answer due 1/17/2017. (Anderson, Alan) (Entered: 01/09/2017)
01/16/2017	<u>17</u>	Joint MOTION for Extension of Time to File Answer , <i>Plead, or Otherwise Respond to Plaintiffs' Complaint</i> by Madre Labs, Inc., iHerb, Inc. Jointly signed by Plaintiffs. (Apel, Brian) Modified text on 1/17/2017 (LPH). (Entered: 01/16/2017)
01/16/2017	<u>18</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Madre Labs, Inc., iHerb, Inc. re <u>17</u> Joint MOTION for Extension of Time to File Answer , <i>Plead, or Otherwise Respond to Plaintiffs' Complaint</i> (Apel, Brian) (Entered: 01/16/2017)
01/16/2017	<u>19</u>	NOTICE by Ddrops Company, Elaine Vieth, Reinhold Vieth re <u>6</u> MOTION for Preliminary Injunction <i>WITHDRAWAL OF MOTION WITHOUT PREJUDICE</i>

		(Florence, L. Reagan) (Entered: 01/16/2017)
01/25/2017	<u>20</u>	ORDER GRANTING JOINT MOTION TO EXTEND TIME FOR DEFENDANTS TO ANSWER, PLEAD, OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT: Based on the Parties' Stipulation, IT IS HEREBY ORDERED: All Defendants shall have an extension of time to and including February 13, 2017, to answer, plead, or otherwise respond to Plaintiffs' Complaint. Signed by Magistrate Judge Tony N. Leung on 1/25/2017. (MMP) (Entered: 01/25/2017)
02/13/2017	<u>21</u>	ANSWER to Complaint , <i>Affirmative Defenses and</i> , COUNTERCLAIM against Ddrops Company, Elaine Vieth, Reinhold Vieth. by iHerb, Inc., Madre Labs, Inc.. (Apel, Brian) (Entered: 02/13/2017)
02/13/2017	<u>22</u>	RULE 7.1 DISCLOSURE STATEMENT. iHerb Holdings, Inc. is a corporate parent of Defendants Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) (Entered: 02/13/2017)
02/13/2017	<u>23</u>	RULE 7.1 DISCLOSURE STATEMENT. iHerb Holdings, Inc. is a corporate parent of Defendants Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) (Entered: 02/13/2017)
02/13/2017	<u>24</u>	DOCUMENT FILED IN ERROR/TO BE REFILED – NOTICE of Appearance by Brian T. Apel on behalf of Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) Modified on 2/13/2017 (las). (Entered: 02/13/2017)
02/13/2017	<u>25</u>	NOTICE of Appearance by Mathias W Samuel on behalf of Madre Labs, Inc., iHerb, Inc.. (Samuel, Mathias) (Entered: 02/13/2017)
02/13/2017	<u>26</u>	NOTICE of Appearance by Brian T. Apel on behalf of Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) (Entered: 02/13/2017)
02/13/2017	<u>27</u>	MOTION for Admission Pro Hac Vice for Attorney David B. Conrad. Filing fee \$ 100, receipt number AMNDC-5338032 by Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) (Entered: 02/13/2017)
02/13/2017	<u>28</u>	MOTION for Admission Pro Hac Vice for Attorney Neil J. McNabnay. Filing fee \$ 100, receipt number AMNDC-5338057 by Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) (Entered: 02/13/2017)
02/14/2017	29	TEXT ONLY ENTRY: ORDER granting <u>28</u> Motion for Admission Pro Hac Vice of Attorney Neil Joseph McNabnay for Madre Labs, Inc., and iHerb, Inc. Approved by Magistrate Judge Tony N. Leung on 02/14/2017. (MMG) (Entered: 02/14/2017)
02/14/2017	<u>30</u>	NOTICE OF AND ORDER FOR PRETRIAL SCHEDULING CONFERENCE: Pretrial Conference set for 3/29/2017 10:00 AM in Judge's Chambers, Suite 342 (STP) before Magistrate Judge Tony N. Leung. Signed by Magistrate Judge Tony N. Leung on 2/14/2017. (Attachments: # <u>1</u> Consent Form)(MMP) (Entered: 02/14/2017)
02/15/2017	31	TEXT ONLY ENTRY: ORDER granting <u>27</u> Motion for Admission Pro Hac Vice of Attorney David Brandon Conrad for Madre Labs, Inc., and iHerb, Inc. Approved by Magistrate Judge Tony N. Leung on 02/15/2017. (MMG) (Entered: 02/15/2017)
03/06/2017	<u>32</u>	<i>Plaintiffs'</i> REPLY to Counterclaim filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Anderson, Alan) (Entered: 03/06/2017)
03/08/2017	<u>33</u>	MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>34</u>	AMENDED NOTICE of Hearing on Motion: <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> : Motion Hearing set for 4/21/2017 08:30 AM in Judge's Chambers 12W (MPLS) before Judge Joan N. Ericksen. (Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>35</u>	MEET and CONFER STATEMENT re <u>33</u> Motion for Preliminary Injunction filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth.(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>36</u>	MEMORANDUM in Support re <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count

		Compliance Certificate)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>37</u>	Declaration of L. Reagan Florence in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G, # <u>8</u> Exhibit(s) Exhibit H)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>38</u>	Declaration of Susan Jankus in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>39</u>	First Declaration of Chris Temovsky in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G, # <u>8</u> Exhibit(s) Exhibit H, # <u>9</u> Exhibit(s) Exhibit I, # <u>10</u> Exhibit(s) Exhibit J)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>40</u>	Declaration of Mariana Stavrikov in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) Exhibit A)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>41</u>	Declaration of Vahid Raoufi in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G, # <u>8</u> Exhibit(s) Exhibit H)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>42</u>	Declaration of Warren Woessner in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) Exhibit A)(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>43</u>	Declaration of Alan M. Anderson in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth.(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>44</u>	Second Declaration of Chris Temovsky in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth.(Florence, L. Reagan) (Entered: 03/08/2017)
03/08/2017	<u>45</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Ddrops Company, Elaine Vieth, Reinhold Vieth re <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> (Florence, L. Reagan) (Entered: 03/08/2017)
03/22/2017	<u>46</u>	NOTICE of Appearance by Phillip W. Goter on behalf of Madre Labs, Inc., iHerb, Inc.. (Goter, Phillip) (Entered: 03/22/2017)
03/22/2017	<u>47</u>	REPORT of Rule 26(f) Planning Meeting. Filed by Ddrops Company. Jointly Signed by Ddrops Company, Reinhold Vieth, Elaine Vieth, iHerb, Inc., and Madre Labs, Inc., d/b/a California Gold Nutrition. (Attachments: # <u>1</u> Exhibit(s) Proposed Schedule Exhibit A)(Florence, L. Reagan) (Entered: 03/22/2017)
03/23/2017	<u>48</u>	LETTER TO DISTRICT JUDGE by Madre Labs, Inc., iHerb, Inc. <i>to request continuance of the preliminary injunction schedule and upcoming hearing.</i> (Samuel, Mathias) (Entered: 03/23/2017)

03/27/2017	<u>49</u>	LETTER TO DISTRICT JUDGE by Ddrops Company, Elaine Vieth, Reinhold Vieth <i>Plaintiffs' Letter Response to Defendants' Letter to District Judge.</i> (Anderson, Alan) (Entered: 03/27/2017)
03/28/2017	<u>50</u>	MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> , MOTION for Discovery (<i>Expedited</i>) <i>Regarding Preliminary Injunction</i> filed by Madre Labs, Inc., iHerb, Inc.. (Samuel, Mathias) (Entered: 03/28/2017)
03/28/2017	<u>51</u>	NOTICE OF HEARING ON MOTION <u>50</u> MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> MOTION for Discovery (<i>Expedited</i>) <i>Regarding Preliminary Injunction</i> : at date and time to be determined. (Samuel, Mathias) (Entered: 03/28/2017)
03/28/2017	<u>52</u>	MEMORANDUM in Support re <u>50</u> MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> MOTION for Discovery (<i>Expedited</i>) <i>Regarding Preliminary Injunction</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Samuel, Mathias) (Entered: 03/28/2017)
03/28/2017	<u>53</u>	MEET and CONFER STATEMENT re <u>50</u> Motion for Extension of Time to File Response/Reply,, Motion for Discovery, filed by Madre Labs, Inc., iHerb, Inc..(Samuel, Mathias) (Entered: 03/28/2017)
03/28/2017	<u>54</u>	Declaration of David B. Conrad in Support of <u>50</u> MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> MOTION for Discovery (<i>Expedited</i>) <i>Regarding Preliminary Injunction</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A-D)(Samuel, Mathias) (Entered: 03/28/2017)
03/28/2017	<u>55</u>	Declaration of Brian T. Apel in Support of <u>50</u> MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> MOTION for Discovery (<i>Expedited</i>) <i>Regarding Preliminary Injunction</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A-O)(Samuel, Mathias) (Entered: 03/28/2017)
03/28/2017	<u>56</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Madre Labs, Inc., iHerb, Inc. re <u>50</u> MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> MOTION for Discovery (<i>Expedited</i>) <i>Regarding Preliminary Injunction</i> (Samuel, Mathias) (Entered: 03/28/2017)
03/29/2017	<u>57</u>	TEXT ONLY ENTRY: On March 29, 2017, the Court held a pretrial scheduling and status conference. Pursuant to the discussions between counsel and the Court, the Court HEREBY ORDERS as follows: (1) Defendants' Motion for Schedule Modification and Expedited Limited Discovery, (ECF No. 50), is DENIED AS MOOT; (2) briefing on Plaintiffs' Renewed Motion for a Preliminary Injunction, (ECF No. 33), shall occur as follows: Defendants' response is due on or before April 28, 2017, and Plaintiffs' reply is due on or before May 24, 2017; (3) the parties shall attend a settlement conference with the undersigned on June 15, 2017 (with a separate order to issue); (4) the April 21, 2017 preliminary injunction hearing, (see ECF No. 34), is stricken from the calendar; and (5) the parties shall jointly contact the chambers of Judge Ericksen to schedule a hearing date on the pending preliminary injunction motion to occur after June 15, 2017. Signed by Magistrate Judge Tony N. Leung on 03/29/2017. (GFK) (Entered: 03/29/2017)
03/29/2017	<u>58</u>	Minute Entry for proceedings held before Magistrate Judge Tony N. Leung: Initial Pretrial Conference held on 3/29/2017. Discussion of pretrial deadlines Pretrial scheduling order will be issued. The Court encouraged the parties to work diligently and to consider possibilities for resolving the matter. (MMP) (Entered: 03/29/2017)
03/30/2017	<u>59</u>	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 10/1/2017. Discovery due by 3/1/2018. Motions (non-disp) due 3/1/2018. Motions (disp) due by 5/1/2018. Ready for trial due by 9/1/2018. Signed by Magistrate Judge Tony N. Leung on 3/29/2017. (MMP) (Entered: 03/30/2017)
03/30/2017	<u>60</u>	ORDER FOR SETTLEMENT CONFERENCE: Settlement Conference set for 6/15/2017 10:00 AM in Judge's Chambers, Suite 342 (STP) before Magistrate Judge Tony N. Leung. Signed by Magistrate Judge Tony N. Leung on 3/29/2017. (MMP)

		(Entered: 03/30/2017)
04/04/2017	<u>61</u>	MOTION for Admission Pro Hac Vice for Attorney C.G. Gordon Martin. Filing fee \$ 100, receipt number AMNDC-5423788 filed by Madre Labs, Inc., iHerb, Inc.. (Apel, Brian) (Entered: 04/04/2017)
04/04/2017	<u>62</u>	TEXT ONLY ENTRY: ORDER granting <u>61</u> Motion for Admission Pro Hac Vice of Attorney C. G. Gordon Martin for Madre Labs, Inc., and iHerb, Inc. Approved by Magistrate Judge Tony N. Leung on 04/04/2017. (MMG) (Entered: 04/04/2017)
04/05/2017	<u>63</u>	AMENDED NOTICE of Hearing on Motion: <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> : Motion Hearing set for 7/18/2017 09:30 AM in Judge's Chambers 12W (MPLS) before Judge Joan N. Ericksen. (Florence, L. Reagan) (Entered: 04/05/2017)
04/06/2017	<u>64</u>	Joint MOTION for Protective Order <i>and ESI Discovery Plan Order</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B)(Anderson, Alan) (Entered: 04/06/2017)
04/12/2017	<u>65</u>	PROTECTIVE ORDER. Signed by Magistrate Judge Tony N. Leung on 4/12/2017. (MMP) (Entered: 04/12/2017)
04/28/2017	<u>66</u>	MEMORANDUM in Opposition re <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Apel, Brian) (Entered: 04/28/2017)
04/28/2017	<u>67</u>	DECLARATION of David B. Conrad in Opposition to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A-Y)(Apel, Brian) (Entered: 04/28/2017)
04/28/2017	<u>68</u>	DECLARATION of Trish Hoskins in Opposition to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A-I, # <u>2</u> Exhibit(s) J-P)(Apel, Brian) (Entered: 04/28/2017)
04/28/2017	<u>69</u>	DECLARATION of Phillip W. Goter in Opposition to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A)(Apel, Brian) (Entered: 04/28/2017)
04/28/2017	<u>70</u>	DECLARATION of Joe Pizarro in Opposition to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A-B)(Apel, Brian) (Entered: 04/28/2017)
04/28/2017	<u>71</u>	DECLARATION of Robert O. (Bill) Williams III, Ph.D. in Opposition to <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A-D)(Apel, Brian) (Entered: 04/28/2017)
05/16/2017	<u>72</u>	Joint MOTION for Extension of Time <i>TO FILE REPLY MEMORANDUM IN SUPPORT OF RENEWED MOTION FOR PRELIMINARY INJUNCTION</i> filed by Ddrops Company, Ddrops Company, Elaine Vieth, Elaine Vieth, Reinhold Vieth, Reinhold Vieth. (Anderson, Alan) (Entered: 05/16/2017)
05/16/2017	<u>73</u>	ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME TO FILE REPLY MEMORANDUM: The Court, finding the existence of good cause, hereby grants the joint motion in its entirety. The Court's text-only order of March 29, 2017 (Dkt. 57) is hereby amended in part, and the deadline for the Plaintiffs to submit their reply memorandum and supporting documents in support of their renewed motion for a preliminary injunction is set for May 26, 2017. All other dates in the Court's text-only order of March 29, 2017 remain unchanged. Signed by Magistrate Judge Tony N. Leung on 5/16/2017. (MMP) (Entered: 05/16/2017)
05/26/2017	<u>74</u>	Second Declaration of L. Reagan Florence in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Florence, L. Reagan) Modified on 6/1/2017 (AKL). (Entered: 05/26/2017)

05/26/2017	<u>75</u>	Second Declaration of Warren Woessner in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit A)(Florence, L. Reagan) Modified on 6/1/2017 (AKL). (Entered: 05/26/2017)
05/26/2017	<u>76</u>	First Declaration of Reinhold Vieth in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Florence, L. Reagan) Modified on 6/1/2017 (AKL). (Entered: 05/26/2017)
05/26/2017	<u>77</u>	Third Declaration of Chris Temovsky in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit A)(Florence, L. Reagan) Modified on 6/1/2017 (AKL). (Entered: 05/26/2017)
05/26/2017	<u>78</u>	Second Declaration of Susan Jankus in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M)(Florence, L. Reagan) Modified on 6/1/2017 (AKL). (Entered: 05/26/2017)
05/26/2017	<u>79</u>	Second Declaration of Alan M. Anderson in Support of <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> Exhibit A)(Florence, L. Reagan) Modified on 6/1/2017 (AKL). (Entered: 05/26/2017)
05/26/2017	<u>80</u>	Reply to Response to Motion re <u>33</u> MOTION for Preliminary Injunction <i>Renewed Motion</i> filed by Ddrops Company, Elaine Vieth, Reinhold Vieth. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Florence, L. Reagan) (Entered: 05/26/2017)
06/07/2017	<u>81</u>	NOTICE of Appearance by Maria Elena Stiteler on behalf of Madre Labs, Inc., iHerb, Inc.. (Stiteler, Maria Elena) (Entered: 06/07/2017)
06/08/2017	<u>82</u>	MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> filed by Madre Labs, Inc., iHerb, Inc.. (Samuel, Mathias) (Entered: 06/08/2017)
06/08/2017	<u>83</u>	NOTICE OF HEARING ON MOTION <u>82</u> MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> : at date and time to be determined. (Samuel, Mathias) (Entered: 06/08/2017)
06/08/2017	<u>84</u>	MEMORANDUM in Support re <u>82</u> MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Samuel, Mathias) (Entered: 06/08/2017)
06/08/2017	<u>85</u>	Declaration of Dr. Jan Moritz Ammelburg in Support of <u>82</u> MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> filed by Madre Labs, Inc., iHerb, Inc..(Samuel, Mathias) (Entered: 06/08/2017)
06/08/2017	<u>86</u>	Declaration of Robert O. (Bill) Williams III, Ph.D. in Support of <u>82</u> MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B)(Samuel, Mathias) (Entered: 06/08/2017)
06/08/2017	<u>87</u>	Declaration of Trish Hoskins in Support of <u>82</u> MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A–J)(Samuel, Mathias) (Entered: 06/08/2017)
06/08/2017	<u>88</u>	Declaration of Maria Elena Stiteler in Support of <u>82</u> MOTION for Summary Judgment of <i>Invalidity of Claims 1–5 and 12 of U.S. Patent No. 9,066,958</i> filed by Madre Labs, Inc., iHerb, Inc.. (Attachments: # <u>1</u> Exhibit(s) A–K)(Samuel, Mathias) (Entered: 06/08/2017)

06/15/2017	<u>89</u>	Minute Entry for proceedings held before Magistrate Judge Tony N. Leung: Settlement Conference held on 6/15/2017. Settlement reached. Terms stated on the record. (MMP) (Entered: 06/16/2017)
06/21/2017	<u>90</u>	STIPULATION of Dismissal by Madre Labs, Inc., iHerb, Inc.. Jointly Signed by Ddrops Company, Reinhold Vieth, and Elaine Vieth. (Stiteler, Maria Elena) (Entered: 06/21/2017)
06/21/2017	<u>91</u>	PROPOSED ORDER TO JUDGE re <u>90</u> Stipulation of Dismissal. (Stiteler, Maria Elena) (Entered: 06/21/2017)
06/23/2017	<u>92</u>	ORDER DISMISSING CASE. Signed by Judge Joan N. Ericksen on June 22, 2017. (CBC) (Entered: 06/23/2017)