

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:22-cv-00690-jdp**

Rugged Cross Hunting Blinds, LLC v. FeraDyne Outdoors, LLC Date Filed: 12/05/2022
Assigned to: District Judge James D. Peterson Jury Demand: Both
Referred to: Magistrate Judge Stephen L. Crocker Nature of Suit: 830 Patent
Cause: 35:271 Patent Infringement Jurisdiction: Federal Question

Plaintiff**Rugged Cross Hunting Blinds, LLC**

represented by **Amber Neilson Davis**
Wolter Van Dyke Davis, PLLC
1900 Summit Tower Boulevard
Suite 140
Orlando, FL 32810
407-926-7716
Fax: 407-926-7720
Email: adavis@savvyIPLaw.com
ATTORNEY TO BE NOTICED

Robert Lewis Wolter
Wolter Van Dyke Davis, PLLC
1900 Summit Tower Boulevard
Suite 140
Orlando, FL 32810
407-926-7706
Email: rwolter@savvyiplaw.com
ATTORNEY TO BE NOTICED

V.

Defendant**FeraDyne Outdoors, LLC**

represented by **Craig Steven Krummen**
Greenberg Traurig, LLP
90 S. 7th Street, Ste. 3500
Minneapolis, MN 55402
612-259-9719
Email: krummenc@gtlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin Gilford
Greenberg Traurig, P.A.
8400 NW 36th Street
Suite 400
Miami, FL 33166
305-579-0500
Email: gilfordb@gtlaw.com
ATTORNEY TO BE NOTICED

Defendant

DBR Finance, Inc.
TERMINATED: 10/04/2023
formerly known as
Outdoor Product Innovations, Inc.
TERMINATED: 10/04/2023

represented by **Dennis Abdelnour**
Honigman LLP
155 North Wacker Drive
Suite 3100
Chicago, IL 60606
312-701-9348
Email: dabdelnour@honigman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer Lynn Gregor
Godfrey & Kahn S.C.
One East Main Street
Suite 500
P.O. Box 2719
Madison, WI 53701-2719
608-284-2629
Fax: 608-257-0609
Email: jgregor@gklaw.com
LEAD ATTORNEY

Todd G. Smith
Godfrey & Kahn S.C.
One East Main Street
Suite 500
P.O. Box 2719
Madison, WI 53701-2719
608-257-3911x2653
Email: tsmith@gklaw.com

Counter Claimant

FeraDyne Outdoors, LLC

represented by **Craig Steven Krummen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin Gilford
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Rugged Cross Hunting Blinds, LLC

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

Robert Lewis 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 AWIWDC-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) (Entered: 12/05/2022)
12/06/2022		Case randomly assigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (lak) (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) (Entered: 12/06/2022)
12/06/2022	<u>2</u>	Summons Issued as to FeraDyne Outdoors, LLC. (lak) (Entered: 12/06/2022)
12/07/2022	<u>3</u>	Corporate Disclosure Statement by Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) (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) (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) (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) (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) (Entered: 12/22/2022)
12/22/2022	<u>8</u>	Unopposed Motion for Extension of Time to File Answer or <i>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) (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) (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) (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) (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) (Entered: 01/13/2023)
01/13/2023	<u>12</u>	Corporate Disclosure Statement by Defendant FeraDyne Outdoors, LLC. (Krummen, Craig) (Entered: 01/13/2023)
01/17/2023	<u>13</u>	Notice by Plaintiff Rugged Cross Hunting Blinds, LLC of <i>Pendency of Other Actions</i> . (Wolter, Robert) (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) (Entered: 01/26/2023)
01/27/2023	<u>15</u>	** 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) (Entered: 01/27/2023)

02/06/2023	<u>16</u>	Joint Discovery Plan (Wolter, Robert) (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) (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) (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) (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) (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). (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) (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) (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) (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) (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) (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 <i>Memorandum of Law</i> 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) (Entered: 06/16/2023)
06/20/2023	26	** 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) (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) (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) (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) (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) (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) (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) (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) (Entered: 07/28/2023)
08/07/2023	33	** 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) (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) (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) (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) (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) (Entered: 08/28/2023)
08/28/2023	<u>38</u>	Corporate Disclosure Statement by Defendant DBR Finance, Inc.. (Smith, Todd) (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] (nlm) (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 AWIWD-3297786.) by Defendant DBR Finance, Inc.. (Abdelnour, Dennis) (Entered: 08/29/2023)
08/30/2023	40	** 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) (Entered: 08/30/2023)
09/05/2023	<u>41</u>	Unopposed Motion for Extension of Time to Respond to Motion to Dismiss and Memorandum of Law in Support Thereof by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Wolter, Robert) Modified on 9/5/2023. (lak) (Entered: 09/05/2023)
09/05/2023	42	** 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) (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) (Entered: 09/06/2023)
09/15/2023	<u>44</u>	Joint Discovery Plan (Wolter, Robert) (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) (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. (<u>Sealed Document</u>) (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) (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) (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. (nlm) Modified on 9/25/2023 (nlm). (Entered: 09/25/2023)
09/26/2023	<u>49</u>	Motion for Leave to File a Third Amended Complaint 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) (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) (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. <u>35</u> , and Rugged Cross's motion to file a third amended complaint, Dkt. <u>49</u> , are DENIED as moot. Signed by District Judge James D. Peterson on 10/4/2023. (voc) (Entered: 10/04/2023)
11/03/2023	<u>52</u>	** 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) (Entered: 11/03/2023)
11/10/2023	<u>53</u>	Response re: <u>52</u> 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) (Entered: 11/10/2023)
11/15/2023	<u>54</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) (Entered: 11/15/2023)
01/24/2024	<u>55</u>	Motion to Stay by Defendant FeraDyne Outdoors, LLC. Response due 1/31/2024. (Krummen, Craig) (Entered: 01/24/2024)
01/24/2024	<u>56</u>	Brief in Support of <u>55</u> Motion to Stay by Defendant FeraDyne Outdoors, LLC (Krummen, Craig) (Entered: 01/24/2024)
01/24/2024	<u>57</u>	Declaration of Craig S. Krummen filed by Defendant FeraDyne Outdoors, LLC re: <u>55</u> Motion to Stay (Attachments: # <u>1</u> Exhibit A- The Noco Company v. Shenzhen Valuelink E Commerce Co. LTD Order, # <u>2</u> Exhibit B- ImmerVision Inc. V. Apple Inc. Oral Order, # <u>3</u> Exhibit C- Horizon Global Americas Inc. V. Northern Stampings Inc. Memo Opinion and Order) (Krummen, Craig) (Entered: 01/24/2024)
01/25/2024		Set Briefing Deadlines as to <u>55</u> Motion to Stay Defendant FeraDyne Outdoors, LLC . Brief in Opposition due 2/8/2024. (voc/lv) (Entered: 01/25/2024)
02/08/2024	<u>58</u>	Disregard (<u>Sealed Document</u>) Modified on 2/9/2024. (lak) (Entered: 02/08/2024)
02/08/2024	<u>59</u>	Disregard. Modified on 2/9/2024. (lak) (Entered: 02/08/2024)
02/09/2024	<u>60</u>	Brief in Opposition by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC re: <u>55</u> Motion to Stay filed by FeraDyne Outdoors, LLC (<u>Sealed Document</u>) (Attachments: # <u>1</u> Exhibit A - License Agreement, # <u>2</u> Exhibit B - Correspondence, # <u>3</u> Exhibit C - Preliminary Scheduling Order (Arbitration), # <u>4</u> Exhibit G - Asset Purchase Agreement) (Wolter, Robert) (Entered: 02/09/2024)
02/09/2024	<u>61</u>	Declaration of Robert Ransom filed by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC <i>in Support Response in Opposition</i> re: <u>55</u> Motion to Stay (Wolter, Robert) Modified on 2/9/2024. (lak)

		(Entered: 02/09/2024)
02/09/2024	<u>62</u>	Declaration of Christopher Seaton filed by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC <i>in Support of Response in Opposition</i> re: <u>55</u> Motion to Stay (Wolter, Robert) Modified on 2/9/2024. (lak) (Entered: 02/09/2024)
02/09/2024	<u>63</u>	Declaration of Robert L. Wolter filed by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC <i>in Support of Response in Opposition</i> re: <u>55</u> Motion to Stay (<u>Sealed Document</u>) (Attachments: # <u>1</u> Exhibit E-1 Gross Sales Rhino Blinds, # <u>2</u> Exhibit E-2 Units/Sales Spreadsheets, # <u>3</u> Exhibit E-3 Patent and Trademark License Agreement) (Wolter, Robert) Modified on 2/9/2024. (lak) (Entered: 02/09/2024)
02/09/2024	<u>64</u>	Redacted Document re: <u>60</u> Brief in Opposition by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit A - License Agreement, # <u>2</u> Exhibit B - Correspondence, # <u>3</u> Exhibit C - Preliminary Scheduling Order (Arbitration), # <u>4</u> Exhibit G - Asset Purchase Agreement) (Wolter, Robert) Modified on 2/9/2024. (lak) (Entered: 02/09/2024)
02/09/2024	<u>65</u>	Redacted Document re: <u>63</u> Declaration of Robert L. Wolter filed by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC. (Attachments: # <u>1</u> Exhibit E-1 Gross Sales Rhino Blinds, # <u>2</u> Exhibit E-2 Units/Sales Spreadsheets, # <u>3</u> Exhibit E-3 Patent and Trademark License Agreement) (Wolter, Robert) Modified on 2/9/2024. (lak) (Entered: 02/09/2024)
02/09/2024	66	** TEXT ONLY ORDER ** Defendant FeraDyne Outdoors has moved to stay this patent case pending possible <i>inter partes</i> review of the patent at issue here. The petition was filed with the United States Patent and Trademark Office's Patent Trial and Appeal Board (PTAB) on December 8, 2023. PTAB generally takes about six months to determine whether to initiate review. Absent compelling circumstances, the court will not stay a patent case because of a mere petition for <i>inter partes</i> review. FeraDyne does not show compelling circumstances, but relies on only generally applicable reasons to stay the case. Accordingly, FeraDyne's motion to stay, Dkt. <u>55</u> , is DENIED. If PTAB grants the petition and initiates review, FeraDyne is encouraged to renew its motion for a stay. Signed by District Judge James D. Peterson on 02/09/2024. (acd) (Entered: 02/09/2024)
02/20/2024	<u>67</u>	Preliminary Disclosure of Infringement Contentions by Counter Defendant Rugged Cross Hunting Blinds, LLC, Plaintiff Rugged Cross Hunting Blinds, LLC (Wolter, Robert) (Entered: 02/20/2024)
02/22/2024	<u>68</u>	Motion to Admit Benjamin Gilford Pro Hac Vice. (Pro Hac Vice fee \$ 100 receipt number AWIWDG-3381464.) by Counter Claimant FeraDyne Outdoors, LLC, Defendant FeraDyne Outdoors, LLC. (Gilford, Benjamin) (Entered: 02/22/2024)
02/23/2024	69	** TEXT ONLY ORDER ** ORDER granting <u>68</u> Motion to Admit Benjamin P. Gilford Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 2/23/2024. (lak) (Entered: 02/23/2024)