

**U.S. District Court
NORTHERN DISTRICT OF OHIO (Cleveland)
CIVIL DOCKET FOR CASE #: 1:23-cv-02231-JPC**

Rugged Cross Hunting Blinds, LLC v. DBR Finance, Inc.
Assigned to: Judge J. Philip Calabrese
Case in other court: Western District of Wisconsin,
3:23-cv-00756

Date Filed: 11/17/2023
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Cause: 35:271 Patent Infringement

Plaintiff

Rugged Cross Hunting Blinds, LLC

represented by **Robert L. Wolter**
Wolter Van Dyke Davis – Orlando
Ste. 140
1900 Summit Tower Blvd.
Orlando, FL 32810
407-926-7706
Email: rwolter@savvyiplaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amber Neilson Davis
Wolter Van Dyke Davis – Orlando
Ste. 140
1900 Summit Tower Blvd.
Orlando, FL 32810
407-926-7716
Fax: 407-926-7720
Email: adavis@savvyiplaw.com
ATTORNEY TO BE NOTICED

Una L. Lauricia
Pearne & Gordon
Ste. 1200
1801 East 9th Street
Cleveland, OH 44011
216-579-1700
Email: ulauricia@pearne.com
ATTORNEY TO BE NOTICED

V.

Defendant

DBR Finance, Inc.
formerly known as
Outdoor Product Innovations, Inc.

represented by **Dennis J. Abdelnour**
Honigman – Chicago
Ste. 3100
155 North Wacker Drive
Chicago, IL 60606
312-701-9300
Fax: 312-701-9335
Email: dabdelnour@honigman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David M. Cuppage
McCarthy Lebit Crystal & Liffman
Ste. 2700
1111 Superior Avenue East
Cleveland, OH 44114
216-696-1422
Fax: 216-696-1210

Email: dmc@mccarthylebit.com
ATTORNEY TO BE NOTICED

David J. Roulo
Honigman – Chicago
Ste. 3100
155 North Upper Wacker Drive
Chicago, IL 60606
312-429-6049
Email: droulo@honigman.com
ATTORNEY TO BE NOTICED

E. Roger Stewart
McCarthy, Lebit, Crystal & Liffman
1800 Midland Bldg.
101 Prospect Avenue, W
Cleveland, OH 44115
216-696-1422
Fax: 216-696-1210
Email: ers@mccarthylebit.com
ATTORNEY TO BE NOTICED

Jennifer Lynn Gregor
Godfrey & Kahn – Madison
Ste. 500
P.O. Box 2719
One East Main Street
Madison, WI 53701-2719
608-284-2629
Fax: 608-257-0609
TERMINATED: 10/10/2023

Michael W. Vary
17710 Westview Drive
Bainbridge, OH 44023
216-496-3429
Fax: 330-535-1435
Email: vary.michael@gmail.com
ATTORNEY TO BE NOTICED

Todd G. Smith
Godfrey & Kahn – Madison
Ste. 500
P.O. Box 2719
One East Main Street
Madison, WI 53701-2719
608-257-3911x2653
TERMINATED: 10/10/2023

Counter-Claimant

DBR Finance, Inc.
formerly known as
Outdoor Product Innovations, Inc.

represented by **Dennis J. Abdelnour**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David M. Cuppage
(See above for address)
ATTORNEY TO BE NOTICED

E. Roger Stewart
(See above for address)
ATTORNEY TO BE NOTICED

Jennifer Lynn Gregor

(See above for address)
TERMINATED: 10/10/2023

Michael W. Vary
(See above for address)
ATTORNEY TO BE NOTICED

Todd G. Smith
(See above for address)
TERMINATED: 10/10/2023

V.

Counter-Defendant

Rugged Cross Hunting Blinds, LLC

represented by **Amber Neilson Davis**
(See above for address)
ATTORNEY TO BE NOTICED

Una L. Lauricia
(See above for address)
ATTORNEY TO BE NOTICED

Robert L. Wolter
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/05/2022	<u>1</u>	PATENT COMPLAINT against FeraDyne Outdoors, LLC (Filing fee \$ 402 receipt number AWIWD-3163531.) PATENTS AT ISSUE: Patent # 11,399,535, issued 08/02/2022, held by Rugged Cross Hunting Blinds, LLC, filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A – US Patent No: 11,399,535, # <u>2</u> Exhibit B – Realtree Article – RCHB Hunting Blind, # <u>3</u> Exhibit C – American Hunter Article 12/27/2019, # <u>4</u> Exhibit D – Grand View Outdoors Article 01/18/2018, # <u>5</u> Exhibit E – Deer and Deer Hunting Article 07/17/18, # <u>6</u> Exhibit F – Gritroutdoors Blog 03/07/18, # <u>7</u> Exhibit G – Inside Archery Article April 2022, # <u>8</u> Exhibit H – Claim Chart of US Patent No: 11,399,535, # <u>9</u> JS-44 Civil Cover Sheet, # <u>10</u> Summons (Proposed)) (Wolter, Robert) Modified on 12/6/2022: E-mail sent to counsel re: corporate disclosure statement and AO 120. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/05/2022)
12/06/2022		Case randomly assigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/06/2022)
12/06/2022		Standard attachments for Judge James D. Peterson required to be served on all parties with summons or waiver of service: <u>NORTC</u> , <u>Corporate Disclosure Statement</u> . (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/06/2022)
12/06/2022	<u>2</u>	Summons Issued as to FeraDyne Outdoors, LLC. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/06/2022)
12/07/2022	<u>3</u>	Corporate Disclosure Statement by Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/07/2022)
12/07/2022	<u>4</u>	Exhibit to <u>1</u> Complaint,, filed by Rugged Cross Hunting Blinds, LLC <i>Report on the Filing or Determination of an Action re Patent</i> (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred

		from wiwd on 11/17/2023.] (Entered: 12/07/2022)
12/08/2022	<u>5</u>	Report on Filing of Patent or Trademark Action. Copy provided to the US Patent and Trademark Office electronically. (jat) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/08/2022)
12/08/2022	<u>6</u>	Notice of Appearance filed by Amber Neilson Davis for Plaintiff Rugged Cross Hunting Blinds, LLC. (Davis, Amber) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/08/2022)
12/22/2022	<u>7</u>	Notice of Appearance filed by Craig Steven Krummen for Defendant FeraDyne Outdoors, LLC. (Krummen, Craig) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/22/2022)
12/22/2022	<u>8</u>	Unopposed Motion for Extension of Time to File Answer <i>or Otherwise Respond</i> by Defendant FeraDyne Outdoors, LLC. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Text of Proposed Order) (Krummen, Craig) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/22/2022)
12/22/2022	<u>9</u>	** TEXT ONLY ORDER ** ORDER granting <u>8</u> Unopposed Motion for Extension of Time to Answer or Otherwise Respond. FeraDyne Outdoors, LLC answer due 1/17/2023. Signed by Magistrate Judge Stephen L. Crocker on 12/22/22. (jat) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 12/22/2022)
01/12/2023	<u>10</u>	MOTION TO DISMISS by Defendant FeraDyne Outdoors, LLC. Brief in Opposition due 2/2/2023. Brief in Reply due 2/13/2023. (Krummen, Craig) Modified on 1/13/2023: E-mail sent to counsel re: filing corporate disclosure statement. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/12/2023)
01/12/2023	<u>11</u>	Brief in Support of <u>10</u> Motion to Dismiss by Defendant FeraDyne Outdoors, LLC (Krummen, Craig) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/12/2023)
01/13/2023		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 2/9/2023 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [<u>Standing Order Governing Preliminary Pretrial Conference</u> attached] (jat) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/13/2023)
01/13/2023	<u>12</u>	Corporate Disclosure Statement by Defendant FeraDyne Outdoors, LLC. (Krummen, Craig) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/13/2023)
01/17/2023	<u>13</u>	Notice by Plaintiff Rugged Cross Hunting Blinds, LLC <i>of Pendency of Other Actions</i> . (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/17/2023)
01/26/2023	<u>14</u>	AMENDED COMPLAINT against FeraDyne Outdoors, LLC, filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A - US Patent No 11,399, 535, # <u>2</u> Exhibit B - Realtree Article, 02/17/16, # <u>3</u> Exhibit C - American Hunter Article - 12/27/18, # <u>4</u> Exhibit D - Grandview Outdoors Article, 1/18/18, # <u>5</u> Exhibit E - Deer Hunting Article, 01/17/18, # <u>6</u> Exhibit F - Grit Outdoors Blog, 03/17/18, # <u>7</u> Exhibit G - Inside Archery, April 2022, # <u>8</u> Exhibit H - Claim Chart - Exhibits 1 - 3) (Wolter, Robert) Modified on 1/26/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/26/2023)

01/27/2023	15	** TEXT ONLY ORDER ** After defendant filed a motion to dismiss, plaintiff filed an amended complaint, as it was entitled to do under Rule 15(a)(1)(B). So defendant's motions to dismiss, Dkt. <u>10</u> , is DENIED as moot. If defendant believes that the amended complaint is deficient, it may have until February 9 to file a renewed motion to dismiss. Signed by District Judge James D. Peterson on 1/26/23. (jat) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 01/27/2023)
02/06/2023	<u>16</u>	Joint Discovery Plan (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/06/2023)
02/08/2023	<u>17</u>	ANSWER to Amended Complaint, <i>Affirmative Defenses</i> , COUNTERCLAIM against Rugged Cross Hunting Blinds, LLC by FeraDyne Outdoors, LLC. (Krummen, Craig) Modified on 2/8/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/08/2023)
02/09/2023	<u>18</u>	Joint Motion for Protective Order (<i>Stipulated</i>) by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Text of Proposed Order re: Stipulated Motion for Protective Order, # <u>2</u> Text of Stipulated Protective Order) (Wolter, Robert) Modified on 2/10/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/09/2023)
02/09/2023		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 2/9/2023 [:10] (cak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/09/2023)
02/09/2023	19	** TEXT ONLY ORDER ** The parties' stipulated protective order is accepted and entered as the court's order. Signed by Magistrate Judge Stephen L. Crocker on 2/9/2023. (lam) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/09/2023)
02/13/2023	<u>20</u>	Pretrial Conference Order – <u>Preliminary Pretrial Packet in cases assigned to District Judge James D. Peterson</u> attached. Proof of Standing to sue on claimed patents due 2/23/2023. Amendments to Pleadings due 3/31/2023. Preliminary Disclosure of Infringement Contentions due 6/2/2023. Preliminary Disclosure of Invalidity and Unenforceability Contentions due 7/10/2023. Exchange of Terms and Proposed Constructions due 8/11/2023. Responses due 8/25/2023. Dispositive Motions due 12/1/2023. Settlement Letters due 4/12/2024. Rule 26(a)(3) Disclosures and Motions in Limine due 4/26/2024. Responses due 5/10/2024. Final Pretrial Conference set for 5/29/2024 at 02:30 PM. Jury Selection and Trial set for 6/10/2024 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 2/13/2023. (lam) Modified on 2/14/2023 (jat). [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/13/2023)
02/22/2023	<u>21</u>	Stipulated Proof of Standing to Sue on Claimed Patents by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/22/2023)
02/28/2023	<u>22</u>	Reply to Counterclaim by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 02/28/2023)
05/31/2023		Set Deadlines and Hearings: Settlement Conference set for 7/25/2023 at 9:00 AM before Magistrate Judge Andrew Wiseman. (arw) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 05/31/2023)

06/02/2023	<u>23</u>	Preliminary Disclosure of Infringement Contentions by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 06/02/2023)
06/15/2023	<u>24</u>	Unopposed Motion for Leave to Join as a Defendant, DBR Finance Inc. by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. Response due 6/22/2023. (Wolter, Robert) Modified on 6/16/2023: MC to Join. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 06/15/2023)
06/16/2023	<u>25</u>	Joint Motion for Extension of Time (<i>Extend Pretrial Schedule Deadlines and Dates</i>) and Memorandum of Law by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Proposed Amended Schedule) (Wolter, Robert) Modified on 6/20/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 06/16/2023)
06/20/2023	<u>26</u>	** TEXT ONLY ORDER ** The parties jointly move to add DBR Finance, Inc. as a defendant and extend all deadlines in this case by three months. Dkt. <u>24</u> and Dkt. <u>25</u> . The court construes the motion to add a new defendant, Dkt. <u>24</u> , as a motion for leave to amend the complaint under Rule 15; the motion is GRANTED. Plaintiff is directed to file and serve an amended complaint no later than July 6, 2023. The motion for an extension of time, Dkt. <u>25</u> , is GRANTED in part. Defendant's deadline for invalidity contentions is extended to August 25; the deadline for exchanging proposed claim constructions is extended to September 26; and the deadline for responses to claim constructions is extended to October 10. All other deadlines remain in place for now. The parties allege that DBR is closely related to the existing defendant, so it would be premature to make substantial changes to the schedule before DBR asks for them. After DBR becomes a party, the parties may ask for schedule adjustments upon a showing of good cause. Signed by District Judge James D. Peterson on 6/20/2023. (lam) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 06/20/2023)
06/28/2023	<u>27</u>	AMENDED COMPLAINT (<i>Second</i>) against FeraDyne Outdoors, LLC, DBR Finance, Inc., filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A – US Patent No. 11,399,535, # <u>2</u> Exhibit B – Realtree Article, # <u>3</u> Exhibit C – American Hunter Article, # <u>4</u> Exhibit D – Grand View Outdoors Article, # <u>5</u> Exhibit E – Deer Hunting Article, # <u>6</u> Exhibit F – Gritr Article, # <u>7</u> Exhibit G – Inside Archery Article, # <u>8</u> Exhibit H – Claim Chart) (Wolter, Robert) Modified on 6/28/2023: Corrected entry of DBR Finance, Inc. E-mail sent to counsel. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 06/28/2023)
06/30/2023	<u>28</u>	ANSWER to Amended Complaint (<i>Second</i>), COUNTERCLAIM against Rugged Cross Hunting Blinds, LLC by FeraDyne Outdoors, LLC. (Krummen, Craig) Modified on 7/5/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 06/30/2023)
07/06/2023	<u>29</u>	Waiver of Service Returned Executed by Defendant DBR Finance, Inc.. DBR Finance, Inc. waiver sent on 6/28/2023, answer due 8/28/2023. (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 07/06/2023)
07/06/2023	<u>30</u>	Reply to Counterclaim by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 07/06/2023)
07/25/2023		Minute Entry for proceedings held before Magistrate Judge Andrew Wiseman: Settlement Conference held on 7/25/2023 during which the parties did not reach a settlement agreement. [8:00] (arw) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 07/25/2023)

07/28/2023	<u>31</u>	Motion for Extension of Time <i>with regard to Pretrial Schedule Deadlines and Dates</i> by Defendant FeraDyne Outdoors, LLC. (Attachments: # <u>1</u> Text of Proposed Order) (Krummen, Craig) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 07/28/2023)
07/28/2023	<u>32</u>	Affidavit of Craig S. Krummen filed by Defendant FeraDyne Outdoors, LLC re: <u>31</u> MOTION for Extension of Time (Attachments: # <u>1</u> Exhibit A– Email regarding Defendant DBR Participation in Motion for Extension of Time regarding Pretrial Schedule Deadlines and Dates) (Krummen, Craig) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 07/28/2023)
08/07/2023	<u>33</u>	** TEXT ONLY ORDER ** The parties' motion for extension of time (dkt. <u>31</u>) is GRANTED. The existing schedule is STRUCK. The court will schedule a telephonic status and scheduling conference after defendant DBR Finance has answered or otherwise responded. Not later than three business days before this telephonic conference, the parties must jointly submit a report stating their joint or several positions on what the new schedule should look like. Signed by Magistrate Judge Stephen L. Crocker on 8/7/2023. (lam) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/07/2023)
08/28/2023	<u>34</u>	Notice of Appearance filed by Todd G. Smith for Defendant DBR Finance, Inc.. (Smith, Todd) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/28/2023)
08/28/2023	<u>35</u>	MOTION TO DISMISS <i>for Improper Venue</i> by Defendant DBR Finance, Inc.. Brief in Opposition due 9/18/2023. Brief in Reply due 9/28/2023. (Smith, Todd) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/28/2023)
08/28/2023	<u>36</u>	Brief in Support of <u>35</u> Motion to Dismiss <i>for Improper Venue</i> by Defendant DBR Finance, Inc. (Smith, Todd) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/28/2023)
08/28/2023	<u>37</u>	Declaration of Dan Reaser filed by Defendant DBR Finance, Inc. re: <u>35</u> Motion to Dismiss (Smith, Todd) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/28/2023)
08/28/2023	<u>38</u>	Corporate Disclosure Statement by Defendant DBR Finance, Inc.. (Smith, Todd) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/28/2023)
08/29/2023		Set Telephone Pretrial: Telephone Pretrial Conference set for 9/20/2023 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264–5153. [<u>Standing Order Governing Preliminary Pretrial Conference</u> attached] (nln) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/29/2023)
08/29/2023	<u>39</u>	Motion to Admit Dennis Abdelnour Pro Hac Vice. (Pro Hac Vice fee \$ 100 receipt number AWIWDC–3297786.) by Defendant DBR Finance, Inc.. (Abdelnour, Dennis) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/29/2023)
08/30/2023	<u>40</u>	** TEXT ONLY ORDER ** ORDER granting <u>39</u> Motion to Admit Dennis J. Abdelnour Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 8/30/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 08/30/2023)
09/05/2023	<u>41</u>	Unopposed Motion for Extension of Time <i>to Respond to Motion to Dismiss and Memorandum of Law in Support Thereof</i> by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert)

		Modified on 9/5/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/05/2023)
09/05/2023	<u>42</u>	** TEXT ONLY ORDER ** ORDER granting <u>41</u> Unopposed Motion for Extension of Time. Defendant's reply deadline is extended commensurately. Brief in Opposition due 9/25/2023. Brief in Reply due 10/5/2023. Signed by Magistrate Judge Stephen L. Crocker on 9/5/2023. (voc) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/05/2023)
09/06/2023	<u>43</u>	Notice of Appearance filed by Jennifer Lynn Gregor for Defendant DBR Finance, Inc.. (Gregor, Jennifer) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/06/2023)
09/15/2023	<u>44</u>	Joint Discovery Plan (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/15/2023)
09/20/2023		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 9/20/2023 [:10] (cak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/20/2023)
09/25/2023	<u>45</u>	Brief in Opposition by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC re: <u>35</u> Motion to Dismiss filed by DBR Finance, Inc. (Sealed Document) (Attachments: # <u>1</u> Exhibit A – Asset Purchase Agreement, # <u>2</u> Exhibit Transition Services Agreement, # <u>3</u> Exhibit C – Consulting Agreement, # <u>4</u> Exhibit D – Correspondence, # <u>5</u> Exhibit E – Answers to Interrogatories) (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/25/2023)
09/25/2023	<u>46</u>	Disregard. (Sealed Document) Modified on 9/25/2023. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/25/2023)
09/25/2023	<u>47</u>	Redaction to <u>45</u> Brief in Opposition, by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC (Wolter, Robert) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/25/2023)
09/25/2023	<u>48</u>	Amended Scheduling Order – <u>Preliminary Pretrial Packet in cases assigned to District Judge James D. Peterson</u> attached. Preliminary Disclosure of Infringement Contentions due 2/20/2024. Preliminary Disclosure of Invalidity and Unenforceability Contentions due 3/20/2024. Exchange of Terms and Proposed Constructions due 4/19/2024. Responses due 5/03/2024. Motions Requesting Claims Construction due 8/21/2024. Dispositive Motions due 8/21/2024. Settlement Letters due 3/17/2025. Rule 26(a)(3) Disclosures and Motions in Limine due 3/31/2025. Responses due 5/2/2025. Final Pretrial Conference set for 5/21/2025 at 02:30 PM. Second Final Pretrial Conference set for 6/4/2025 at 02:30 PM. Jury Selection and Trial set for 6/16/2025 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 9/25/2023. (nln) Modified on 9/25/2023 (nln). [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/25/2023)
09/26/2023	<u>49</u>	Motion for Leave to File a <i>Third Amended Complaint</i> by Plaintiff Rugged Cross Hunting Blinds, LLC. Brief in Opposition due 10/10/2023. Brief in Reply due 10/17/2023. (Davis, Amber) Modified on 9/26/2023: E-mail sent to counsel. (lak) [Transferred from wiwd on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 09/26/2023)
10/02/2023	<u>50</u>	Joint MOTION TO TRANSFER to Northern District of Ohio as to Defendant DBR Finance Inc. Only (Unopposed) by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. Brief in Opposition due 10/23/2023. Brief in Reply due 11/2/2023. (Wolter, Robert) [Transferred from wiwd

		on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/02/2023)
10/04/2023	<u>51</u>	** TEXT ONLY ORDER ** The joint motion to transfer the case against defendant DBR Finance, Inc., to the United States District Court for the Northern District of Ohio is GRANTED. The clerk of court is directed to transfer the case -- as to defendant DBR Finance only -- in accordance with 28 U.S.C. § 1404(a). DBR's motion to dismiss for improper venue, Dkt. 35 , and Rugged Cross's motion to file a third amended complaint, Dkt. 49 , are DENIED as moot. Signed by District Judge James D. Peterson on 10/4/2023. (voc) [Transferred from WIWD on 10/4/2023.] [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023	<u>52</u>	CASE TRANSFERRED IN from District of Wisconsin Western as to Defendant DB Finance, Inc. only. Case number 3:22-cv-00690. Electronic file and docket sheet received. [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023		Judge J. Philip Calabrese assigned to case. (S,HR) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023		Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge Thomas M. Parker. (S,HR) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023		Notice to Attorney Amber Neilson Davis. The Court finds no record of your being admitted to practice in the Northern District of Ohio. Pursuant to LR 83.5, an Application for Admission to Practice or a Motion to be Admitted Pro Hac Vice in this case must be filed within 10 business days. The local rules and the attorney admission application are available on the court's web site at: www.ohnd.uscourts.gov . If you are not the attorney of record in this case, a Motion to Withdraw as Attorney pursuant to LR 83.9 must be filed within 10 business days. (W,Jo) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023		Notice to Attorney Robert Lewis Wolter. The Court finds no record of your being admitted to practice in the Northern District of Ohio. Pursuant to LR 83.5, an Application for Admission to Practice or a Motion to be Admitted Pro Hac Vice in this case must be filed within 10 business days. The local rules and the attorney admission application are available on the court's web site at: www.ohnd.uscourts.gov . If you are not the attorney of record in this case, a Motion to Withdraw as Attorney pursuant to LR 83.9 must be filed within 10 business days. (W,Jo) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023		Notice to Attorney Jennifer Lynn Gregor. The Court finds no record of your being admitted to practice in the Northern District of Ohio. Pursuant to LR 83.5, an Application for Admission to Practice or a Motion to be Admitted Pro Hac Vice in this case must be filed within 10 business days. The local rules and the attorney admission application are available on the court's web site at: www.ohnd.uscourts.gov . If you are not the attorney of record in this case, a Motion to Withdraw as Attorney pursuant to LR 83.9 must be filed within 10 business days. (W,Jo) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023		Notice to Attorney Todd G. Smith. The Court finds no record of your being admitted to practice in the Northern District of Ohio. Pursuant to LR 83.5, an Application for Admission to Practice or a Motion to be Admitted Pro Hac Vice in this case must be filed within 10 business days. The local rules and the attorney admission application are available on the court's web site at: www.ohnd.uscourts.gov . If you are not the attorney of record in this case, a Motion to Withdraw as Attorney pursuant to LR 83.9 must be filed within 10 business days. (W,Jo) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/04/2023	<u>53</u>	Attorney Appearance by Dennis J. Abdelnour on behalf of DBR Finance, Inc. (Abdelnour, Dennis) [Transferred from Ohio Northern on 10/31/2023.] [Transferred

		from wiwd on 11/17/2023.] (Entered: 10/04/2023)
10/09/2023	<u>54</u>	Motion by Jennifer L. Gregor and Todd G. Smith to withdraw as attorney filed by Defendant DBR Finance, Inc.. (Abdelnour, Dennis) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/09/2023)
10/10/2023		Order [non-document]: For good cause shown, the Court GRANTS the motion of Jennifer Gregor and Todd Smith to withdraw as counsel for Defendant DBR Finance, Inc. Judge J. Philip Calabrese on October 10, 2023.(Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/10/2023)
10/13/2023	<u>55</u>	Attorney Appearance by Una L. Lauricia filed by on behalf of Rugged Cross Hunting Blinds, LLC. (Lauricia, Una) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/13/2023)
10/16/2023	<u>56</u>	Unopposed Motion for extension of time until November 18, 2023 to answer <u>27</u> Plaintiff Rugged Cross Hunting Blind's Second Amended Complaint with Attachment-Proposed Order filed by Defendant DBR Finance, Inc. (Abdelnour, Dennis) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/16/2023)
10/16/2023	<u>57</u>	Order : Defendant's motion for an extension to November 18, 2023 to answer, move, or otherwise plead is unopposed and granted. Additionally, the Court ORDERS the parties to file a joint status report by October 19, 2023. Judge J. Philip Calabrese on October 16, 2023.(Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/16/2023)
10/17/2023	<u>58</u>	Motion for attorney Robert L. Wolter to Appear Pro Hac Vice. Filing fee \$ 120, receipt number AOHND-12232350, filed by Counter-Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Affidavit)(Lauricia, Una) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/17/2023)
10/17/2023	<u>59</u>	Motion for attorney Amber N. Davis to Appear Pro Hac Vice. Filing fee \$ 120, receipt number AOHND-12232351, filed by Counter-Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Affidavit)(Lauricia, Una) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/17/2023)
10/18/2023	<u>60</u>	Supplement to Motion for attorney Robert L. Wolter to Appear Pro Hac Vice. Filing fee \$ 120, receipt number AOHND-12232350, - Declaration/Affidavit, filed by Rugged Cross Hunting Blinds, LLC. Related document(s) <u>58</u> . (Lauricia, Una) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/18/2023)
10/18/2023		Order [non-document]: granting Plaintiff's Motion for appearance pro hac vice by attorney Robert L. Wolter for Rugged Cross Hunting Blinds, LLC. Local Rule 5.1(c) requires that attorneys register for NextGen CM/ECF and file and receive all documents electronically. NextGen CM/ECF registration can be done online at www.pacer.gov. Login with your PACER credentials, go to the Maintenance tab, click Attorney Admissions/E-File Registration, select Ohio Northern District Court and then select Pro Hac Vice. If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again. (ECF No. <u>58</u>). Judge J. Philip Calabrese on October 18, 2023.(Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/18/2023)
10/18/2023	<u>61</u>	Supplement to Motion for attorney Amber N. Davis to Appear Pro Hac Vice. Declaration of Amber N. Davisin filed by Rugged Cross Hunting Blinds, LLC. (Related document(s) <u>59</u>) (Lauricia, Una) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/18/2023)
10/19/2023		Order [non-document]: granting Plaintiff's Motion for appearance pro hac vice by attorney Amber Neilson Davis for Rugged Cross Hunting Blinds, LLC. Local Rule 5.1(c) requires that attorneys register for NextGen CM/ECF and file and receive all documents electronically. NextGen CM/ECF registration can be done online at

		www.pacer.gov. Login with your PACER credentials, go to the Maintenance tab, click Attorney Admissions/E-File Registration, select Ohio Northern District Court and then select Pro Hac Vice. If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again. (ECF No. 59). Judge J. Philip Calabrese on October 19, 2023.(Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/19/2023)
10/19/2023	<u>62</u>	Joint Status Report filed by Rugged Cross Hunting Blinds, LLC. Related document(s) <u>57</u> .(Wolter, Robert) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/19/2023)
10/24/2023	<u>63</u>	Order: The Court sets a status conference by Zoom on Friday, October 27, 2023 at 11:00 a.m. eastern. The Courtroom Deputy will email counsel of record information to join the status conference, at which counsel should be prepared to explain why the transfer to the Northern District of Ohio was procedurally proper and, if not, the appropriate remedy. Judge J. Philip Calabrese on October 24, 2023. (Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/24/2023)
10/25/2023	<u>64</u>	Attorney Appearance by David M. Cuppage filed by on behalf of DBR Finance, Inc.. (Cuppage, David) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/25/2023)
10/27/2023		Minutes of proceedings [non-document] before Judge J. Philip Calabrese. The Court held a status conference by Zoom on October 27, 2023. Robert L. Wolter and Una L. Lauricia appeared for Plaintiff. Dennis J. Abdelnour and Michael W. Vary appeared for Defendant. Counsel discussed the procedural propriety of the transfer of Plaintiff's claims against Defendant DBR Finance from the Western District of Wisconsin to the Northern District of Ohio. Counsel agreed that the transfer might not be proper under 28 U.S.C. § 1404(a). Based on these discussions and the Court's independent review of the record, the Court will transfer the case back to the Western District of Wisconsin by separate order. Time: 20 minutes. (Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/27/2023)
10/30/2023	<u>65</u>	Opinion and Order: On its own motion, the Court TRANSFERS this case to the United States District Court of the Western District of Wisconsin for further proceedings in case number 3:22-cv-00690. Judge J. Philip Calabrese on October 30, 2023. (Y,A) [Transferred from Ohio Northern on 10/31/2023.] [Transferred from wiwd on 11/17/2023.] (Entered: 10/30/2023)
10/31/2023	<u>66</u>	Case transferred in from District of Ohio Northern; Case Number 1:23-cv-01944. Original file certified copy of transfer order and docket sheet received. (lak) [Transferred from wiwd on 11/17/2023.] (Entered: 10/31/2023)
10/31/2023		Case directly assigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (lak) [Transferred from wiwd on 11/17/2023.] (Entered: 10/31/2023)
11/03/2023	67	** TEXT ONLY ORDER ** The Northern District of Ohio has sent the transferred portion of case no. 22-cv-690 back to the Western District of Wisconsin. The court has docketed the returned part no. 23-cv-756. By November 10 at the latest, the parties should inform the court in a joint statement how they wish to proceed. Specifically, the parties should address (1) whether the claims against DBR Finance should be formally severed and transferred as a separate case to Ohio; and (2) if the DBR Finance claims are transferred, whether one of the cases be stayed in favor of the other. If the parties do not agree, they should separately state their competing proposals. Signed by District Judge James D. Peterson on 11/03/2023. (nlm) [Transferred from wiwd on 11/17/2023.] (Entered: 11/03/2023)
11/10/2023	<u>68</u>	Response re: 67 Text Only Order,,, <i>Joint Statement Relating to Proceedings and Transfer of Action</i> by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) [Transferred from wiwd on 11/17/2023.] (Entered: 11/10/2023)
11/15/2023	<u>69</u>	ORDER that: 1. Rugged Cross's patent infringement claim (Count II) against DBR is severed from

		this action. Those claims shall proceed under Case No.23-cv-756, which the clerk has already set up, and which already contains the docket entries from the original case, 22-cv-690. 2. The Clerk of Court is directed to transfer case 23-cv-756 to the United States District Court for the Northern District of Ohio, pursuant to 28 U.S.C. § 1406(a). 3. Rugged Cross's case against Feradyne, 22-cv-690, shall proceed according to the schedule previously established by the magistrate judge. Signed by District Judge James D. Peterson on 11/15/2023. (nlm) [Transferred from wiwd on 11/17/2023.] (Entered: 11/15/2023)
11/17/2023	<u>70</u>	CASE TRANSFERRED IN from District of Wisconsin Western. Case number 3:23-cv-00756. Electronic file, copy of transfer order and docket sheet received. (Entered: 11/17/2023)
11/17/2023		Judge Patricia A. Gaughan assigned to case. (R,EM) (Entered: 11/17/2023)
11/17/2023		Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge James E. Grimes Jr. (R,EM) (Entered: 11/17/2023)
11/17/2023	<u>71</u>	Magistrate Consent Form issued. (R,EM) (Entered: 11/17/2023)
11/17/2023		Order of Recusal [non-document]. This case was assigned to Judge Patricia A. Gaughan in error. This case is returned to the Clerk for reassignment to another judge. Judge Patricia A. Gaughan on 11/17/23. (D,Ma) (Entered: 11/17/2023)
11/17/2023		Judge Bridget Meehan Brennan assigned to case. Judge Patricia A. Gaughan terminated. (S,HR) (Entered: 11/17/2023)
11/20/2023		Order [non-document]: After reviewing the docket in this matter, and after ensuring Judge Calabrese's agreement, this case is to be directly assigned to Judge J. Philip Calabrese. IT IS SO ORDERED. Judge Bridget Meehan Brennan on 11/20/2023. (H,AR) (Entered: 11/20/2023)
11/21/2023		Judge J. Philip Calabrese assigned to case. Judge Bridget Meehan Brennan terminated. (R,AP) (Entered: 11/21/2023)
11/21/2023	<u>72</u>	Case Management Conference Scheduling Order with case management conference to be held on January 8, 2024 at 3:00 p.m. in Chambers 16B before Judge J. Philip Calabrese. Judge J. Philip Calabrese on November 21, 2023. (Attachments: # <u>1</u> Rule 26 Report of Parties)(Y,A) (Entered: 11/21/2023)
12/01/2023	<u>73</u>	Answer to <u>1</u> Complaint, with Jury Demand , Counterclaim against Rugged Cross Hunting Blinds, LLC filed by DBR Finance, Inc.. (Attachments: # <u>1</u> Exhibit 1 - copy of '535 Patent) (Abdelnour, Dennis) (Entered: 12/01/2023)
12/08/2023	<u>74</u>	Motion to amend complaint <i>with memorandum in support</i> filed by Plaintiff Rugged Cross Hunting Blinds, LLC, Counter-Defendant Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A - Redlined Version of Amended Complaint, # <u>2</u> Exhibit B- Clean Copy of Amended Complaint)(Wolter, Robert) (Entered: 12/08/2023)
12/13/2023	<u>75</u>	Motion for attorney David Joseph Roulo to Appear Pro Hac Vice. Filing fee \$ 120, receipt number AOHND-12314955, filed by Defendant DBR Finance, Inc.. (Attachments: # <u>1</u> Exhibit A - Certificate of Good Standing)(Abdelnour, Dennis) (Entered: 12/13/2023)
12/13/2023		Order [non-document]: granting Defendant's Motion for appearance pro hac vice by attorney David J. Roulo for DBR Finance, Inc.. Local Rule 5.1(c) requires that attorneys register for NextGen CM/ECF and file and receive all documents electronically. NextGen CM/ECF registration can be done online at www.pacer.gov . Login with your PACER credentials, go to the Maintenance tab, click Attorney Admissions/E-File Registration, select Ohio Northern District Court and then select Pro Hac Vice. If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again. (ECF No. <u>75</u>). Judge J. Philip Calabrese on December 13, 2023.(Y,A) (Entered: 12/13/2023)
12/22/2023	<u>76</u>	Answer and Affirmative Defenses to <u>73</u> Counterclaim filed by Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) Modified text on 12/28/2023 (M,CE). (Entered: 12/22/2023)

		12/22/2023)
12/22/2023	<u>77</u>	Response to <u>74</u> Motion to amend complaint filed by DBR Finance, Inc.. (Abdelnour, Dennis) (Entered: 12/22/2023)
12/22/2023	<u>78</u>	Motion to stay <i>Pending Resolution of Inter Partes Review</i> filed by Defendant DBR Finance, Inc.. (Abdelnour, Dennis) (Entered: 12/22/2023)
12/22/2023	<u>79</u>	Memorandum of points and authorities <i>In Support of Motion for Stay</i> filed by DBR Finance, Inc. Related document(s) <u>78</u> . (Abdelnour, Dennis) Modified docket text on 12/27/2023 (H,Ch). (Entered: 12/22/2023)
12/27/2023	<u>80</u>	Joint Motion to attend by telephone filed by Plaintiff Rugged Cross Hunting Blinds, LLC. Related document(s) <u>72</u> . (Lauricia, Una) (Entered: 12/27/2023)
12/27/2023		Order [non-document]: At the request of counsel, the Court will conduct the initial case management conference on January 8, 2024 at 3:00 pm by Zoom. Judge J. Philip Calabrese on 12/27/2023. (R,AP) (Entered: 12/27/2023)
12/27/2023	<u>81</u>	Unopposed Motion to seal filed by Plaintiff Rugged Cross Hunting Blinds, LLC. (Lauricia, Una) (Entered: 12/27/2023)
12/28/2023	<u>82</u>	Order: The Court CONDITIONALLY GRANTS IN PART Plaintiff's motion to file under seal (ECF No. <u>81</u>). Pursuant to Local Rule 5.2 and this Order, the Court directs Plaintiff to file the asset purchase agreement under seal, an unredacted version of its reply under seal, and a redacted version on the public docket. Judge J. Philip Calabrese on December 28, 2023.(Y,A) (Entered: 12/28/2023)
12/28/2023	<u>83</u>	Report of Parties' Planning Meeting – parties do not consent to this case being assigned to the magistrate judge, filed by All Plaintiffs. (Lauricia, Una) (Entered: 12/28/2023)
12/29/2023	<u>84</u>	SEALED Document: <i>Reply to Defendant's Response in Opposition to Plaintiff's Motion to Amend Complaint</i> filed by Rugged Cross Hunting Blinds, LLC. (Related document(s) <u>82</u> , <u>74</u>). (Attachments: # <u>1</u> Exhibit A – Asset Purchase Agreement, # <u>2</u> Exhibit B– Transition Svcs Agreement, # <u>3</u> Exhibit C – Vary Letter, # <u>4</u> Exhibit D – Reasor Declaration) (Wolter, Robert) (Entered: 12/29/2023)
12/29/2023	<u>85</u>	Reply to response to <u>74</u> Motion to amend complaint filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A – Asset Purchase Agreement, # <u>2</u> Exhibit B– Transition Svcs Agreement, # <u>3</u> Exhibit C – Vary Letter, # <u>4</u> Exhibit D – Reasor Declaration)(Wolter, Robert) Modified text on 1/3/2024 (M,CE). (Entered: 12/29/2023)
12/29/2023	<u>86</u>	Unopposed Motion to file under seal by Plaintiff Rugged Cross Hunting Blinds, LLC, Counter–Defendant Rugged Cross Hunting Blinds, LLC. Related document(s) <u>78</u> . (Wolter, Robert) Modified text on 1/3/2024 (M,CE). (Entered: 12/29/2023)
01/02/2024	<u>87</u>	Order: The Court CONDITIONALLY GRANTS IN PART Plaintiff's motion to file under seal (ECF No. <u>86</u>). Pursuant to Local Rule 5.2 and this Order, the Court directs Plaintiff to file the asset purchase agreement under seal, an unredacted version of its reply under seal, and a redacted version on the public docket. Judge J. Philip Calabrese on January 2, 2024.(Y,A) (Entered: 01/02/2024)
01/05/2024	<u>88</u>	SEALED Document: <i>Response in Opposition to Motion to Stay Pending Resolution of Inter Partes Review</i> filed by Rugged Cross Hunting Blinds, LLC. (Related document(s) <u>87</u> , <u>78</u> , <u>79</u>). (Attachments: # <u>1</u> Exhibit A – Asset Purchase Agreement, # <u>2</u> Exhibit B – Transition Services Agreement) (Wolter, Robert) (Entered: 01/05/2024)
01/05/2024	<u>89</u>	Opposition to <u>78</u> Motion to stay <i>Pending Resolution of Inter Partes Review</i> filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit C – Declaration of Robert L. Wolter, Plus Exhibits) (Wolter, Robert) (Entered: 01/05/2024)
01/09/2024	<u>90</u>	Minutes and Order: The Court held an initial case management conference by Zoom on January 8, 2024. Robert L. Wolter and Una L. Lauricia appeared for Plaintiff. Dennis J. Abdelnour and Michael W. Vary appeared for Defendant. Counsel updated the Court on the claims, counterclaims, and defenses at issue in this matter. Counsel answered questions from the Court regarding certain issues raised in their Rule 26(f)

		Report. (ECF No. <u>83</u> .) Counsel also updated the Court on related litigation pending in other district courts. Based on these discussions, the Court ORDERS the parties to file the following by January 15, 2024: their agreed ESI procedure, a version in Word of the stipulated protective order to which they agree (Appendix A of the Local Patent Rules, and the operative case management schedule in the Wisconsin litigation. The Court advised the parties that it will issue rulings on the two pending motions as quickly as possible. Judge J. Philip Calabrese on January 9, 2024. Time: 1 hour. (Y,A) (Entered: 01/09/2024)
01/12/2024	<u>91</u>	Reply in support of <u>78 Motion</u> to stay <i>Pending Resolution of Inter Partes Review</i> filed by DBR Finance, Inc.. (Attachments: # <u>1</u> Affidavit of Dennis Abdelnour in Support of DBR's Reply in Support of It's Motion to Stay, # <u>2</u> Exhibit A to Declaration of Dennis Abdelnour (December 7, 2023 email from R. Wolter to D. Abdelnour))(Abdelnour, Dennis) (Entered: 01/12/2024)
01/15/2024	<u>92</u>	Joint Notice of Compliance with Minutes and Order filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A – Stipulated ESI Protocol, # <u>2</u> Exhibit B – Proposed Stipulated Protective Order, # <u>3</u> Exhibit C – Amended Scheduling Order (Doc. 48) Wisconsin, # <u>4</u> Exhibit D – Preliminary Pretrial Scheduling Order (Doc. 20) Wisconsin)Related document(s) <u>90</u> .(Wolter, Robert) (Entered: 01/15/2024)
01/18/2024	<u>93</u>	Stipulated ESI Protocol . Judge J. Philip Calabrese on January 18, 2024. (Y,A) (Entered: 01/18/2024)
01/18/2024	<u>94</u>	Stipulated Protective Order . Judge J. Philip Calabrese on January 18, 2024. (Attachments: # <u>1</u> Acknowledgement and Agreement to be Bound)(Y,A) (Entered: 01/18/2024)
02/20/2024	<u>95</u>	Opinion and Order : The Court DENIES DBR Finance's motion to stay the proceedings pending inter partes review (ECF No. <u>78</u>) and GRANTS Rugged Cross's motion for leave to amend the complaint (ECF No. <u>74</u>). Further, the Court ORDERS Rugged Cross to file and serve its amended complaint forthwith. Judge J. Philip Calabrese on February 20, 2024.(Y,A) (Entered: 02/20/2024)
02/20/2024	<u>96</u>	Order : The Court ORDERS the parties to confer and to file briefs, not to exceed ten pages, addressing whether this case should be stayed in favor of the related litigation proceeding in the Western District of Wisconsin no later than March 5, 2024:. Judge J. Philip Calabrese on February 20, 2024. (Y,A) (Entered: 02/20/2024)
02/21/2024	<u>97</u>	Third Amended Complaint for Patent Infringement against DBR Finance, Inc. Filed by Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A – US Patent No. 11,399,535, # <u>2</u> Exhibit B – Realtree Camo Article, # <u>3</u> Exhibit C – American Hunter Article, # <u>4</u> Exhibit D – Grandview Outdoors Article, # <u>5</u> Exhibit E – Deer and Deer Hunting Article, # <u>6</u> Exhibit F – Gritr Outdoors Blog, # <u>7</u> Exhibit G – Inside Archery, April 2022, # <u>8</u> Exhibit H – Claim Chart) (Wolter, Robert) (Entered: 02/21/2024)
03/05/2024	<u>98</u>	Brief in <i>Opposition to Stay the Instant Case</i> filed by Rugged Cross Hunting Blinds, LLC. Related document(s) <u>96</u> . (Attachments: # <u>1</u> Exhibit A – Declaration of Robert L. Wolter with attached exhibits A1 to A7) (Wolter, Robert) Modified text on 3/11/2024 (B,DL). (Entered: 03/05/2024)
03/05/2024	<u>99</u>	Brief in <i>Support of Stay</i> filed by DBR Finance, Inc.. Related document(s) <u>96</u> . (Abdelnour, Dennis) (Entered: 03/05/2024)
03/06/2024	<u>100</u>	Answer to <u>97</u> Amended Complaint, and Counterclaims against Rugged Cross Hunting Blinds, LLC filed by DBR Finance, Inc. (Attachments: # <u>1</u> Exhibit 1–Letter containing exhibits from opposing counsel)(Abdelnour, Dennis) Modified text on 3/12/2024 (F,AW) (Entered: 03/06/2024)