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**United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:07-cv-00926-JPS**

Metso Minerals Industries Inc v. FLSmidth-Excel LLC
Assigned to: Judge J P Stadtmueller
Cause: 35:145 Patent Infringement

Date Filed: 10/17/2007
Date Terminated: 06/10/2010
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

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Date Filed	#	Docket Text
10/17/2007	<u>1</u>	COMPLAINT (Summons issued) against FLSmidth-Excel LLC filed by Metso Minerals Industries Inc. Consent Forms Distributed for Magistrate Judge Aaron E. Goodstein. Jury Demand; (Filing Fee Paid \$350-Receipt # 101-130502). (Attachments: # <u>1</u> Civil Cover Sheet)(mlm) PDF exhibits received from filer. 10-18-07 (mlm) (Entered: 10/18/2007)
10/17/2007	<u>2</u>	CERTIFICATE of Interest by Metso Minerals Industries Inc. (mlm) (Entered: 10/18/2007)
11/02/2007	<u>3</u>	Refusal to Jurisdiction by US Magistrate Judge by Metso Minerals Industries Inc. (Wilbert, Johanna)

11/05/2007		Due to the non-consent of the parties, this case has been randomly reassigned to Judge Charles N Clevert, Jr.; Judge Aaron E Goodstein no longer assigned to the case (vkb)
11/30/2007	4	CERTIFICATE of Interest by FLSmidth-Excel LLC. (Hanson, David)
11/30/2007	5	Consent to Jurisdiction by US Magistrate Judge by FLSmidth-Excel LLC. (Hanson, David)
11/30/2007	6	ANSWER to Complaint AND COUNTERCLAIM against Plaintiff with Jury Demand filed by FLSmidth-Excel LLC. (Hanson, David)
11/30/2007	7	CERTIFICATE OF SERVICE by FLSmidth-Excel LLC (Hanson, David)
12/13/2007	8	<i>Plaintiff's</i> ANSWER to Counterclaim re 6 filed by Metso Minerals Industries Inc. (Cross, David)
12/13/2007	9	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Cross, David)
12/18/2007	10	NOTICE of Scheduling Conference set for 1/30/2008 11:00 AM in Courtroom 222 before Judge Charles N Clevert Jr. (Attachments: # 1 Case Management Procedures) ((mj), C. N. CLEVERT, JR.)
01/22/2008	11	JOINT REPORT of Rule 26(f) Plan by all parties. (Cross, David)
01/30/2008	12	MINUTE ORDER. Scheduling Conference held on 1/30/08. STATUS CONFERENCE is set for 5/16/08 at 1:30 PM. Court adopts timetable proposed by parties in their report filed 1/22/08. Amended Pleadings are due 4/15/08; FACT Discovery is to be completed by 2/2/09; Expert Disclosures are due 2/16/09; Responsive Expert Disclosures are due 4/1/09; EXPERT Discovery is to be completed by 5/1/09; and any DISPOSITIVE MOTIONS are due by 6/5/09. See Report 11 for filing dates re claim construction. See Minutes for additional information.(Tape #11:04:41 to 11:07:21 and 11:14:03 to 11:21:01) ((kwb), C. N. Clevert, Jr.) (Entered: 01/31/2008)
01/30/2008		Set Deadlines/Hearings: Expert Discovery due by 5/1/2009 (kah) (Entered: 01/31/2008)
02/28/2008	13	AMENDED COMPLAINT against all defendants filed by Metso Minerals Industries Inc. Jury Demand. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C)(Wilbert, Johanna)
03/07/2008	14	MOTION to Compel <i>Discovery Responses</i> by Metso Minerals Industries Inc. (Wilbert, Johanna)
03/07/2008	15	BRIEF in Support filed by Metso Minerals Industries Inc re 14 MOTION to Compel <i>Discovery Responses</i> . (Wilbert, Johanna)
03/07/2008	16	DECLARATION of David R. Cross in Support of Metso's Motion to Compel <i>Discovery Responses</i> . (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Exhibit Exhibit F, # 7 Exhibit Exhibit G, # 8 Exhibit Exhibit H)(Wilbert, Johanna)
03/07/2008	17	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
03/18/2008	18	<i>Answer to Amended Complaint and Counterclaim</i> ANSWER to Complaint AND COUNTERCLAIM with Jury Demand filed by all defendants. (Hanson, David)
03/28/2008	19	STATEMENT by all plaintiffs (<i>of Correction and Narrowing of Issues in Connection with Metso's Motion to Compel</i>). (Cross, David)
03/31/2008	20	BRIEF in Opposition filed by all defendants re 14 MOTION to Compel <i>Discovery Responses</i> . (Attachments: # 1 Affidavit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5

		Exhibit, # 6 Exhibit)(Lindner, Amy)
04/03/2008	21	ANSWER to Counterclaim re 18 filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
04/03/2008	22	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
04/03/2008	23	CERTIFICATE OF SERVICE by all defendants (Lindner, Amy)
04/08/2008	24	TRANSCRIPT of Scheduling Conference held on January 30, 2008 before Judge Charles N. Clevert - (IN PAPER FORMAT). (kah)
04/10/2008	25	STIPULATION to Extend the 4/15/08 Deadline to Amend Pleadings or Add Parties Without Motion by all parties. (Cross, David)
04/10/2008	26	PROPOSED [Proposed] Order Granting Extension of Time to Amend Pleadings or Add Parties Without Motion filed by all parties. (Cross, David)
04/11/2008	27	Docket Annotation to Atty Cross re: doc. 26. (kah)
04/11/2008	28	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 14 MOTION to Compel <i>Discovery Responses</i> . (Wilbert, Johanna)
04/11/2008	29	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
04/11/2008	30	ORDER signed by Judge Charles N Clevert, Jr on 4/11/08 GRANTING extension of time to amend pleadings or add parties without motion to 5/13/08. (cc: all counsel) ((cef) C. N. Clevert, Jr.)
04/14/2008	31	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 14 MOTION to Compel <i>Discovery Responses</i> -- <i>CORRECTED</i> . (Cross, David)
04/14/2008	32	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Cross, David)
04/17/2008	33	AMENDED COMPLAINT <i>Second Amended Complaint</i> against all defendants filed by Metso Minerals Industries Inc. Jury Demand. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Exhibit Exhibit F)(Wilbert, Johanna)
04/17/2008	34	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
05/13/2008	35	AMENDED COMPLAINT (<i>Third</i>) against all defendants filed by Metso Minerals Industries Inc. Jury Demand. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Wilbert, Johanna)
05/13/2008	36	AMENDED ANSWER to <i>Counterclaim</i> 18 Answer and Counterclaim filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
05/13/2008	37	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
05/16/2008	38	Joint MOTION for Protective Order by all parties. (Attachments: # 1 Text of Proposed Order)(Wilbert, Johanna)
05/16/2008	39	VERIFICATION of Rodney L. Cubbie of <i>Service on Cheryl A. Sullivan</i> . (Wilbert, Johanna)
05/16/2008	40	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
05/16/2008	41	(<i>Second Amended Complaint</i>) ANSWER to Complaint AND COUNTERCLAIM against Plaintiff filed by ~~Joseph P Martinez~~ FLSmidth-Excel LLC. (Hanson, David) Modified filers on 5/21/2008 (kah).

05/16/2008	42	(<i>Second Amended Complaint</i>) ANSWER to Complaint AND COUNTERCLAIM against Plaintiff with Jury Demand filed by Joseph P Martinez FLSmidth-Excel LLC. (Hanson, David) Modified filers on 5/21/2008 (kah).
05/16/2008	43	CERTIFICATE OF SERVICE by Joseph P Martinez, FLSmidth-Excel LLC (Hanson, David)
05/16/2008	44	CERTIFICATE OF SERVICE by Joseph P Martinez, FLSmidth-Excel LLC (<i>Corrected</i>) (Hanson, David)
05/16/2008	45	(<i>Second Amended Complaint</i>) ANSWER to Complaint AND COUNTERCLAIM against Plaintiff with Jury Demand filed by Excel Foundry & Machine Inc. (Hanson, David)
05/16/2008	46	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc (Hanson, David)
05/16/2008	56	MINUTE ORDER. Status Conference held on 5/16/08. Plaintiff's Motion 14 to Compel is Moot. Court adopts the oral stipulation of the parties to extend all deadlines set forth in the Joint Report 11 by 4 months, except as to paragraph (g) regarding claim construction. Counsel is to file an Amended Joint Report. Atty Cubbie accepts service of Third Amended Complaint on behalf of Cheryl Martinez. (Tape #1:32:19 to 1:38:21) ((kwb), C. N. Clevert, Jr.) (Entered: 06/14/2008)
05/22/2008	47	PROTECTIVE ORDER REGARDING CONFIDENTIAL INFORMATION signed by Judge Charles N Clevert, Jr on 5/22/08 granting Motion 38 . (cc: all counsel) ((mj), C. N. CLEVERT, JR.)
06/02/2008	48	ANSWER to Counterclaim re 45 filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
06/02/2008	49	ANSWER to Counterclaim re 41 filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
06/02/2008	50	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
06/04/2008	51	ANSWER to 35 Amended Complaint with Jury Demand by Cheryl A Sullivan.(Cubbie, Rodney)
06/04/2008	52	CERTIFICATE OF SERVICE by Cheryl A Sullivan (Cubbie, Rodney)
06/05/2008	53	ANSWER to Complaint AND COUNTERCLAIM against Metso Mineral Industries, Inc. with Jury Demand filed by FLSmidth-Excel LLC <i>Answer to Third Amended Complaint, Affirmative Defenses, and Counterclaim</i> . (Attachments: # 1 Certificate of Service)(Picone, John)
06/05/2008	54	ANSWER to 35 Amended Complaint with Jury Demand <i>Answer to Third Amended Complaint and Affirmative Defenses</i> by Joseph P Martinez. (Attachments: # 1 Certificate of Service)(Picone, John)
06/05/2008	55	ANSWER to Complaint AND COUNTERCLAIM against Metso Mineral Industries, Inc. with Jury Demand filed by Excel Foundry & Machine Inc <i>Answer to Third Amended Complaint, Affirmative Defenses, and Counterclaim</i> . (Attachments: # 1 Certificate of Service)(Picone, John)
06/16/2008	57	ANSWER to Counterclaim re 53 <i>Excel's counterclaim</i> filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
06/16/2008	58	ANSWER to Counterclaim re 55 <i>Foundry's counterclaim</i> filed by Metso Minerals Industries Inc. (Wilbert, Johanna)

06/16/2008	59	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
07/11/2008	60	<i>Supplemental Joint</i> REPORT of Rule 26(f) Plan by Metso Minerals Industries Inc. (Cross, David)
07/28/2008	61	ORDER ADOPTING PROPOSED SCHEDULE signed by Judge Charles N Clevert, Jr on 7/28/08. It is ordered that the schedule and other discovery stipulations set forth in the joint report filed 7/11/08 are adopted and the schedule is as follows: Amended Pleadings due by 10/1/2008; Fact Discovery due by 6/2/2009; Plaintiff's Expert Witness List due by 6/16/2009; Defendant's Expert Witness List due by 8/3/2009; Expert discovery due by 9/1/09; Summary Judgment and Dispositive Motions due by 10/5/2009. Further ordering that the claim construction dates set forth in the joint report filed on 1/22/08 11 , are adopted, including that a joint claim construction statement be filed with the court by 8/6/09. (cc: all counsel)((cef), C. N. Clevert, Jr.)
07/28/2008		Set Deadlines/Hearings: Expert Discovery due by 9/1/2009 (kah) (Entered: 07/29/2008)
08/06/2008	62	STATEMENT by Metso Minerals, FL Smidth-Excel, and Excel Foundry & Machine Inc ~~all parties~~ (<i>Joint Claim Construction Statement</i>). (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cross, David) Modified filers per phone call on 8/6/2008 (kah).
09/09/2008	63	STIPULATION <i>to Extend the 10/1/08 Deadline to Amend Pleadings or Add Parties Without Motion</i> by all parties. (Attachments: # 1 Text of Proposed Order Text of Proposed Order)(Cross, David)
09/11/2008	64	ORDER Granting Extension of Time to Amend Pleadings or Add Parties Without Motion signed by Judge Charles N Clevert, Jr on 9/11/08 re Stipulation 63 . (cc: all counsel)((cef), C. N. Clevert, Jr.) (Entered: 09/12/2008)
09/26/2008	65	BRIEF filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC <i>Markman Claim Construction Brief</i> . (Lindner, Amy)
09/26/2008	66	BRIEF filed by Metso Minerals Industries Inc <i>Markman Claim Construction Brief</i> . (Wilbert, Johanna)
09/26/2008	67	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
09/26/2008	69	Joint APPENDIX for Opening Claim Construction Brief by Metso Minerals Industries Inc - (IN PAPER FORMAT) (kah) (Entered: 09/29/2008)
09/29/2008	68	AMENDED COMPLAINT (<i>FOURTH</i>) against all defendants filed by Metso Minerals Industries Inc. Jury Demand. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)(Cross, David)
10/20/2008	70	ANSWER to 68 Amended Complaint, with Jury Demand <i>and Affirmative Defenses</i> by Cheryl A Sullivan. (Attachments: # 1 Certificate of Service)(Cubbie, Rodney)
11/07/2008	71	<i>Answer to Fourth Amended Complaint, Affirmative Defenses, and Counterclaim</i> ANSWER to Complaint AND COUNTERCLAIM against Plaintiff with Jury Demand filed by Excel Foundry & Machine Inc. (Picone, John)
11/07/2008	72	ANSWER to 68 Amended Complaint, with Jury Demand by Richard A Parsons. (Picone, John)
11/07/2008	73	ANSWER to 68 Amended Complaint, with Jury Demand by Douglas M Parsons. (Picone, John)
11/07/2008	74	ANSWER to 68 Amended Complaint, with Jury Demand by Kenneth L Olson.(Picone, John)

11/07/2008	75	<i>Answer to Fourth Amended Complaint, Affirmative Defenses, and Counterclaim</i> ANSWER to Complaint AND COUNTERCLAIM against Plaintiff with Jury Demand filed by FLSmidth-Excel LLC. (Picone, John)
11/07/2008	76	ANSWER to 68 Amended Complaint, with Jury Demand by Joseph P Martinez. (Picone, John)
11/15/2008	77	ANSWER to Counterclaim re 75 filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
11/15/2008	78	ANSWER to Counterclaim re 71 filed by Metso Minerals Industries Inc. (Wilbert, Johanna)
12/02/2008	79	<i>Second Supplemental</i> REPORT of Rule 26(f) Plan by all parties. (Wilbert, Johanna)
12/05/2008	80	RESPONSE filed by FLSmidth-Excel LLC. (Attachments: # 1 Exhibit, # 2 Exhibit) (Lindner, Amy)
12/05/2008	81	BRIEF filed by all plaintiffs re 65 Brief (Non-Motion) <i>Response to Defendants Opening Claim Construction Brief</i> . (Wilbert, Johanna)
01/16/2009	82	AMENDED SCHEDULING ORDER: Scheduling Order of 7/28/08 61 is amended. See Order for details. (cc: all counsel)((cef), C. N. Clevert, Jr.) (Entered: 01/23/2009)
06/03/2009	83	STIPULATION to Amend the Complaint and ~~MOTION~~ to Add Party <i>Christopher D. Wade as a Defendant</i> . by Metso Minerals Industries Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit A to Exhibit 2, # 4 Exhibit B to Exhibit 2, # 5 Exhibit C to Exhibit 2, # 6 Exhibit D to Exhibit 2, # 7 Exhibit E to Exhibit 2, # 8 Exhibit F to Exhibit 2, # 9 Exhibit G to Exhibit 2, # 10 Exhibit H to Exhibit 2, # 11 Text of Proposed Order, # 12 Certificate of Service)(Wilbert, Johanna) Modified event on 6/4/2009 (kah).
06/04/2009	84	Docket Annotation to Atty Wilbert re: doc. 83. (kah)
06/08/2009	85	ORDER Granting Stipulated Motion to Amend the Complaint to Add Christopher D. Wade as a Defendant 83 . The Clerk of Court is directed to detach the Fifth Amended Complaint from the parties' motion and docket the same. (cc: all counsel)((cef), C. N. Clevert, Jr.)
06/08/2009	86	AMENDED DOCUMENT by all parties. <i>Amendment to Protective Order</i> (Wilbert, Johanna)
06/08/2009	87	FIFTH AMENDED COMPLAINT against all defts filed by Metso Minerals Industries Inc. Jury Demand. Added Christopher P Wade.(kah) (Additional attachment(s) added on 6/19/2009: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H) (kah). (Entered: 06/09/2009)
06/19/2009	88	Docket Annotation: Exhibits A-H now attached to doc 87 Fifth Amended Complaint. (Attachments: # 1 Exhibit B, # 2 Exhibit C, # 3 Exhibit D, # 4 Exhibit E, # 5 Exhibit F, # 6 Exhibit G, # 7 Exhibit H) (kah)
07/02/2009	89	BRIEF IN SUPPORT re 93 Motion to Compel ~~MOTION to Compel~~ <i>FLSmidth-Excel LLC, Excel Foundry & Machine, Inc., Joseph P. Martinez, Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons and Christopher P. Wade's Brief in Support of their Motion to Compel Discovery Responses (Pursuant to FRCP section 33 and section 37)</i> by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, Joseph P Martinez, FLSmidth-Excel LLC. (Attachments: # 1 Text of Proposed Order [Proposed] Order Granting FLSmidth-Excel LLC, Excel Foundry & Machine, Inc., Joseph P. Martinez, Kenneth L. Olson, Douglas

		M. Parsons, Richard A. Parsons and Christopher P. Wade's Motion to Compel Discovery Responses (Pursuant to FRCP sections 33 and 37))(Picone, John) Modified event and link on 7/7/2009 (kah).
07/02/2009	90	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel LLC, Excel Foundry & Machine, Inc., Joseph P. Martinez, Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons and Christopher P. Wade's Brief in Support of their Motion to Compel Discovery Responses (Pursuant to FRCP section 33 and section 37)</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6-1, # 7 Exhibit 6-2, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12)(Picone, John)
07/02/2009	91	DECLARATION of Douglas M. Parsons <i>in Support of FLSmidth-Excel LLC, Excel Foundry & Machine, Inc., Joseph P. Martinez, Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons and Christopher P. Wade's Brief in Support of their Motion to Compel Discovery Responses (Pursuant to FRCP section 33 and section 37)</i> . (Picone, John)
07/06/2009	92	Docket Annotation to Atty Picone re: doc. 89. (kah)
07/06/2009	93	MOTION to Compel <i>FLSmidth-Excel LLC, Excel Foundry & Machine, Inc., Joseph P. Martinez, Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons and Christopher P. Wade's Motion to Compel Discovery Responses (Pursuant to FRCP section 33 and section 37)</i> by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, Joseph P Martinez, FLSmidth-Excel LLC. (Picone, John)
07/06/2009	94	ANSWER to 87 Amended Complaint, with Jury Demand <i>Answer to Fifth Amended Complaint and Affirmative Defenses; Demand for Jury Trial</i> by Christopher P Wade. (Picone, John)
07/27/2009	95	MOTION to Seal Document by all plaintiffs. (Attachments: # 1 Text of Proposed Order)(Cross, David)
07/27/2009	96	Redacted BRIEF in Opposition re 93 Motion to Compel filed by plaintiff (Cross, David) Modified on 7/28/2009 (vkb)
07/27/2009	97	CERTIFICATE OF SERVICE by all plaintiffs (Cross, David)
07/27/2009	98	DECLARATION of David R. Cross <i>in Opposition to Defendants' Motion to Compel</i> . (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit G, # 4 Exhibit H, # 5 Exhibit J, # 6 Exhibit K, # 7 Exhibit M, # 8 Exhibit N, # 9 Exhibit O, # 10 Exhibit P, # 11 Exhibit Q, # 12 Exhibit R, # 13 Exhibit S, # 14 Exhibit T, # 15 Exhibit U)(Cross, David)
07/27/2009	99	SEALED EXHIBIT C to 98 Declaration in Opposition filed by plaintiff(vkb) (Entered: 07/28/2009)
07/27/2009	100	SEALED EXHIBITS D, E, F, I and L to 98 Declaration in Opposition filed by plaintiff(vkb) (Entered: 07/28/2009)
07/27/2009	101	SEALED BRIEF in Opposition re 93 Motion to Compel filed by plaintiff (vkb) (Entered: 07/28/2009)
07/29/2009	102	NOTICE of Appearance by Jeffrey Morris on behalf of all plaintiffs. Attorney(s) appearing: Jeffrey Morris (Morris, Jeffrey)
08/03/2009	103	STIPULATION <i>and Order for Substitution of Counsel</i> by Joseph P Martinez. (Bach, Daniel)

08/03/2009	104	NOTICE of Appearance by Daniel P Bach on behalf of Joseph P Martinez. Attorney(s) appearing: Daniel P. Bach (Attachments: # 1 Certificate of Service re Substitution of Counsel and Notice of Appearance for Joseph Martinez)(Bach, Daniel)
08/05/2009	105	AFFIDAVIT of David R. Cross <i>in Support of Metso's Application for Issuance of a Letter of Request</i> . (Attachments: # 1 Exhibit A)(Morris, Jeffrey)
08/05/2009	106	MOTION for Issuance of Letters Rogatory by all plaintiffs. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(Morris, Jeffrey)
08/05/2009	107	CERTIFICATE OF SERVICE by all plaintiffs (Morris, Jeffrey)
08/06/2009	108	LETTER from Jeffrey Morris (<i>Letter of Request</i>). (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Morris, Jeffrey)
08/10/2009	109	BRIEF in Opposition filed by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, FLSmidth-Excel LLC re 106 MOTION for Issuance of Letters Rogatory <i>Defendants' Opposition to Rule 7.4 Expedited Non-Dispositive Motion</i> . (Attachments: # 1 Text of Proposed Order)(Picone, John)
08/10/2009	110	DECLARATION of John V. Picone III <i>in Support of Defendants' Opposition to Rule 7.4 Expedited Non-Dispositive Motion</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8) (Picone, John)
08/10/2009	111	CERTIFICATE OF SERVICE by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, FLSmidth-Excel LLC (Picone, John)
08/11/2009	112	Joint MOTION to Modify <i>FLSmidth-Excel LLC and Metso Minerals Industries, Inc.'s Joint Expedited Motion to Dissolve/Modify Protective Order and Sealing Order (Rule 7.4 Expedited Non-Dispositive Motion)</i> ~~MOTION to Seal~~ by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Metso Minerals Industries Inc, Excel Foundry & Machine Inc, FLSmidth-Excel LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Text of Proposed Order)(Picone, John) Modified on 8/12/2009 (vkb)
08/11/2009	113	CERTIFICATE OF SERVICE by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Metso Minerals Industries Inc, Excel Foundry & Machine Inc, FLSmidth-Excel LLC (Picone, John)
08/11/2009	114	MOTION for Partial Summary Judgment <i>on Defendant's counterclaims for unfair competition, tortious interference with contract and intentional interference with prospective economic advantage</i> by Metso Minerals Industries Inc. (Wilbert, Johanna) Modified on 8/12/2009 (vkb)
08/11/2009	115	BRIEF in Support filed by Metso Minerals Industries Inc re 114 MOTION for Summary Judgment <i>on Defendant's counterclaims for unfair competition, tortious interference with contract and intentional interference with prospective economic advantage</i> . (Wilbert, Johanna)
08/11/2009	116	DECLARATION of David R. Cross in Support of Plaintiff's Motion for Partial Summary Judgement. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J)(Wilbert, Johanna)

08/11/2009	117	STATEMENT OF FACT by Metso Minerals Industries Inc <i>in Support of Plaintiff's Motion for Partial Summary Judgment.</i> (Wilbert, Johanna)
08/11/2009	118	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
08/11/2009	121	ORDER Substituting Lawton & Cates as Defense Counsel for defendant Joseph P. Martinez pursuant to Stipulation 103 . (cc: all counsel)((cef), C. N. Clevert, Jr.) (Entered: 08/12/2009)
08/12/2009	119	DISREGARD, Incorrect attachment; see 120 LETTER from John V. Picone III with ~~Amended Exhibits to Declaration of John V. Picone III, in Support of Defendants' Opposition to Rule 7.4 Expedited Non-Dispositive Motion.~~ (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Picone, John) Modified on 8/12/2009 (vkb)
08/12/2009	120	LETTER from John V. Picone III with <i>Amended Exhibits to Declaration of John V. Picone III in Support of Defendants' Opposition to Rule 7.4 Expedited Non-Dispositive Motion.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Picone, John)
08/12/2009	122	<i>Third Supplemental Joint</i> REPORT of Rule 26(f) Plan by all parties. (Wilbert, Johanna)
08/12/2009		NOTICE: Motion Hearing is set for 8/27/09 at 9:00 AM in Courtroom 222 before Judge Charles N Clevert Jr. ((cef), C. N. Clevert, Jr.)
08/13/2009	123	STIPULATION <i>for Extension of Time for Defendants to Reply to Plaintiff Metso Minerals Industries, Inc.'s Opposition to Defendants' Motion to Compel Discovery Responses</i> by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Metso Minerals Industries Inc, Excel Foundry & Machine Inc, FLSmidth-Excel LLC. (Attachments: # 1 Text of Proposed Order)(Picone, John)
08/13/2009	124	CERTIFICATE OF SERVICE by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, FLSmidth-Excel LLC (Picone, John)
08/14/2009		ORAL ORDER Granting Stipulation 123 for extension of time for defendants to reply to plaintiff's opposition to defendants' motion to compel discovery responses. (cc: all counsel)((cef), C. N. Clevert, Jr.)
08/20/2009	125	REPLY BRIEF in Support filed by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, Joseph P Martinez, FLSmidth-Excel LLC <i>Reply Brief in Support of 93 Motion to Compel Discovery Responses.</i> (Attachments: # 1 Amended Proposed Order, # 2 Certificate of Service) (Picone, John) Modified on 8/21/2009 (vkb)
08/20/2009	126	OBJECTIONS by Richard A Parsons, Douglas M Parsons, Kenneth L Olson, Christopher P Wade, Excel Foundry & Machine Inc, Joseph P Martinez, FLSmidth-Excel LLC <i>Objections to Purported Evidence Submitted by Plaintiff Metso Minerals Industries, Inc. in Opposition to Defendants' Motion to Compel Discovery Responses.</i> (Picone, John)
08/20/2009	127	DECLARATION of John V. Picone III <i>in Support of Reply Brief in Support of Defendants' Motion to Compel Discovery Responses.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Picone, John)
08/21/2009	128	ORDER Denying Civil L.R. 7.4 Motion to Dissolve/Modify Protective and Sealing Orders 112 . (cc: all counsel) ((cef), C. N. Clevert, Jr.)
08/25/2009		NOTICE of Cancellation of Motion Hearing set for 8/27/09 at 9:00 AM. Further scheduling to be set by the court. (cc: all counsel) ((cef), C. N. Clevert, Jr.)

08/26/2009	129	NOTICE of Appearance by Cheri L Baden on behalf of Metso Minerals Industries Inc. Attorney(s) appearing: Cheri L. Baden and Patrick J. Murphy (Baden, Cheri)
08/26/2009	130	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Baden, Cheri)
08/26/2009	131	NOTICE of Appearance by Patrick J Murphy on behalf of Metso Minerals Industries Inc. Attorney(s) appearing: Patrick J. Murphy (Murphy, Patrick)
08/26/2009	132	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Murphy, Patrick)
09/01/2009	133	ORDER REASSIGNING CASE. Case reassigned to Judge J P Stadtmueller for all further proceedings. Chief Judge Charles N Clevert, Jr no longer assigned to case. (cc: all counsel)((cef), C. N. Clevert, Jr.) (Entered: 09/02/2009)
09/03/2009	134	NOTICE of Change of Address by Daniel P Bach (Bach, Daniel)
09/14/2009	135	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 114 MOTION for Partial Summary Judgment <i>Defendant FLSmidth-Excel LLC's Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage.</i> (Picone, John)
09/14/2009	136	STATEMENT OF FACT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>Defendant FLSmidth-Excel LLC's Statement of Additional Material Facts in Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage.</i> (Picone, John)
09/14/2009	137	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 117 Metso's STATEMENT OF UNDISPUTED FACTS ~~114 MOTION for Partial Summary Judgment~~ <i>Defendant FLSmidth-Excel LLC's Opposition to Metso's Statement of Undisputed Facts in Support of its Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage</i> (Picone, John) Modified on 9/15/2009 (vkb)
09/14/2009	138	OBJECTIONS by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>to Declaration of David R. Cross in Support of Plaintiff's Motion for Partial Summary Judgment.</i> (Picone, John)
09/14/2009	139	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel LLC's Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)(Picone, John)
09/14/2009	140	DECLARATION of Jennifer S. Coleman <i>in Support of FLSmidth-Excel LLC's Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage.</i> (Attachments: # 1 Exhibit A-1, # 2 Exhibit A-2, # 3 Exhibit B)(Picone, John)

09/14/2009	141	DECLARATION of Gary Beerkircher <i>in Support of FLSmidth-Excel LLC's Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Picone, John)
09/14/2009	142	DECLARATION of Ron Doty <i>in Support of Defendant FLSmidth-Excel LLC's Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage.</i> (Picone, John)
09/14/2009	143	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
09/16/2009	144	RESPONSE to [Plaintiff's Fourth Set of Requests for Admission] filed by Joseph P Martinez (Bach, Daniel) Modified on 9/17/2009 (mlm).
09/16/2009	145	RESPONSE [to Plaintiff's Fifth Set of Requests for Admission] filed by Joseph P Martinez (Bach, Daniel) Modified on 9/17/2009 (mlm).
09/18/2009	146	AMENDED DOCUMENT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. <i>Amended Declaration of Gary Beerkircher in Support of FLSmidth-Excel LLC's Opposition to Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage (correcting Bates range reference in Exhibit D)</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Picone, John)
09/18/2009	147	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
09/18/2009	148	MOTION to Compel <i>Production of Electronically Stored Information</i> by Metso Minerals Industries Inc. (Benkers, Josephine)
09/18/2009	149	BRIEF in Support filed by Metso Minerals Industries Inc re 148 MOTION to Compel <i>Production of Electronically Stored Information.</i> (Benkers, Josephine)
09/18/2009	150	DECLARATION of Michael Weil. (Benkers, Josephine)
09/18/2009	151	DECLARATION of Danny Aga <i>In Support of Metso's Motion to Compel.</i> (Attachments: # 1 Exhibit A, Expert CV, # 2 Exhibit B, List of e-mails)(Benkers, Josephine)
09/18/2009	152	DECLARATION of Patrick Murphy <i>In Support of Metso's Motion to Compel.</i> (Attachments: # 1 Exhibit A, Deposition Excerpt, # 2 Exhibit B, Discovery Responses, # 3 Exhibit C, Discovery Responses, # 4 Exhibit D, Email, # 5 Exhibit E, Email, # 6 Exhibit F, Email, # 7 Exhibit G, Email, # 8 Exhibit H, Email, # 9 Exhibit I, Email, # 10 Exhibit J, Email, # 11 Exhibit K, Email, # 12 Exhibit L, List of Emails, # 13 Exhibit M, Email, # 14 Exhibit N, Email, # 15 Exhibit O, Email)(Benkers, Josephine)
09/18/2009	153	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc <i>Of Documents In Support Of Metso's Motion To Compel</i> (Benkers, Josephine)

09/25/2009	154	STIPULATION <i>For Extension For Metso to File Reply To Metso's Motion for Partial Summary Judgment Dismissing Defendant FLSmidth-Excel, LLC's Counterclaims For Unfair Competition, Tortious Interference with Contract and Intentional Interference With Prospective Economic Advantage</i> by FLSmidth-Excel LLC, Metso Minerals Industries Inc. (Benkers, Josephine)
10/08/2009	155	MOTION to Strike <i>FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Strike Supplemental Initial Disclosures, or to Re-Open Discovery</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Picone, John)
10/08/2009	156	DECLARATION of John V. Picone III <i>in Support of Excel's Rule 7.4 Expedited Non-Dispositive Motion to Strike Supplemental Initial Disclosures, or to Re-Open Discovery</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Picone, John)
10/08/2009	157	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
10/09/2009	158	NOTICE of Appearance by Jennifer E Pawlowski on behalf of Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. Attorney(s) appearing: Jennifer E. Pawlowski (Pawlowski, Jennifer)
10/09/2009	159	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Pawlowski, Jennifer)
10/09/2009	160	RESPONSE filed by Metso Minerals Industries Inc re 138 Objections, <i>Metso Mineral Industries, Inc.'s Response to Defendants' Objections to the Declaration of David R. Cross in Support of Plaintiff's Motion for Partial Summary Judgment</i> (Cross, David)
10/09/2009	161	DECLARATION of (Supplementary Declaration of David R. Cross in Support of Metso's Motion for Summary Judgment Dismissing Excel's Counterclaims for Tortious Interference). (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D) (Cross, David)
10/09/2009	162	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 114 MOTION for Partial Summary Judgment. (Benkers, Josephine)
10/09/2009	163	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Cross, David)
10/09/2009	164	RESPONSE filed by Metso Minerals Industries Inc <i>Defendant FLSmidth-Excel LLC's Statement of Additional Material Facts In Opposition to Metso's Motion For Partial Summary Judgment Dismissing Defendant FLSmidth-Excel LLC's Counterclaims for Unfair Competition, Tortious Interference with Contract and Intentional Interference with Prospective Economic Advantage</i> (Benkers, Josephine)
10/09/2009	165	REPLY filed by Metso Minerals Industries Inc <i>to Defendant FLSmidth-Excel LLC's Opposition To Metso's Statement Of Undisputed Facts In Support Of Its Motion For Summary Judgment Dismissing FLSmidth-Excel's Counterclaims For Tortious Interference With Contract And Intentional Interference With Prospective Economic Advantage</i> . (Benkers, Josephine)
10/09/2009	166	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Benkers, Josephine)
10/13/2009	167	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 148

		MOTION to Compel <i>Production of Electronically Stored Information FLSmidth-Excel, LLC, Excel Foundry & Machine, Inc., Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons, and Christopher P. Wade's Opposition to Plaintiff Metso Minerals, Inc.'s Brief in Support of Motion to Compel Discovery (Pursuant to FRCP section 34 and section 37)</i> . (Attachments: # 1 Text of Proposed Order)(Picone, John)
10/13/2009	168	OBJECTIONS by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>Objections to Declaration of Patrick Murphy in Support of Plaintiff's Motion to Compel</i> . (Picone, John)
10/13/2009	169	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel, LLC, Excel Foundry & Machine, Inc., Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons, and Christopher P. Wade's Opposition to Plaintiff Metso Minerals, Inc.'s Motion to Compel Discovery (Pursuant to FRCP section 34 and section 37)</i> . (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)(Picone, John)
10/13/2009	170	DECLARATION of David Cowen <i>in Support of FLSmidth-Excel, LLC, Excel Foundry & Machine, Inc., Kenneth L. Olson, Douglas M. Parsons, Richard A. Parsons, and Christopher P. Wade's Opposition to Plaintiff Metso Minerals, Inc.'s Motion to Compel Discovery (Pursuant to FRCP section 34 and section 37)</i> . (Picone, John)
10/13/2009	171	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
10/19/2009	172	BRIEF in Opposition filed by Metso Minerals Industries Inc re 155 MOTION to Strike <i>FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Strike Supplemental Initial Disclosures, or to Re-Open Discovery</i> . (Cross, David)
10/19/2009	173	DECLARATION of David R. Cross in Opposition to Excel's Rule 7.4 Expedited Non-Dispositive Motion to Strike Supplemental Initial Disclosures. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F) (Cross, David)
10/23/2009	174	MOTION to Compel <i>Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order)(Picone, John)
10/23/2009	175	BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 174 MOTION to Compel <i>Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> MOTION to Compel <i>Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> Defendant <i>FLSmidth-Excel LLC's Memorandum of Points and Authorities in Support of its Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> . (Picone, John)

10/23/2009	176	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21) (Picone, John)
10/23/2009	177	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
10/30/2009	178	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 148 MOTION to Compel <i>Production of Electronically Stored Information</i> . (Benkers, Josephine)
10/30/2009	179	DECLARATION of Patrick Murphy. (Attachments: # 1 Exhibit A)(Benkers, Josephine)
10/30/2009	180	DECLARATION of Michael Weil (<i>Second</i>). (Benkers, Josephine)
10/30/2009	181	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc <i>of Reply In Support Of Motion To Compel</i> (Benkers, Josephine)
11/13/2009	182	MOTION to Compel <i>Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Produce a Fourth Amended Privilege Log in Compliance with its Discovery Obligations, or Alternatively, to Produce All Withheld Documents (Pursuant to FRCP § 26(b)(5)(A) and § 37)</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order)(Picone, John)
11/13/2009	183	BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>Defendant FLSmidth-Excel LLC's Memorandum of Points and Authorities in Support of its 183 Motion to Compel Metso to Produce a Fourth Amended Privilege Log in Compliance with its Discovery Obligations, or Alternatively, to Produce All Withheld Documents (Pursuant to FRCP § 26(b)(5)(A) and § 37)</i> . (Picone, John) Modified on 11/16/2009 (vkb)
11/13/2009	184	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel LLC's Motion to Compel Metso to Produce a Fourth Amended Privilege Log in Compliance with its Discovery Obligations, or Alternatively, to Produce All Withheld Documents (Pursuant to FRCP § 26(b)(5)(A) and § 37)</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21)(Picone, John)
11/13/2009	185	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
11/16/2009	186	RESPONSE to Motion filed by Metso Minerals Industries Inc re 174 MOTION to Compel <i>Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> MOTION to Compel <i>Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37)</i> . (Wilbert, Johanna)
11/16/2009	187	DECLARATION of Dean Kaja in Opposition to FLSmidth-Excel's Motion to Compel. (Wilbert, Johanna)

11/16/2009	188	DECLARATION of James Kutil <i>in opposition to FLSmidth-Excel's Motion to Compel.</i> (Wilbert, Johanna)
11/16/2009	189	DECLARATION of Robert Wissing <i>in Opposition to FLSmidth-Excel's Motion to Compel.</i> (Wilbert, Johanna)
11/16/2009	190	DECLARATION of Maggie Richter <i>in Opposition to FLSmidth-Excel's Motion to Compel.</i> (Wilbert, Johanna)
11/16/2009	191	DECLARATION of Patrick J. Murphy <i>in Opposition to FLSmidth-Excel's Motion to Compel Metso to Search for and Produce Documents.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Wilbert, Johanna)
11/16/2009	192	DECLARATION of Johanna M. Wilbert <i>in Opposition to FLSmidth-Excel's Motion to Compel Metso to Search for and Produce Documents.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Wilbert, Johanna)
11/16/2009	193	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
11/18/2009	194	RESPONSE to Motion filed by Metso Minerals Industries Inc re 174 MOTION to Compel Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37) MOTION to Compel Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37) Contains corrected references to paragraph numbers in Murphy and Richter Declarations. (Wilbert, Johanna)
12/02/2009	195	NOTICE of Hearing on Motions. Hearing on Discovery Motions set for 1/7/2010 at 10:00 AM in Courtroom 425, 517 E Wisconsin Ave., Milwaukee, WI before Judge J P Stadtmueller. (cc: all counsel)(nm)
12/02/2009	196	AMENDED NOTICE of Hearing on Motions. Hearing on Motions set for 1/7/2010 at 10:00 AM in Courtroom 425, 517 E Wisconsin Ave., Milwaukee, WI before Judge J P Stadtmueller. (cc: all counsel)(nm)
12/03/2009	197	REPLY BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 174 MOTION to Compel Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37) MOTION to Compel Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP 34 and 37) Reply Brief in Support of Defendant FLSmidth-Excel LLC's Motion to Compel Metso to Search for and Produce Documents (Pursuant to FRCP § 34 and § 37). (Picone, John)
12/03/2009	198	DECLARATION of John V. Picone III <i>Second Declaration of John V. Picone III in Support of FLSmidth-Excel LLC's Motion to Compel Metso to Search for and Produce Documents (Pursuant to FRCP § 34 and § 37).</i> (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Picone, John)
12/03/2009	199	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
12/07/2009	200	BRIEF in Opposition filed by Metso Minerals Industries Inc <i>opposing FLSmidth Excel LLC's Motion to Compel Production of a Fourth Amended Privilege Log.</i> (Wilbert, Johanna)
12/07/2009	201	DECLARATION of Johanna M. Wilbert <i>in Opposition to FLSmidth Excel LLC's Motion to Compel.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4

		Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J)(Wilbert, Johanna)
12/07/2009	202	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Wilbert, Johanna)
12/14/2009	203	Report from all parties <i>Fourth Supplemental Joint Rule 26(f) Report</i> . (Picone, John)
12/24/2009	204	REPLY BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>Defendant FLSmidth-Excel LLC's Reply Brief in Support of 182 Motion to Compel Metso to Produce a Fourth Amended Privilege Log in Compliance with its Discovery Obligations, or Alternatively, to Produce All Withheld Documents (Pursuant to FRCP § 26(b)(5)(A) and § 37)</i> . (Picone, John) Modified on 12/28/2009 (vkb)
12/24/2009	205	DECLARATION of John V. Picone III <i>Second Declaration of John V. Picone III in Support of FLSmidth-Excel LLC's Motion to Compel Metso to Produce a Fourth Amended Privilege Log in Compliance with its Discovery Obligations, or Alternatively, to Produce All Withheld Documents (Pursuant to FRCP § 26(b)(5)(A) and § 37)</i> . (Attachments: # 1 Exhibit 1)(Picone, John)
12/24/2009	206	CERTIFICATE OF SERVICE by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade (Picone, John)
01/05/2010	207	ORDER signed by Judge J P Stadtmueller on 1/5/10 granting 114 plaintiff's Motion for Partial Summary Judgment on Excel's Counterclaims for Unfair Competition, Tortious Interference with Contract, and Intentional Interference with Prospective Economic Advantage. See Order. (cc: all counsel) (nm)
01/06/2010	208	LETTER from David R. Cross. (Cross, David)
01/07/2010	209	Minute Order. Proceedings held before Judge J P Stadtmueller: denying 93 Motion to Compel; finding as moot 106 Motion for Issuance of Letters Rogatory; withdrawing 148 Motion to Compel; finding as moot 155 Motion to Strike ; withdrawing 174 Motion to Compel; withdrawing 182 Motion to Compel; Hearing Minutes held on 1/7/2010; (Final Pretrial Conference set for 6/10/2010 08:30 AM in Courtroom 425, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Judge J P Stadtmueller.). (Court Reporter John Schindhelm.) (Villeneuve, S Carey)
01/14/2010	210	MOTION to Exclude <i>Testimony and Opinions of Defs' Patent Law Expert Timothy Newholm</i> by Metso Minerals Industries Inc. (Cross, David)
01/14/2010	211	DECLARATION of David R. Cross <i>in Support of Metso's Motion to Exclude Testimony and Opinions of Defs' Patent Law Expert Timothy Newholm</i> . (Attachments: # 1 Exhibit A - Part 1, # 2 Exhibit A - Part 2, # 3 Exhibit A - Part 3, # 4 Exhibit B - Part 1, # 5 Exhibit B - Part 2)(Cross, David)
01/14/2010	212	BRIEF in Support filed by Metso Minerals Industries Inc re 210 MOTION to Exclude <i>Testimony and Opinions of Defs' Patent Law Expert Timothy Newholm</i> . (Cross, David)
01/14/2010	213	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Cross, David)
01/20/2010	214	ORDER signed by Judge J P Stadtmueller on 1/20/10 granting 95 plaintiff's Unopposed Motion Requesting Permission to File Under Seal certain documents as specified. (cc: all counsel) (nm)
02/02/2010	215	SCHEDULING ORDER signed by Judge J P Stadtmueller on 2/2/10: Dispositive Motions due by 2/18/10; responses due by 3/17/10; any reply due by 4/1/10; suggested

		guidelines for materials filed in support of motions for summary judgment. See Scheduling Order. (cc: all counsel)(nm)
02/02/2010	216	SCHEDULING ORDER signed by Judge J P Stadtmueller on 2/2/10: Interim Report on settlement progress due 5/10/10; Final Report on settlement progress due 6/1/10; Single Joint Final Pretrial Report due by close of business on 6/4/10; Final Pretrial Conference set for 6/10/10 at 8:30 AM in Courtroom 425, 517 E Wisconsin Ave., Milwaukee, WI before Judge J P Stadtmueller; Jury Trial set for 6/21/10 at 8:30 AM in Courtroom 425, 517 E Wisconsin Ave., Milwaukee, WI before Judge J P Stadtmueller. (cc: all counsel)(nm)
02/08/2010	217	NOTICE of Appearance by Thomas M Phillips on behalf of Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. Attorney(s) appearing: Thomas M. Phillips (Phillips, Thomas)
02/08/2010	218	RESPONSE to Motion filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 210 MOTION to Exclude <i>Testimony and Opinions of Defs' Patent Law Expert Timothy Newholm</i> . (Hanson, David)
02/08/2010	219	DECLARATION of David Hanson. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Hanson, David)
02/12/2010	220	MOTION to Exclude <i>Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey</i> by Metso Minerals Industries Inc. (Murphy, Patrick)
02/12/2010	221	BRIEF in Support filed by Metso Minerals Industries Inc re 220 MOTION to Exclude <i>Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey</i> . (Murphy, Patrick)
02/12/2010	222	DECLARATION of Patrick J. Murphy <i>in Support of Metso's Motion to Exclude Testimony and Opinions of the Excel Defendants' Expert Matthew Levey</i> filed as docket # 220. (Attachments: # 1 Exhibit A - Expert Report of Matthew Levey, dated Nov. 17, 2009, # 2 Exhibit B - Transcript from Dec. 11, 2009 deposition of Matthew Levey, # 3 Exhibit C - Select excerpts from rough transcript from Feb. 2, 2010 deposition of Matthew Levey)(Murphy, Patrick)
02/12/2010	223	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc <i>re docket #s 220, 221 and 222 Metso's Motion to Exclude Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey</i> (Murphy, Patrick)
02/16/2010	224	SUPPLEMENT by Metso Minerals Industries Inc <i>to docket # 222 Declaration of Patrick J. Murphy in Support of docket # 220 Metso's Motion to Exclude Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey</i> . (Attachments: # 1 Exhibit A - unreported decision In re FedEx Ground Package Sys., Inc. Employ. Practices Lit. cited in docket # 221 Metso's Brief in Support of docket #220 Metso's Motion to Exclude Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey) (Murphy, Patrick)
02/17/2010	225	STATEMENT OF FACT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade <i>Joint Statement of Undisputed Facts For Use in Connection with Summary Judgment Motions</i> . (Wilbert, Johanna)
02/18/2010	226	MOTION for Partial Summary Judgment <i>Dismissing Plaintiff's Trade Secret Claims Related to HP400 for Lack of Standing</i> by Excel Foundry & Machine Inc, FLSmidth-

		Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Lindner, Amy)
02/18/2010	227	APPENDIX by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade of <i>Unpublished Authorities in Supp of Motion for Partial SJ Dismissing Plaintiff's Trade Secret Claims Related to HP400 for Lack of Standing</i> . (Lindner, Amy)
02/18/2010	228	MOTION for Partial Summary Judgment <i>Dismissing Counts 11, 12, 26 adn 27 of Fifth Amended Complaint</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Lindner, Amy)
02/18/2010	229	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb)
02/18/2010	230	STATEMENT OF FACT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade in <i>Supp of Motion for Partial SJ Dismissing Counts 11, 12, 26 and 27 of Fifth Amended Complaint</i> . (Lindner, Amy)
02/18/2010	231	Joint MOTION to Seal Document <i>for use in connection with summary judgment motions</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Text of Proposed Order Propose order to file under seal)(Wilbert, Johanna)
02/18/2010	232	MOTION for Partial Summary Judgment <i>Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to XL600 and XL900 Conical Crushers</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order)(Picone, John)
02/18/2010	233	DECLARATION of John V. Picone III in <i>Support of Defendants Motion for Partial Summary Judgment Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to Excel's XL600 and XL900 Conical Crushers</i> . (Picone, John)
02/18/2010	234	DECLARATION of Gary Beerkircher in <i>Support of Defendants Motion for Partial Summary Judgment Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to Excel's XL600 and XL900 Conical Crushers</i> . (Picone, John)
02/18/2010	235	MOTION for Partial Summary Judgment <i>for Partial SJ Dismissing Plt's Trade Secret Misappropriation Claims</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Hanson, David)
02/18/2010	236	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb)
02/18/2010	237	STATEMENT OF FACT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Hanson, David)
02/18/2010	238	APPENDIX by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade of <i>Unpublished Opinions</i> . (Hanson, David)

02/18/2010	239	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 1</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25)(Picone, John)
02/18/2010	240	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 2</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 26, # 2 Exhibit 27, # 3 Exhibit 28, # 4 Exhibit 29, # 5 Exhibit 30, # 6 Exhibit 31, # 7 Exhibit 32, # 8 Exhibit 33, # 9 Exhibit 34, # 10 Exhibit 35, # 11 Exhibit 36, # 12 Exhibit 37, # 13 Exhibit 38, # 14 Exhibit 39, # 15 Exhibit 40, # 16 Exhibit 41, # 17 Exhibit 42, # 18 Exhibit 43, # 19 Exhibit 44, # 20 Exhibit 45, # 21 Exhibit 46, # 22 Exhibit 47, # 23 Exhibit 48, # 24 Exhibit 49, # 25 Exhibit 50)(Picone, John)
02/18/2010	241	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 3</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 51, # 2 Exhibit 52, # 3 Exhibit 53, # 4 Exhibit 54, # 5 Exhibit 55, # 6 Exhibit 56, # 7 Exhibit 57)(Picone, John)
02/18/2010	242	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 4</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 58, # 2 Exhibit 59, # 3 Exhibit 60, # 4 Exhibit 61, # 5 Exhibit 62, # 6 Exhibit 63, # 7 Exhibit 64)(Picone, John)
02/18/2010	243	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 5</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 65, # 2 Exhibit 66, # 3 Exhibit 67, # 4 Exhibit 68, # 5 Exhibit 69, # 6 Exhibit 70, # 7 Exhibit 71)(Picone, John)
02/18/2010	244	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 6</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 72, # 2 Exhibit 73, # 3 Exhibit 74, # 4 Exhibit 75, # 5 Exhibit 76, # 6 Exhibit 77, # 7 Exhibit 78)(Picone, John)
02/18/2010	245	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 7</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 79, # 2 Exhibit 80, # 3 Exhibit 81, # 4 Exhibit 82, # 5 Exhibit 83, # 6 Exhibit 84, # 7 Exhibit 85, # 8 Exhibit 86, # 9 Exhibit 87, # 10 Exhibit 88, # 11 Exhibit 89, # 12 Exhibit 90, # 13 Exhibit 91, # 14 Exhibit 92, # 15 Exhibit 93, # 16 Exhibit 94, # 17 Exhibit 95, # 18 Exhibit 96, # 19 Exhibit 97, # 20 Exhibit 98, # 21 Exhibit 99, # 22 Exhibit 100)(Picone, John)
02/18/2010	246	<i>Joint Exhibit List for Use in Summary Judgment Motions, Part 8</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A

		Sullivan, Christopher P Wade. (Attachments: # 1 Exhibit 101, # 2 Exhibit 102, # 3 Exhibit 103, # 4 Exhibit 104, # 5 Exhibit 105, # 6 Exhibit 106, # 7 Exhibit 107, # 8 Exhibit 108, # 9 Exhibit 109, # 10 Exhibit 110, # 11 Exhibit 111, # 12 Exhibit 112, # 13 Exhibit 113, # 14 Exhibit 114, # 15 Exhibit 115, # 16 Exhibit 116, # 17 Exhibit 117, # 18 Exhibit 118, # 19 Exhibit 119, # 20 Exhibit 120, # 21 Exhibit 121, # 22 Exhibit 122, # 23 Exhibit 123, # 24 Exhibit 124, # 25 Exhibit 125, # 26 Exhibit 126, # 27 Exhibit 127, # 28 Exhibit 128, # 29 Exhibit 129, # 30 Exhibit 130, # 31 Exhibit 131, # 32 Exhibit 132, # 33 Exhibit 133, # 34 Exhibit 134, # 35 Exhibit 135, # 36 Exhibit 136, # 37 Exhibit 137, # 38 Exhibit 138, # 39 Exhibit 139, # 40 Exhibit 140, # 41 Exhibit 141, # 42 Exhibit 142, # 43 Exhibit 143)(Picone, John)
02/18/2010	247	MOTION for Summary Judgment <i>of validity and enforceability of U.S. Patent No. 4,750,681; and (2) Breach of Contract by Joseph P. Martinez</i> by Metso Minerals Industries Inc. (Wilbert, Johanna)
02/18/2010	248	STATEMENT OF FACT by Metso Minerals Industries Inc <i>in support of Metso's motion for summary judgment filed as Doc. No. 247.</i> (Wilbert, Johanna)
02/18/2010	249	BRIEF in Support filed by Metso Minerals Industries Inc re 247 MOTION for Summary Judgment <i>of validity and enforceability of U.S. Patent No. 4,750,681; and (2) Breach of Contract by Joseph P. Martinez.</i> (Wilbert, Johanna)
02/18/2010	250	APPENDIX by Metso Minerals Industries Inc <i>Unreported Cases in support of Metso's Summary Judgment Motion filed as Doc. No. 247.</i> (Wilbert, Johanna)
02/18/2010	251	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc <i>regarding summary judgment filings Doc. Nos. 247 through 250</i> (Wilbert, Johanna)
02/18/2010	252	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb) (Entered: 02/19/2010)
02/18/2010	253	SEALED STATEMENT OF UNDISPUTED FACTS by defendants in support of 226 Motion for Partial Summary Judgment Dismissing Plaintiff's Trade Secret Claims Related to the HP400 for Lack of Standing (vkb) (vkb). (Entered: 02/19/2010)
02/18/2010	254	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb) (Entered: 02/19/2010)
02/18/2010	255	SEALED DECLARATION of Walter Repinski in support of 232 defendants' motion for partial summary dismissing plaintiff's claims for misappropriation of alleged combination trade secrets relating to Excel's XL600 and XL900 conical crushers (vkb) (vkb). (Entered: 02/19/2010)
02/18/2010	256	SEALED STATEMENT OF FACTS by defendants in support of 232 defendants' motion for partial summary dismissing plaintiff's claims for misappropriation of alleged combination trade secrets relating to Excel's XL600 and XL900 conical crushers(vkb) (vkb). (Entered: 02/19/2010)
02/18/2010	260	SEALED Exhibit 36 to 240 filed by defendants (vkb) (Entered: 02/22/2010)
02/18/2010	261	SEALED Exhibits 37, 43 and 45 to 240 (Attachments: # 1 Exhibit 43, # 2 Exhibit 45) (vkb) (Entered: 02/22/2010)
02/18/2010	262	SEALED Exhibit 38 to 240 filed by defendants (Attachments: # 1 Exhibit 38-2, # 2 Exhibit 38-3, # 3 Exhibit 38-4, # 4 Exhibit 38-5, # 5 Exhibit 38-6, # 6 Exhibit 38-7, # 7 Exhibit 38-8) (vkb) (Entered: 02/22/2010)
02/18/2010	263	SEALED Exhibit 57 to 241 filed by defendants (vkb) (Entered: 02/22/2010)

02/18/2010	264	SEALED Exhibits 63 and 64 to 242 filed by defendants (Attachments: # 1 Exhibit 64) (vkb) (Entered: 02/22/2010)
02/18/2010	265	SEALED Exhibits 66, and 68-70 to 243 filed by defendants (Attachments: # 1 Exhibit 68, # 2 Exhibit 69, # 3 Exhibit 70) (vkb) (Entered: 02/22/2010)
02/18/2010	266	SEALED Exhibits 75 and 77 to 244 filed by defendant (Attachments: # 1 Exhibit 77) (vkb) (Entered: 02/22/2010)
02/18/2010	267	SEALED Exhibits 81-89 to 245 filed by defendants (Attachments: # 1 Exhibit 82, # 2 Exhibit 83, # 3 Exhibit 84, # 4 Exhibit 85, # 5 Exhibit 86, # 6 Exhibit 87, # 7 Exhibit 88, # 8 Exhibit 89) (vkb) (Entered: 02/22/2010)
02/18/2010	268	SEALED Exhibits 90-99 to 245 filed by defendants (Attachments: # 1 Exhibit 91, # 2 Exhibit 92, # 3 Exhibit 93, # 4 Exhibit 94, # 5 Exhibit 95, # 6 Exhibit 96, # 7 Exhibit 97, # 8 Exhibit 98, # 9 Exhibit 99) (vkb) (Entered: 02/22/2010)
02/18/2010	269	SEALED Exhibits 101 and 103-111 to 246 filed by defendants (Attachments: # 1 Exhibit 103, # 2 Exhibit 104, # 3 Exhibit 105, # 4 Exhibit 106, # 5 Exhibit 107, # 6 Exhibit 108, # 7 Exhibit 109, # 8 Exhibit 110) (vkb) (Entered: 02/22/2010)
02/18/2010	270	SEALED Exhibits 111-120 to 246 filed by defendants (Attachments: # 1 Exhibit 112, # 2 Exhibit 113, # 3 Exhibit 114, # 4 Exhibit 115, # 5 Exhibit 116, # 6 Exhibit 117, # 7 Exhibit 118, # 8 Exhibit 119, # 9 Exhibit 120) (vkb) (Entered: 02/22/2010)
02/18/2010	271	SEALED Exhibits 121-123, 126, 128-131, and 134-137 to 246 filed by defendants (Attachments: # 1 Exhibit 122, # 2 Exhibit 123, # 3 Exhibit 126, # 4 Exhibit 128, # 5 Exhibit 129, # 6 Exhibit 130, # 7 Exhibit 131, # 8 Exhibit 134, # 9 Exhibit 135, # 10 Exhibit 136, # 11 Exhibit 137) (vkb) (Entered: 02/22/2010)
02/19/2010	257	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb)
02/19/2010	258	STATEMENT OF FACT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>REDACTED Separate Statement of Facts in Support of Defendants' Motion for Partial Summary Judgment Dismissing Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Related to Excel's XL600 and XL900 Conical Crushers [Sealed Statement of Facts, Docket No. 256].</i> (Picone, John)
02/19/2010	259	DECLARATION of Walter Repinski <i>in Support of Defendants' Motion for Partial Summary Judgment Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to Excel's XL600 and XL900 Conical Crushers [Sealed Declaration, Docket No. 255].</i> (Picone, John)
02/25/2010	272	TRANSCRIPT of Motion Hearing held on 1/7/2010 before Judge J.P. Stadtmueller Court Reporter/Transcriber John Schindhelm, RMR, CRR, Contact at johns54@sbcglobal.net / 414.861.8777. Transcripts may be purchased through the court reporter using the Transcript Order Form found here or viewed at the court public terminal. NOTICE RE REDACTION OF TRANSCRIPTS: If necessary, within 7 business days each party shall inform the Court of their intent to redact personal identifiers by filing a Notice of Intent to Redact. Please read the policy located on our website www.wied.uscourts.gov Redaction Statement due 3/18/2010. Redacted Transcript Deadline set for 3/29/2010. Release of Transcript Restriction set for 5/26/2010. (Schindhelm, John)
02/25/2010	273	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 210 MOTION to Exclude <i>Testimony and Opinions of Defs' Patent Law Expert Timothy Newholm</i> ; see 276 for Amended Document (Cross, David) Modified on 3/1/2010 (vkb)

02/25/2010	274	DECLARATION of Josephine K. Benkers in support of Plaintiff's Motion to Exclude Timothy Newholm (Docket #210). (Attachments: # 1 Exhibit UCB Societe Anonyme v. Mylan Labs)(Cross, David)
02/25/2010	275	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Cross, David)
02/26/2010	276	AMENDED DOCUMENT by Metso Minerals Industries Inc. <i>Reply Brief Filed 2-25-10</i> (Cross, David)
02/26/2010	277	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc (Cross, David)
03/05/2010	278	DECLARATION of David Hanson. (Attachments: # 1 Exhibit A)(Hanson, David)
03/08/2010	279	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 220 MOTION to Exclude <i>Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey Memorandum of Points and Authorities in Opposition to Metso Minerals' Motion to Exclude Testimony of Kroll</i> . (Picone, John)
03/08/2010	280	DECLARATION of John V. Picone III in Support of Defendants Opposition to Metso's Motion to Exclude Testimony and Opinion of Matthew Levey. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10)(Picone, John)
03/08/2010	281	DECLARATION of Matthew Levey in Support of Defendants Opposition to Metso's Motion to Exclude Testimony and Opinion of Matthew Levey. (Picone, John)
03/08/2010	282	REQUEST by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade for Judicial Notice. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Picone, John)
03/09/2010	283	BRIEF in Support filed by All Defendants re 232 MOTION for Partial Summary Judgment <i>Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to XL600 and XL900 Conical Crushers</i> . (Lindner, Amy)
03/09/2010	284	AMENDED ~~REPLY~~ BRIEF in Support filed by All Defendants re 228 MOTION for Partial Summary Judgment <i>Dismissing Counts 11, 12, 26 and 27 of Fifth Amended Complaint</i> . (Lindner, Amy) Modified on 3/17/2010 (vkb)
03/09/2010	285	AMENDED DOCUMENT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. <i>Amended Declaration of John V. Picone III in Support of Defendants Opposition to Metso's Motion to Exclude Testimony and Opinion of Matthew Levey [Original Declaration, w/ exhibits, Document No. 280]</i> (Picone, John)
03/09/2010	286	SEALED AMENDED BRIEF in Support filed by Defendants re 226 MOTION for Partial Summary Judgment <i>Dismissing Plaintiff's Trade Secret Claims Related to HP400 for Lack of Standing</i> (vkb) (Entered: 03/10/2010)
03/09/2010	287	SEALED AMENDED BRIEF in Support filed by Defendants re 232 MOTION for Partial Summary Judgment <i>Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to XL600 and XL900 Conical Crushers</i> (vkb) (Entered: 03/10/2010)
03/16/2010	288	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb)
03/17/2010	289	DECLARATION of Jeffrey Lawnicki in Opposition to Defendants' Motions for Partial Summary Judgment (Motions filed as Doc. Nos. 226, 232, and 235). (Wilbert,

		Johanna)
03/17/2010	290	DECLARATION of Andrew Lingenfelter in Opposition to Defendants' Motions for Partial Summary Judgment (Motions filed as Doc. Nos. 232 and 235). (Wilbert, Johanna)
03/17/2010	291	DECLARATION of James L. Salmon in Opposition to Defendants' Motions for Partial Summary Judgment (Motions Filed as Doc. Nos. 232 and 235). (Wilbert, Johanna)
03/17/2010	292	DECLARATION of Becky Anhalt. (Morris, Jeffrey)
03/17/2010	293	DECLARATION of Jack Mueller. (Morris, Jeffrey)
03/17/2010	294	DECLARATION of Robert Wissing in Opposition to Defendants' Motion for Partial Summary Judgment (Motion filed as Doc. No. 226). (Murphy, Patrick)
03/17/2010	295	Joint MOTION to Seal <i>Documents for use in connection with Summary Judgment Motions</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Murphy, Patrick)
03/17/2010	296	APPENDIX by Metso Minerals Industries Inc <i>of unreported cases cited in opposition to Defendants' Motion for Partial Summary Judgment filed as Doc. No. 232 on issues of XL900/XL600</i> . (Attachments: # 1 Appendix part 2, # 2 Appendix part 3, # 3 Appendix part 4)(Wilbert, Johanna)
03/17/2010	297	APPENDIX by Metso Minerals Industries Inc <i>Unreported Cases Cited in Metso's Brief (filed under seal) in Opposition to Defendants' Motion for Partial Summary Judgment (Motion filed at Doc. No. 226) Dismissing Metso's Claims Related to the HP400 for Lack of Standing</i> . (Murphy, Patrick)
03/17/2010	298	RESPONSE filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez re 248 Statement of Fact (Lindner, Amy)
03/17/2010	299	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez re 247 MOTION for Summary Judgment <i>of validity and enforceability of U.S. Patent No. 4,750,681; and (2) Breach of Contract by Joseph P. Martinez</i> . (Lindner, Amy)
03/17/2010	300	STATEMENT OF FACT by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez. (Lindner, Amy)
03/17/2010	301	APPENDIX by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez. (Lindner, Amy)
03/17/2010	302	DECLARATION of William C. Farrow. (Lindner, Amy)
03/17/2010	303	BRIEF in Opposition filed by Metso Minerals Industries Inc re 235 MOTION for Partial Summary Judgment <i>for Partial SJ Dismissing Plt's Trade Secret Misappropriation Claims</i> . (Wilbert, Johanna)
03/17/2010	304	STATEMENT OF FACT by Metso Minerals Industries Inc <i>in Support of its Brief in Opposition to Defendants' Motion for Partial Summary Judgment Dismissing Counts 11, 12, 26 and 27 of the Fifth Amended Complaint</i> . (Morris, Jeffrey)
03/17/2010	305	BRIEF in Opposition filed by Metso Minerals Industries Inc re 228 MOTION for Partial Summary Judgment <i>Dismissing Counts 11, 12, 26 adn 27 of Fifth Amended Complaint</i> . (Morris, Jeffrey)
03/17/2010	306	APPENDIX by Metso Minerals Industries Inc <i>of Unpublished Authorities Cited in its Brief in Opposition to Defendants' Motion for Partial Summary Judgment Dismissing</i>

		<i>Counts 11, 12, 26 and 27 of the Fifth Amended Complaint Brief Filed as (Doc. No. 305). (Attachments: # 1 Exhibit 1)(Morris, Jeffrey)</i>
03/17/2010	307	<i>Second Joint Exhibit List for Use in Summary Judgement Motions, Part 1, Exs. 144 - 148 Exhibit List by Metso Minerals Industries Inc. (Attachments: # 1 Exhibit 144 - Spaulding Dep., # 2 Exhibit 145 - REDACTED 9/16/08 Dewitt Dep., # 3 Exhibit 146 - REDACTED Bartram Dep., # 4 Exhibit 147 - 1/14/09 Wissing Dep., # 5 Exhibit 148 - Leonard Dep.)(Wilbert, Johanna)</i>
03/17/2010	308	<i>DECLARATION of Josephine Benkers in Support of Metso's Response Brief in Opposition to Defendants' Motion for Partial Summary Judgment Dismissing Metso's Trade Secret Misappropriation Claims (Dkt. #235). (Attachments: # 1 Exhibit 1 - (Ajinomoto), # 2 Exhibit 1 - (Cedarapids), # 3 Exhibit 1 - (Clearwater), # 4 Exhibit 1 - (Glasson Aerospace), # 5 Exhibit 1 - (Solaia), # 6 Exhibit 2 - (MPEP 2164, 2165)) (Murphy, Patrick)</i>
03/17/2010	309	<i>Second Joint Exhibit List for Use in Summary Judgment Motions, Part 2, Exs 149 - 168 Exhibit List by Metso Minerals Industries Inc. (Attachments: # 1 Exhibit 149 - 7/30/09 Prohaska Dep., # 2 Exhibit 150 - 8/27/09 Prohaska Dep., # 3 Exhibit 151 - 9/9/09 Kaja Dep., # 4 Exhibit 152 - 6/24/09 Mueller Dep., # 5 Exhibit 153 - Biancuzzo Dep., # 6 Exhibit 154 - Williams Dep., # 7 Exhibit 155 - REDACTED Wegner, # 8 Exhibit 156 - REDACTED Richard Parsons Dep., # 9 Exhibit 157 - REDACTED 3/18/09 Douglas Parsosn Dep., # 10 Exhibit 158 - Nowak Dep., # 11 Exhibit 159, # 12 Exhibit 160, # 13 Exhibit 161, # 14 Exhibit 162, # 15 Exhibit 163 - 9/30/08 Letter, # 16 Exhibit 164 - HR Manangement Guide, # 17 Exhibit 165, # 18 Exhibit 166, # 19 Exhibit 167, # 20 Exhibit 168)(Wilbert, Johanna)</i>
03/17/2010	310	<i>Second Joint Exhibit List for Use in Summary Judgment Motions, Part 3, Exs. 169-193 Exhibit List by Metso Minerals Industries Inc. (Attachments: # 1 Exhibit 169, # 2 Exhibit 170, # 3 Exhibit 171, # 4 Exhibit 172, # 5 Exhibit 173, # 6 Exhibit 174, # 7 Exhibit 175, # 8 Exhibit 176, # 9 Exhibit 177, # 10 Exhibit 178, # 11 Exhibit 179, # 12 Exhibit 180, # 13 Exhibit 181, # 14 Exhibit 182, # 15 Exhibit 183, # 16 Exhibit 184, # 17 Exhibit 185, # 18 Exhibit 186, # 19 Exhibit 187, # 20 Exhibit 188, # 21 Exhibit 189, # 22 Exhibit 190, # 23 Exhibit 191, # 24 Exhibit 192, # 25 Exhibit 193)(Wilbert, Johanna)</i>
03/17/2010	311	<i>Second Joint Exhibit List for Use in Summary Judgment Motions, Part 4, Exs. 194-208 Exhibit List by Metso Minerals Industries Inc. (Attachments: # 1 Exhibit 194, # 2 Exhibit 195, # 3 Exhibit 196, # 4 Exhibit 197, # 5 Exhibit 198, # 6 Exhibit 199, # 7 Exhibit 200, # 8 Exhibit 201, # 9 Exhibit 202, # 10 Exhibit 203, # 11 Exhibit 204, # 12 Exhibit 205, # 13 Exhibit 206 - Anhalt Dep., # 14 Exhibit 207 - Haldiman Dep., # 15 Exhibit 208 - Karra Dep.)(Wilbert, Johanna)</i>
03/17/2010	312	<i>Second Joint Exhibit List for Use in Connection with Summary Judgment Motions Part 5 Exs. 209-211 Exhibit List by All Parties. (Attachments: # 1 Exhibit 209 - Part 1 (MM6119-MM6213), # 2 Exhibit 209 - Part 2 (MM6214-MM6349), # 3 Exhibit 209 - Part 3 (MM6350-MM6415), # 4 Exhibit 210, # 5 Exhibit 211 - Cowen Expert Report) (Murphy, Patrick)</i>
03/17/2010	313	<i>CERTIFICATE OF SERVICE by Metso Minerals Industries Inc Documents Filed in Connection with Summary Judgment Responses (Murphy, Patrick)</i>
03/17/2010	314	<i>SEALED BRIEF in Opposition filed by Metso Minerals Industries Inc re 226 MOTION for Partial Summary Judgment Dismissing Plaintiff's Trade Secret Claims Related to HP400 for Lack of Standing (vkb) (vkb). (Entered: 03/18/2010)</i>
03/17/2010	315	<i>SEALED STATEMENT OF FACTS filed by Metso Minerals Industries Inc. in Support of its 314 Brief in Opposition to Defendants' Motion for Partial Summary Judgment</i>

		Dismissing Metso's Trade Secret Claims Related to the HP400 for Lack of Standing (vkb) (vkb). (Entered: 03/18/2010)
03/17/2010	316	SEALED RESPONSES filed by Metso Minerals Industries Inc re 237 Defendants' Statements of Fact and Metso's Additional Separate Statement of Facts in Response to Defendants' Motion for Partial Summary Judgment Dismissing Plaintiff's Trade Secret Misappropriation Claims (vkb) (vkb). (Entered: 03/18/2010)
03/17/2010	317	SEALED BRIEF in Opposition filed by Metso Minerals Industries Inc re 232 MOTION for Partial Summary Judgment <i>Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to XL600 and XL900 Conical Crushers</i> (vkb) (vkb). (Entered: 03/18/2010)
03/17/2010	318	SEALED STATEMENT OF FACTS by Metso Minerals Industries Inc. in Support of its Brief in Opposition to Defendants' Motion for Partial Summary Judgment Dismissing Metso's Claims for Misappropriation of Alleged Combination Trade Secrets Relating to the XL600 and XL900 Conical Crushers (vkb) (vkb). (Entered: 03/18/2010)
03/17/2010	319	SEALED EXHIBITS 145-146, 155-157, 159-162 and 165-203 to 309 , 310 and 311 Second Joint Exhibit List for Use in Summary Judgment Motions filed by Metso Minerals Industries Inc. (vkb) (Additional attachment(s) added on 3/18/2010: # 1 Exhibit 146, # 2 Exhibit 155, # 3 Exhibit 156, # 4 Exhibit 157, # 5 Exhibit 159, # 6 Exhibit 160, # 7 Exhibit 161, # 8 Exhibit 162, # 9 Exhibit 165, # 10 Exhibit 166, # 11 Exhibit 167, # 12 Exhibit 168, # 13 Exhibit 169, # 14 Exhibit 170, # 15 Exhibit 171, # 16 Exhibit 172, # 17 Exhibit 173, # 18 Exhibit 174, # 19 Exhibit 175, # 20 Exhibit 176, # 21 Exhibit 177, # 22 Exhibit 178, # 23 Exhibit 179, # 24 Exhibit 180, # 25 Exhibit 181, # 26 Exhibit 182, # 27 Exhibit 183, # 28 Exhibit 184, # 29 Exhibit 185, # 30 Exhibit 186, # 31 Exhibit 187, # 32 Exhibit 188, # 33 Exhibit 189, # 34 Exhibit 190, # 35 Exhibit 191, # 36 Exhibit 192, # 37 Exhibit 193, # 38 Exhibit 194, # 39 Exhibit 195, # 40 Exhibit 196, # 41 Exhibit 197, # 42 Exhibit 198, # 43 Exhibit 199, # 44 Exhibit 200, # 45 Exhibit 201, # 46 Exhibit 202, # 47 Exhibit 203) (vkb) (Entered: 03/18/2010)
03/25/2010	320	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 220 MOTION to Exclude <i>Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey</i> . (Cross, David)
03/25/2010	321	DECLARATION of David R. Cross in Support of Metso's Motion to Exclude Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey (Motion filed as Doc. No. 220). (Cross, David)
03/25/2010	322	APPENDIX by Metso Minerals Industries Inc <i>Unreported Cases Cited in Metso's Reply Brief (Doc. No. 320) in Support of Metso's Motion to Exclude Testimony and Opinions of the Excel Defendants' Expert, Matthew Levey (Motion Filed as Doc. No. 220)</i> . (Cross, David)
04/01/2010	323	REPLY BRIEF in Support filed by All Defendants re 228 MOTION for Partial Summary Judgment <i>Dismissing Counts 11, 12, 26 adn 27 of Fifth Amended Complaint</i> . (Lindner, Amy)
04/01/2010	324	DOCKET ENTRY REMOVED pursuant to 351 Order; Modified on 4/13/2010 (vkb)
04/01/2010	325	STATEMENT OF FACT by All Defendants <i>REsponses to Metso's Statement of Fact In Supp of Brief in Opp to Plt's Motion for Part SJ Dismissing Counts 11, 12, 26 and 27 of Fifth Amended Complaint</i> . (Lindner, Amy)
04/01/2010	326	REPLY BRIEF in Support filed by All Defendants re 235 MOTION for Partial Summary Judgment <i>for Partial SJ Dismissing Plt's Trade Secret Misappropriation Claims</i> . (Lindner, Amy)

04/01/2010	327	DECLARATION of Dean M. Kaja in Supplementary Support of Metso's Motion for Summary Judgment on Validity and Enforceability of the '681 Patent. (Wilbert, Johanna)
04/01/2010	328	APPENDIX by All Defendants <i>Appen of Unpublished Authorities in Conjunction with Reply Brief in Supp of Motion for Part SJ Dismissing Trade Secret Claims Re HP400 for Lack of Standing</i> . (Lindner, Amy)
04/01/2010	329	MOTION to Seal Document by All Defendants. (Attachments: # 1 Text of Proposed Order)(Lindner, Amy)
04/01/2010	330	STATEMENT OF FACT by Metso Minerals Industries Inc <i>Metso's Response to Defendant's Additional Statement of Undisputed Facts In Response to Metso Minerals Industries, Inc.'s Motion for Summary Judgment on Validity and Enforceability of the '681 Patent and the Breach of Contract Claims Against Joseph P. Martinez</i> . (Benkers, Josephine)
04/01/2010	331	APPENDIX by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade <i>Of Unreported Cases Cited in Excel's Reply Brief to Plaintiff's Opposition to the Motion for Partial Summary Judgment Dismissing Plaintiff's Claims for Misappropriation of Alleged Combination Trade Secrets Relating to the XL600 and XL900 Conical Crushers</i> . (Picone, John)
04/01/2010	332	STATEMENT OF FACT by Metso Minerals Industries Inc <i>In Support of Metso's Motion for Summary Judgment (Motion Filed as Doc. No. 247) of (1) Validity and Enforceability of U.S. Patent No. 4,750,681; and (2) Breach of Contract by Joseph P. Martinez (Statements of Fact include Defendants' Responses and Metso's Replies)</i> . (Murphy, Patrick)
04/01/2010	333	REPLY BRIEF in Support filed by Metso Minerals Industries Inc re 247 MOTION for Summary Judgment <i>of validity and enforceability of U.S. Patent No. 4,750,681; and (2) Breach of Contract by Joseph P. Martinez</i> . (Wilbert, Johanna)
04/01/2010	334	APPENDIX by Metso Minerals Industries Inc <i>Unreported Cases Cited in Metso's Reply Brief (Doc. No. 333) in Support of its Motion for Summary Judgment (Doc. No. 247)</i> . (Attachments: # 1 1.Petter Investments, Inc. v. Hydro Engineering, # 2 2.W.M. Wrigley Jr. Co. v. Cadbury Adams USA LLC, # 3 3.Warner Lambert Co. v. Teva Pharm. U.S.A., # 4 4.Ajinomoto Co., Inc. v. Intl. Trade Commission, # 5 5.Cedarapids, Inc. v. Nordberg, Inc.)(Murphy, Patrick)
04/01/2010	335	CERTIFICATE OF SERVICE by Metso Minerals Industries Inc <i>regarding Doc. Nos. 327, 330, 332, 333, and 334</i> (Murphy, Patrick)
04/01/2010	336	<i>Third Joint Exhibit List for Use In Summary Judgment Motions</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 212, # 2 Exhibit 213, # 3 Exhibit 214, # 4 Exhibit 215, # 5 Exhibit 216, # 6 Exhibit 217, # 7 Exhibit 218 Part A, # 8 Exhibit 218 Part B, # 9 Exhibit 218 Part C, # 10 Exhibit 219, # 11 Exhibit 220)(Picone, John)
04/01/2010	337	<i>Third Joint Exhibit List for Use in Summary Judgment Motions</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 221, # 2 Exhibit 222, # 3 Exhibit 223, # 4 Exhibit 224, # 5 Exhibit 225, # 6 Exhibit 226, # 7 Exhibit 227, # 8 Exhibit 228, # 9 Exhibit 229, # 10 Exhibit 330)(Picone, John)

04/01/2010	338	<i>Third Joint Exhibit List for Use in Summary Judgment Motions, Part 3</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 231, # 2 Exhibit 232 Part A, # 3 Exhibit 232 Part B, # 4 Exhibit 232 Part BB, # 5 Exhibit 232 Part C, # 6 Exhibit 232 Part D, # 7 Exhibit 232 Part E, # 8 Exhibit 232 Part F, # 9 Exhibit 232 Part FF)(Picone, John)
04/01/2010	339	<i>Third Joint Exhibit List for Use in Summary Judgment Motions, Part 4</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 232 Part G, # 2 Exhibit 232 Part H, # 3 Exhibit 232 Part HH, # 4 Exhibit 232 Part I, # 5 Exhibit 232 Part II, # 6 Exhibit 232 Part J)(Picone, John)
04/01/2010	340	<i>Third Joint Exhibit List for Use in Summary Judgment Motions, Part 5</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 232 Part JJ, # 2 Exhibit 232 Part K, # 3 Exhibit 232 Part L, # 4 Exhibit 232 Part LL, # 5 Exhibit 232 Part M, # 6 Exhibit 232 Part N)(Picone, John)
04/01/2010	341	<i>Third Joint Exhibit List for Use in Summary Judgment Motions, Part 6</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 233, # 2 Exhibit 234, # 3 Exhibit 235, # 4 Exhibit 236 Part A, # 5 Exhibit 236 Part B, # 6 Exhibit 237)(Picone, John)
04/01/2010	342	<i>Third Joint Exhibit List for Use in Summary Judgment Motions, Part 7</i> Exhibit List by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Exhibit 238 Part A, # 2 Exhibit 238 Part B, # 3 Exhibit 238 Part C, # 4 Exhibit 238 Part D)(Picone, John)
04/01/2010	343	SEALED REPLY BRIEF in Support filed by defendants re 226 MOTION for Partial Summary Judgment <i>Dismissing Plaintiff's Trade Secret Claims Related to HP400 for Lack of Standing</i> (vkb) (vkb). (Entered: 04/05/2010)
04/01/2010	344	SEALED RESPONSE filed by defendants to plaintiff's Statement of Facts in Support of its Brief in Opposition to defendants' Motion for Partial Summary Judgment Dismissing Metso's Trade Secret Claims Related to the HP400 for Lack of Standing (vkb) (vkb). (Entered: 04/05/2010)
04/01/2010	345	SEALED REPLY BRIEF in Support filed by defendants re 232 MOTION for Partial Summary Judgment <i>Dismissing Plaintiff Metso Minerals Industries, Inc.'s Claims for Misappropriation of Alleged Combination Trade Secrets Relating to XL600 and XL900 Conical Crushers</i> (vkb) (vkb). (Entered: 04/05/2010)
04/01/2010	346	SEALED STATEMENT OF FACTS by Excel in Support of Its Reply Brief to Plaintiff's Opposition to the Motion for Partial Summary Judgment of Alleged Combination Trade Secrets Relating to the XL600 and XL900 Conical Crushers (vkb) (vkb). (Entered: 04/05/2010)
04/01/2010	347	SEALED RESPONSES filed by defendants to Metso's Statement of Facts in Support of its Brief in Opposition to Defendants' Motion for Partial Summary Judgment Dismissing Plaintiff Metso Minerals Industries, Inc's Trade Secret Misappropriation Claims(vkb) (vkb). (Entered: 04/05/2010)

04/01/2010	348	SEALED EXHIBITS 215, 217, 219 and 220 to 336 Third Joint Exhibit List for Use In Summary Judgment Motions(vkb) (Additional attachment(s) added on 4/6/2010: # 1 Exhibit 217, # 2 Exhibit 219, # 3 Exhibit 220) (vkb). (Entered: 04/06/2010)
04/01/2010	349	SEALED EXHIBIT 221 to 337 Third Joint Exhibit List for Use in Summary Judgment Motions (vkb) (vkb). (Entered: 04/06/2010)
04/01/2010	350	SEALED EXHIBITS 233 and 234 to 341 Third Joint Exhibit List for Use in Summary Judgment Motions (vkb) (Additional attachment(s) added on 4/6/2010: # 1 Exhibit 234) (vkb). (Entered: 04/06/2010)
04/12/2010	351	ORDER signed by Judge J P Stadtmueller on 4/12/10 removing the following docket entries in their entirety: Docket ##'s 229 , 236 , 252 , 254 , 257 , 288 , and 324 . (cc: all counsel)(nm)
04/22/2010	352	DECLARATION of Joseph Martinez <i>Attachment to Dkt. No. 284.</i> (Lindner, Amy)
04/22/2010	353	DECLARATION of Kenneth Olson <i>Attachment to Dkt. No. 284.</i> (Lindner, Amy)
04/22/2010	354	DECLARATION of Cheryl Sullivan <i>Attachment to Dkt. No. 284.</i> (Lindner, Amy)
04/27/2010	355	STIPULATION to Refile Exhibit 238 Part B to the Third Joint Exhibit List for Use in Summary Judgment Motions by All Parties. (Attachments: # 1 Text of Proposed Order Granting Stipulation to Refile Exhibit 238 Part B to the Third Joint Exhibit List for Use in Summary Judgment Motions)(Picone, John)
04/27/2010	356	MOTION to Strike Defendant FLSmidth-Excel LLC's Motion to Strike the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions Regarding the Reasonableness of Metso's Efforts to Maintain the Secrecy of its Alleged Trade Secrets (Pursuant to FRE 702 and FRCP 26(a)(2)(B) and 37(c)) by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order) (Picone, John)
04/27/2010	357	BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 356 MOTION to Strike Defendant FLSmidth-Excel LLC's Motion to Strike the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions Regarding the Reasonableness of Metso's Efforts to Maintain the Secrecy of Defendants' Memorandum of Points and Authorities in Support of Their Motion to Strike the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions Regarding the Reasonableness of Metso's Efforts to Maintain the Secrecy of its Alleged Trade Secrets (Pursuant to FRE 702 and FRCP 26(a)(2)(B) and 37(c)). (Picone, John)
04/27/2010	358	DECLARATION of John V. Picone III in Support of Defendants Motion to Strike the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions Regarding the Reasonableness of Metso's Efforts to Maintain the Secrecy of its Alleged Trade Secrets (Pursuant to FRE 702 and FRCP 26(a)(2)(B) and 37(c)) (PART 1, Exhibits 1-10). (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, 1 of 2, # 3 Exhibit 2, 2 of 2, # 4 Exhibit 3, # 5 Exhibit 4, 1 of 2, # 6 Exhibit 4, 2 of 2, # 7 Exhibit 5, # 8 Exhibit 6, 1 of 3, # 9 Exhibit 6, 2 of 3, # 10 Exhibit 6, 3 of 3, # 11 Exhibit 7, # 12 Exhibit 8, # 13 Exhibit 9, # 14 Exhibit 10)(Picone, John)
04/27/2010	359	DECLARATION of John V. Picone III in Support of Defendants Motion to Strike the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions Regarding the Reasonableness of Metso's Efforts to Maintain the Secrecy of its Alleged Trade Secrets (Pursuant to FRE 702 and FRCP 26(a)(2)(B) and 37(c))

		(PART 2 of 2, Exhibits 11-21). (Attachments: # 1 Exhibit 11, # 2 Exhibit 12, # 3 Exhibit 13, # 4 Exhibit 14, # 5 Exhibit 15, # 6 Exhibit 16, # 7 Exhibit 17, # 8 Exhibit 18, # 9 Exhibit 19, # 10 Exhibit 20, 1 of 2, # 11 Exhibit 20, 2 of 2, # 12 Exhibit 21)(Picone, John)
04/28/2010	360	MOTION to Exclude <i>Certain Testimony and Opinions of Defendants' Expert Kurt O'Bryan</i> by Metso Minerals Industries Inc. (Murphy, Patrick)
04/28/2010	361	BRIEF in Support filed by Metso Minerals Industries Inc re 360 MOTION to Exclude <i>Certain Testimony and Opinions of Defendants' Expert Kurt O'Bryan</i> . (Murphy, Patrick)
04/28/2010	362	DECLARATION of Andrew Lingenfelter <i>in Support of Metso's Motion to Exclude Certain Testimony and Opinions of Defendants' Expert Kurt O'Bryan (Motion filed as Doc. No. 360)</i> . (Murphy, Patrick)
04/30/2010	363	MOTION to Seal Document <i>Defendants' Motion Requesting Permission to File Documents Under Seal</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order [Proposed] Order Granting Defendants' Motion Requesting Permission to File Documents Under Seal)(Picone, John)
04/30/2010	364	MOTION to Strike <i>the Expert Reports and Exclude the Testimony and Opinions of Metso's Exert, Jeffrey J. Lawnicki</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order [Proposed] Order Granting Defendants' Motion to Strike the Expert Reports and Exclude the Testimony and Opinions of Metso's Expert, Jeffrey J. Lawnicki)(Picone, John)
04/30/2010	365	BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 364 MOTION to Strike <i>the Expert Reports and Exclude the Testimony and Opinions of Metso's Exert, Jeffrey J. Lawnicki Defendants' Memorandum of Points and Authorities in Support of their Motion to Strike the Expert Reports and Exclude the Testimony and Opinions of Metso's Expert, Jeffrey J. Lawnicki (Pursuant to FRE 702 and FRCP 26(A)(2) and 37(C))</i> . (Picone, John)
04/30/2010	366	DECLARATION of John V. Picone III <i>In Support of Defendants Motion to Strike the Expert Reports and Exclude the Testimony and Opinions of Metso's Expert, Jeffrey J. Lawnicki (Pursuant to FRE 702 and FRCP 26(A)(2) and 37(C)) [MOTION FILED AS DOCKET NO. 364]</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Picone, John)
04/30/2010	367	Second MOTION to Compel <i>Defendant FLSmidth-Excel, LLC's Second Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP §§ 26, 34 & § 37)</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order)(Picone, John)

04/30/2010	368	BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 367 Second MOTION to Compel <i>Defendant FLSmidth-Excel, LLC's Second Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP §§ 26, 34 & § 37)</i> Second MOTION to Compel <i>Defendant FLSmidth-Excel, LLC's Second Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP §§ 26, 34 & § 37)</i> Defendant <i>FLSmidth-Excel LLC's Memorandum of Points and Authorities in Support of Second Motion to Compel Metso to Produce Documents and Things (Pursuant to FRCP §§ 26, 34 & 37)</i> . (Picone, John)
04/30/2010	369	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel LLC's Second Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP §§ 26, 34 & § 37)</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28)(Picone, John)
04/30/2010	370	SEALED EXHIBIT 1 to 366 Declaration of John V. Picone III in Support of Defendants' Motion to Strike the Expert Reports and Exclude the Testimony and Opinions of Metso's Expert, Jeffrey J. Lawnicki (PAPER FORMAT ONLY)(vkb) (Entered: 05/03/2010)
05/07/2010	371	ORDER signed by Judge J P Stadtmueller on 5/7/10 denying 226 defendants' Motion for Partial Summary Judgment Dismissing Plaintiffs Trade Secret Claims Related to the HP400 for Lack of Standing. See Order. (cc: all counsel) (nm)
05/07/2010	372	ORDER signed by Judge J P Stadtmueller on 5/7/10: granting in part and denying in part 228 defendants' Motion for Summary Judgment on Counts 11, 12, 26, and 27 of the Fifth Amended Complaint; denying 247 plaintiff's Motion for Summary Judgment for Breach of Contract by Joseph Martinez. See Order. (cc: all counsel) (nm)
05/07/2010	373	ORDER signed by Judge J P Stadtmueller on 5/7/10 denying 232 defendants' Motion for Partial Summary Judgment Dismissing Plaintiffs Claims for Misappropriation of Combination Trade Secrets Relating to XL600 and XL900 Conical Crushers. See Order. (cc: all counsel) (nm)
05/10/2010	374	STATUS REPORT by All Plaintiffs. (Cross, David)
05/10/2010	375	MOTION to Amend/Correct Fifth Amended Complaint (Doc ID 87) <i>to dismiss with prejudice Metso's claims for infringement of the '110 Patent</i> by Metso Minerals Industries Inc. (Attachments: # 1 Complaint Redline comparison, # 2 Complaint Sixth Amended Complaint)(Cross, David)
05/10/2010	376	DECLARATION of David R. Cross in support of Metso's motion under Rule15(a)(2) to dismiss with prejudice Metso's claims for infringement of the '110 patent. (Cross, David)
05/10/2010	377	BRIEF in Support filed by Metso Minerals Industries Inc re 375 MOTION to Amend/Correct Fifth Amended Complaint (Doc ID 87) <i>to dismiss with prejudice Metso's claims for infringement of the '110 Patent</i> MOTION to Amend/Correct Fifth Amended Complaint (Doc ID 87) <i>to dismiss with prejudice Metso's claims for infringement of the '110 Patent</i> . (Cross, David)
05/11/2010	378	7.4 MOTION to Compel <i>FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Compel Compliance with Subpoenas Pursuant to Rule 37(a) or, in the Alternative, MOTION to Exclude Metso's Foreign Witnesses From Testifying at Trial</i>

		<i>Pursuant to Rule 37(b)(2)(A)</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Picone, John). Added MOTION to Exclude on 5/12/2010 (vkb)
05/11/2010	379	DECLARATION of John V. Picone III <i>in Support of FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Compel Compliance with Subpoenas Pursuant to Rule 37(a) or, in the Alternative, to Exclude Metso's Foreign Witnesses from Testifying at Trial Pursuant to Rule 37(b)(2)(A).</i> (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22)(Picone, John)
05/12/2010		NOTICE of Electronic Filing Error re 378 7.4 MOTION to Compel or in the Alternative Motion to Exclude; When filing motions which contain multiple parts the filer should select all applicable parts from the motion event list; In this instance you should have chosen "Compel" AND "Exclude"; Please refer to the user manuals on electronic case filing found at www.wied.uscourts.gov (vkb)
05/12/2010	380	DECLARATION of David R. Cross in Support of Metso's Expedited Non-Dispositive Motion to Compel Up-To-Date Damages Information. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Cross, David)
05/12/2010	381	MOTION to Compel <i>Up-To-Date Damages Information from Defendants</i> by Metso Minerals Industries Inc. (Cross, David)
05/13/2010	382	ORDER signed by Judge J P Stadtmueller on 5/13/10 denying 235 defendants' Motion for Partial Summary Judgment Dismissing Metso's Trade Secret Misappropriation Claims. See Order. (cc: all counsel) (nm)
05/13/2010	383	ORDER signed by Judge J P Stadtmueller on 5/13/10 granting in part and denying in part 247 plaintiff's Motion for Summary Judgment of Validity and Enforceability of U.S. Patent No. 4,750,681. See Order. (cc: all counsel)(nm)
05/13/2010	384	Expedite MOTION in Limine <i>to Exclude Reference to Metso as Monopolist</i> by Metso Minerals Industries Inc. (Cross, David)
05/20/2010	385	MOTION to Seal <i>Defendants' Motion Requesting Permission to File Documents Under Seal</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order)(Picone, John)
05/20/2010	386	MOTION to Exclude <i>Defendants' Motion to Exclude Foreign Documents Produced by Metso (Pursuant to FRCP 37(c) and 26(a) and (e))</i> by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade. (Attachments: # 1 Text of Proposed Order)(Picone, John)
05/20/2010	387	BRIEF in Support filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 386 MOTION to Exclude <i>Defendants' Motion to Exclude Foreign Documents Produced by Metso (Pursuant to FRCP 37(c) and 26(a) and (e))</i> MOTION to Exclude <i>Defendants' Motion to Exclude Foreign Documents Produced by Metso (Pursuant to FRCP 37(c) and 26(a) and (e))</i> Defendants' Memorandum of Points and Authorities in Support of Their Motion to Exclude Foreign Documents Produced by Metso (Pursuant to FRCP 37(c) and 26(a) and (e)). (Picone, John)
05/20/2010	388	DECLARATION of John V. Picone III <i>in Support of Defendants Motion to Exclude Foreign Documents Produced by Metso (Pursuant to FRCP 37(c) and 26(a) and (e)).</i>

		(Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36, # 37 Exhibit 37, # 38 Exhibit 38, # 39 Exhibit 39, # 40 Exhibit 40, # 41 Exhibit 41, # 42 Exhibit 42, # 43 Exhibit 43, # 44 Exhibit 44, # 45 Exhibit 45, # 46 Exhibit 46, # 47 Exhibit 47, # 48 Exhibit 48, # 49 Exhibit 49, # 50 Exhibit 50, # 51 Exhibit 51, # 52 Exhibit 52, # 53 Exhibit 53, # 54 Exhibit 54, # 55 Exhibit 55, # 56 Exhibit 56, # 57 Exhibit 57, # 58 Exhibit 58)(Picone, John)
05/20/2010	389	SEALED EXHIBITS to 388 Declaration of John V. Picone III(vkb) (Additional attachment(s) added on 5/21/2010: # 1 Exhibit 41, # 2 Exhibit 42, # 3 Exhibit 43, # 4 Exhibit 44, # 5 Exhibit 45, # 6 Exhibit 46, # 7 Exhibit 47, # 8 Exhibit 50, # 9 Exhibit 51, # 10 Exhibit 52, # 11 Exhibit 53, # 12 Exhibit 54, # 13 Exhibit 55, # 14 Exhibit 56, # 15 Exhibit 58) (vkb). (Entered: 05/21/2010)
05/21/2010	390	BRIEF in Opposition filed by Metso Minerals Industries Inc re 378 7.4 MOTION to Compel <i>FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Compel Compliance with Subpoenas Pursuant to Rule 37(a) or, in the Alternative, to Exclude Metso's Foreign Witnesses From Testifying at Trial Pursuant to MOTION to Exclude</i> 7.4 MOTION to Compel <i>FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Compel Compliance with Subpoenas Pursuant to Rule 37(a) or, in the Alternative, to Exclude Metso's Foreign Witnesses From Testifying at Trial Pursuant to. (Murphy, Patrick)</i>
05/21/2010	391	DECLARATION of John R. Allison in Opposition to Defendants' Motion to Strike (Motion filed as Doc. No. 356). (Murphy, Patrick)
05/21/2010	392	DECLARATION of Johanna Wilbert <i>in Opposition to Defendants' Motion to Strike (Doc. No. 356) the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions.</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Wilbert, Johanna)
05/21/2010	393	BRIEF in Opposition filed by Metso Minerals Industries Inc re 356 MOTION to Strike Defendant <i>FLSmidth-Excel LLC's Motion to Strike the Expert Reports of Metso's Expert, John R. Allison, and Exclude His Testimony and Opinions Regarding the Reasonableness of Metso's Efforts to Maintain the Secrecy of. (Wilbert, Johanna)</i>
05/24/2010	394	MOTION to Seal Document by All Defendants. (Attachments: # 1 Text of Proposed Order)(Lindner, Amy)
05/24/2010	395	RESPONSE to Motion filed by All Defendants re 384 Expedite MOTION in Limine to <i>Exclude Reference to Metso as Monopolist.</i> (Lindner, Amy)
05/24/2010	396	DECLARATION of Amy L. Lindner. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(Lindner, Amy) (Additional attachment(s) added on 5/25/2010: # 4 SEALED Exhibit 1) (vkb).
05/24/2010	397	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 360 MOTION to Exclude <i>Certain Testimony and Opinions of Defendants' Expert Kurt O'Bryan Defendants' Brief and Memorandum of Points and Authorities in Support of Defendants' Opposition to Metso's Motion to Exclude Certain Testimony and Opinions of Defendants' Expert Kurt L. O'Bryan.</i> (Picone, John)

05/24/2010	398	DECLARATION of John V. Picone III <i>in Support of Defendants' Opposition to Metso's Motion to Exclude Certain Testimony and Opinions of Defendants' Expert Kurt L. O'Bryan (Motion Filed as Docket No. 360)</i> . (Picone, John)
05/24/2010	399	DECLARATION of Kurt L. O'Bryan <i>in Support of Defendants' Opposition to Metso's Motion to Exclude Certain Testimony and Opinions of Defendants' Expert Kurt L. O'Bryan (Motion Filed as Docket No. 360)</i> . (Attachments: # 1 Exhibit A)(Picone, John)
05/24/2010	400	DECLARATION of Jeffrey Lawnicki <i>in Opposition to Defendants' Motion to Strike Expert Reports (Filed as Doc. No. 364)</i> . (Wilbert, Johanna)
05/24/2010	401	DECLARATION of John Gieschen <i>in Opposition to Defendants' Motion to Exclude Expert Report (Motion Filed As Doc. No. 364)</i> . (Attachments: # 1 Exhibit A)(Wilbert, Johanna)
05/24/2010	402	DECLARATION of James Salmon <i>in Opposition to Defendants' Motion to Strike Expert Report (Motion Filed as Doc. No. 364)</i> . (Attachments: # 1 Exhibit A)(Wilbert, Johanna)
05/24/2010	403	BRIEF in Opposition filed by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Christopher P Wade re 381 MOTION to Compel <i>Up-To-Date Damages Information from Defendants Defendants' Brief and Memorandum of Points and Authorities in Support of Defendants' Opposition to Metso's Civil L.R. 7(h) Expedited Non-Dispositive Motion to Compel Up-To-Date Damages Information From Defendants</i> . (Attachments: # 1 Text of Proposed Order) (Picone, John)
05/24/2010	404	DECLARATION of John V. Picone III <i>in Support of Defendants' Opposition to Metso's Civil L.R. 7(h) Expedited Non-Dispositive Motion to Compel Up-To-Date Damages Information From Defendants (Motion Filed as Docket No. 381)</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6) (Picone, John)
05/24/2010	405	DECLARATION of Johanna Wilbert <i>in Opposition to Defendants' Motion to Strike Expert Report (Motion Filed as Doc. No. 364)</i> . (Attachments: # 1 Exhibit A)(Wilbert, Johanna)
05/24/2010	406	BRIEF in Opposition filed by Metso Minerals Industries Inc re 364 MOTION to Strike <i>the Expert Reports and Exclude the Testimony and Opinions of Metso's Exert, Jeffrey J. Lawnicki</i> . (Wilbert, Johanna)
05/25/2010	407	DECLARATION of Patrick Murphy <i>in Opposition to FLSmidth-Excel LLC's Second Motion To Compel Metso To Produce Documents (Motion Filed As Doc. No. 367)</i> . (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Wilbert, Johanna)
05/25/2010	408	BRIEF in Opposition filed by Metso Minerals Industries Inc re 367 Second MOTION to Compel Defendant FLSmidth-Excel, LLC's Second Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP §§ 26, 34 & § 37)Second MOTION to Compel Defendant FLSmidth-Excel, LLC's Second Motion to Compel Metso to Search For and Produce Documents (Pursuant to FRCP §§ 26, 34 & § 37). (Murphy, Patrick)
05/25/2010	409	DECLARATION of John V. Picone III SUPPLEMENTAL Declaration of John V. Picone III <i>in Support of Defendants' Opposition to Metso's Civil L.R. 7(h) Expedited Non-Dispositive Motion to Compel Up-To-Date Damages Information From Defendants (Motion Filed as Docket No. 381)</i> . (Attachments: # 1 Exhibit A)(Picone, John)

05/28/2010	410	DECLARATION of Patrick Murphy <i>in Opposition to Doc. No. 378 FLSmidth-Excel LLC's Rule 7.4 Expedited Non-Dispositive Motion to Compel Compliance with Subpoenas or, in the Alternative, to Exclude Metso's Foreign Witnesses from Testifying at Trial.</i> (Attachments: # 1 Exhibit A)(Murphy, Patrick)
06/01/2010	411	LETTER from David R. Cross. (Cross, David)
06/03/2010	412	STIPULATION <i>Regarding Evidence Presented At Trial</i> by All Parties. (Wilbert, Johanna)
06/09/2010	413	STIPULATION of Dismissal by Excel Foundry & Machine Inc, FLSmidth-Excel LLC, Joseph P Martinez, Metso Minerals Industries Inc, Kenneth L Olson, Douglas M Parsons, Richard A Parsons, Cheryl A Sullivan, Christopher P Wade. (Cross, David)
06/10/2010	414	ORDER DISMISSING CASE signed by Judge J P Stadtmueller on 6/10/10 as follows: plaintiff's trademark and trade name infringement claims set forth in Count Five and Count Twenty-Four (paragraphs 272-273 only) of the Fifth Amended Complaint are DISMISSED without prejudice; all other claims and counterclaims are DISMISSED with prejudice and with all parties to bear their own fees and costs. (cc: all counsel) (nm)
06/10/2010		NOTICE of Electronic Filing Error re 413 Stipulation of Dismissal filed by Kenneth L Olson, Excel Foundry & Machine Inc, Metso Minerals Industries Inc, Richard A Parsons, Douglas M Parsons, FLSmidth-Excel LLC, Joseph P Martinez, Christopher P Wade, Cheryl A Sullivan ; All documents should contain the s/signature of the attorney who files the document. This document does not need to be re-filed; Please refer to the user manuals on electronic case filing found at www.wied.uscourts.gov (kah)

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