

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:12-cv-01260-CAP**

ATLeisure, Inc. v. ACE Evert, Inc.
Assigned to: Judge Charles A. Pannell, Jr
Cause: 28:1338 Patent Infringement

Date Filed: 04/12/2012
Date Terminated: 10/31/2013
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

ATLeisure, Inc.

represented by **Steven G. Hall**
Baker, Donelson, Bearman, Caldwell &
Berkowitz, P.C.-Atl
3414 Peachtree St., N.E.
Suite 1500
Atlanta, GA 30326-1164
404-577-6000
Email: shall@bakerdonelson.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey Thomas Breloski
Atlawip LLC
1265 Stuart Ridge
30022
Johns Creek, GA 30022
678-667-3491
Email: jbrelloski@atlawip.com
TERMINATED: 02/01/2013

Joshua Tropper
Baker, Donelson, Bearman, Caldwell &
Berkowitz, P.C.-Atl
3414 Peachtree St., N.E.
Suite 1500
Atlanta, GA 30326-1164
404-577-6000
Email: jtroppe@bakerdonelson.com
ATTORNEY TO BE NOTICED

Robert G. Brazier
Baker, Donelson, Bearman, Caldwell &
Berkowitz, P.C.-Atl
3414 Peachtree St., N.E.
Suite 1500
Atlanta, GA 30326-1164
404-577-6000
Email: rbrazier@bakerdonelson.com
ATTORNEY TO BE NOTICED

V.

Defendant

ACE Evert, Inc.

represented by **Christian R. Oehm**
Heng Wang & Associates, PC
Suite 600A
7 Mott Street
New York, NY 10013
646-543-5848
Fax: 616-572-8998

Email: christian.oehm@wanggaolaw.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Heng Wang
Heng Wang & Associates, PC
Suite 600A
7 Mott Street
New York, NY 10013
646-543-5848
Email: all@wanggaolaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth Hayes
Wang, Gao & Associates, P.C.
36 Bridge Street
Metuchen, NJ 08840
732-767-3020
Email: ken.hayes@wanggaolaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert M. Ward
BMWipLaw, LLC
The Pinnacle Building
5th Floor
3455 Peachtree Road North East
Atlanta, GA 30326
404-606-6480
Email: rward@bmwiplaw.com
ATTORNEY TO BE NOTICED

Movant

**Southern Sales & Marketing Group,
Inc.**

represented by **Lloyd Garrett Farr**
Nelson Mullins Riley &
Scarborough-ATL
Suite 1700
201 17th Street, N.W.
Atlanta, GA 30363
404-322-6165
Email: lloyd.farr@nelsonmullins.com
ATTORNEY TO BE NOTICED

Counter Claimant

ACE Evert, Inc.

represented by **Christian R. Oehm**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Heng Wang
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth Hayes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert M. Ward
(See above for address)

V.

Counter Defendant**ATLeisure, Inc.**

represented by **Steven G. Hall**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey Thomas Breloski
 (See above for address)
TERMINATED: 02/01/2013

Robert G. Brazier
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/12/2012	<u>1</u>	COMPLAINT with Jury Demand filed and summon(s) issued. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. (Filing fee \$ 350 receipt number 113E-3877198.), filed by ATLeisure, Inc. (Attachments: # <u>1</u> Exhibit A – Patent, # <u>2</u> Exhibit B – Patent, # <u>3</u> Exhibit C – Patent, # <u>4</u> Civil Cover Sheet, # <u>5</u> Waiver of Service)(fap) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 04/16/2012)
04/13/2012	<u>2</u>	Electronic Summons Issued as to ACE Evert, Inc. (fap) (Entered: 04/16/2012)
04/16/2012	<u>3</u>	AO 121 Form Sent to Director of the U. S. Patent and Trademark Office re <u>1</u> Complaint, (fap) (Entered: 04/16/2012)
04/26/2012	<u>4</u>	NOTICE of Appearance by Robert M. Ward on behalf of ACE Evert, Inc. (Ward, Robert) (Entered: 04/26/2012)
04/26/2012	<u>5</u>	APPLICATION for Admission of Heng Wang Pro Hac Vice (Application fee \$ 150, receipt number 113E-3901984)by ACE Evert, Inc.. (Ward, Robert) (Entered: 04/26/2012)
04/26/2012	<u>6</u>	APPLICATION for Admission of Christian R. Oehm Pro Hac Vice (Application fee \$ 150, receipt number 113E-3901988)by ACE Evert, Inc.. (Ward, Robert) (Entered: 04/26/2012)
05/01/2012		APPROVAL by Clerks Office re: <u>5</u> APPLICATION for Admission of Heng Wang Pro Hac Vice (Application fee \$ 150, receipt number 113E-3901984), <u>6</u> APPLICATION for Admission of Christian R. Oehm Pro Hac Vice (Application fee \$ 150, receipt number 113E-3901988). Attorney Christian R. Oehm, Heng Wang added appearing on behalf of ACE Evert, Inc. (pb) (Entered: 05/01/2012)
05/01/2012	<u>7</u>	ORDER GRANTING <u>6</u> Application for Admission Pro Hac Vice of Christian R. Oehm. Signed by Judge Charles A. Pannell, Jr on 5/1/2012. (adg) (Entered: 05/01/2012)
05/01/2012	<u>8</u>	ORDER GRANTING <u>5</u> Application for Admission Pro Hac Vice of Heng Wang. Signed by Judge Charles A. Pannell, Jr on 5/1/2012. (adg) (Entered: 05/01/2012)
05/04/2012	<u>9</u>	Certificate of Interested Persons and Corporate Disclosure Statement by ACE Evert, Inc. identifying Corporate Parent Ningbo Everluck Outdoor Products Manufacturing Co., Ltd. for ACE Evert, Inc.. (Ward, Robert) (Entered: 05/04/2012)
05/04/2012	<u>10</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand (Discovery ends on 1/29/2013.), COUNTERCLAIM against ATLeisure, Inc. with Jury Demand by ACE Evert, Inc..(Ward, Robert) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 05/04/2012)

05/29/2012	<u>11</u>	DEMAND for Trial by Jury by ATLeisure, Inc.. (Brelowski, Jeffrey) (Entered: 05/29/2012)
05/29/2012	<u>12</u>	ANSWER to <u>10</u> Counterclaim by ATLeisure, Inc. (Originally filed as <u>11</u> Demand for Jury Trial)(adg) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 05/30/2012)
06/05/2012	<u>13</u>	Joint PRELIMINARY REPORT AND DISCOVERY PLAN filed by ATLeisure, Inc.. (Brazier, Robert) (Entered: 06/05/2012)
06/11/2012	<u>14</u>	ORDER APPROVING <u>13</u> Joint Preliminary Report and Discovery Plan, except as herein modified: Daubert motions with regard to expert testimony shall be filed no later than 30 days after the close of discovery. Signed by Judge Charles A. Pannell, Jr. on 06/07/2012. (jtj) (Entered: 06/12/2012)
06/12/2012	<u>15</u>	Certificate of Interested Persons and Corporate Disclosure Statement by ATLeisure, Inc. identifying Corporate Parent ATLeisure, LLC, Corporate Parent Urserendipatio Furniture, Ltd for ATLeisure, Inc.. (Brelowski, Jeffrey) (Entered: 06/12/2012)
06/12/2012	<u>16</u>	Initial Disclosures by ATLeisure, Inc..(Brelowski, Jeffrey) (Entered: 06/12/2012)
06/15/2012	<u>17</u>	Initial Disclosures by ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit A -- Witness List, # <u>2</u> Exhibit B -- Expert Witness List and Written Reports, # <u>3</u> Exhibit C -- Document List and Descriptions, # <u>4</u> Exhibit D -- Damages, # <u>5</u> Exhibit E -- Insurance Agreement(s))(Ward, Robert) (Entered: 06/15/2012)
06/22/2012	<u>18</u>	Consent to Plaintiff's First Amended Complaint filed by Ace Evert, Inc., Inc..(Brelowski, Jeffrey) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. Modified on 6/22/2012 to correct docket text and filer information (adg). (Entered: 06/22/2012)
06/22/2012	<u>19</u>	STIPULATION of Dismissal <i>Without Prejudice to Dismiss Count III: Infringement of the 679 Patent and Count IV: Contributory/Induced Infringement of the 679 Patent of ATLeisure, LLC's Complaint</i> by ATLeisure, Inc.. (Brelowski, Jeffrey) (Entered: 06/22/2012)
06/22/2012	<u>20</u>	First AMENDED COMPLAINT against ACE Evert, Inc.with Jury Demand, filed by ATLeisure, Inc..(Brelowski, Jeffrey) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 06/22/2012)
06/22/2012		Notification of Docket Correction re <u>18</u> Consent to Plaintiff's First Amended Complaint. Modified on 6/22/2012 to correct docket text and filer information. (adg) (Entered: 06/22/2012)
06/25/2012	<u>21</u>	NOTICE by ATLeisure, Inc. re <u>20</u> Amended Complaint <i>First Amended Complaint</i> (Attachments: # <u>1</u> Exhibit U.S. Patent No. 5,937,882 Umbrella with Side Support for Tilting and Opening 8.17.1999, # <u>2</u> Exhibit U.S. Patent No. 7,604,015 B2 Umbrella Having Structural Rib Configured to Receive Electrical Components and Associated Wiring 10.20.2009, # <u>3</u> Exhibit U.S. Patent No. 8,104,492 B2 Adjustable Offset Umbrella 1.31.2012)(Brelowski, Jeffrey) (Entered: 06/25/2012)
06/28/2012	<u>22</u>	AO Form 120 forwarded to the Director of Patent and Trademark Office. (adg) (Entered: 06/28/2012)
07/03/2012	<u>23</u>	ANSWER to <u>20</u> Amended Complaint , <i>Affirmative Defenses, and</i> , COUNTERCLAIM against ATLeisure, Inc. with Jury Demand by ACE Evert, Inc..(Ward, Robert) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. Modified on 7/10/2012 (aaq). (Entered: 07/03/2012)
07/05/2012	<u>24</u>	First Disclosure of Infringement Contentions <i>and Document Production of Plaintiff ATLeisure</i> filed by ATLeisure, Inc... (Attachments: # <u>1</u> Exhibit Exhibit A Patent 882, # <u>2</u> Exhibit Exhibit B Patent 015, # <u>3</u> Exhibit Exhibit C Patent 492, # <u>4</u> Exhibit Exhibit D Pt 1 882 file history, # <u>5</u> Exhibit Exhibit D Pt 2 882 file history, # <u>6</u> Exhibit Exhibit E Pt 1 015 file history, # <u>7</u> Exhibit Exhibit E Pt 2 015 file history, # <u>8</u> Exhibit Exhibit E Pt 3 015 file history, # <u>9</u> Exhibit Exhibit E Pt 4 015 file history, # <u>10</u> Exhibit Exhibit F Pt 1 492 file history, # <u>11</u> Exhibit Exhibit F Pt 2 492 file history, # <u>12</u> Exhibit Exhibit F Pt 3 492 file history, # <u>13</u> Exhibit Exhibit G German Patent, # <u>14</u> Exhibit Abstract GE, # <u>15</u> Exhibit Hong Kong Patent, # <u>16</u> Exhibit Abstract HK, # <u>17</u> Exhibit UK Patent, # <u>18</u> Exhibit Abstract UK, # <u>19</u> Exhibit China Patent, # <u>20</u> Exhibit Abstract

		China, # <u>21</u> Exhibit US Patent, # <u>22</u> Exhibit US Patent, # <u>23</u> Exhibit German Patent, # <u>24</u> Exhibit R.F. Painter Parasol, # <u>25</u> Exhibit US Patent, # <u>26</u> Exhibit US Patent, # <u>27</u> Exhibit B.F. Rowe, # <u>28</u> Exhibit Patent Part 1, # <u>29</u> Exhibit Patent Part 2, # <u>30</u> Exhibit Patent Part 3)(Breloski, Jeffrey) Modified on 7/5/2012 to correct docket text to accurately reflect e-filed pleading (rvb). (Entered: 07/05/2012)
07/05/2012		Notification of Docket Correction re <u>24</u> Supplemental Disclosure of Infringement Contentions. Docket text corrected to reflect e-filed pleading as <u>24</u> First Disclosure of Infringement Contentions. (rvb) (Entered: 07/05/2012)
07/10/2012	<u>25</u>	ANSWER to <u>23</u> Counterclaim by ATLeisure, Inc..(Brazier, Robert) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. Modified on 7/11/2012 to remove double wording (adg). (Entered: 07/10/2012)
08/07/2012	<u>26</u>	Consent MOTION for Extension of Time to file Defendant's responses to Infringement contentions and Defendant's invalidity contentions by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Ward, Robert) (Entered: 08/07/2012)
08/09/2012	<u>27</u>	ORDER granting <u>26</u> Motion for Extension of Time, through Wednesday, August 15, 2012, to file Defendant's responses to Infringement contentions and Defendant's invalidity contentions. Signed by Judge Charles A. Pannell, Jr on 8/9/12. (ddm) (Entered: 08/09/2012)
08/15/2012	<u>28</u>	Response to Infringement Contentions of <i>ATLeisure</i> filed by ACE Evert, Inc., ACE Evert, Inc... (Attachments: # <u>1</u> Exhibit A -- Chart showing non-infringement, # <u>2</u> Exhibit B -- Document showing Accused Instrumentality)(Ward, Robert) (Entered: 08/15/2012)
08/15/2012	<u>29</u>	Disclosure of Invalidity Contentions filed by ACE Evert, Inc., ACE Evert, Inc... (Attachments: # <u>1</u> Exhibit A -- chart, # <u>2</u> Exhibit B -- prior art, # <u>3</u> Exhibit C -- prior art, # <u>4</u> Exhibit D -- prior art, # <u>5</u> Exhibit E -- prior art, # <u>6</u> Exhibit F -- prior art, # <u>7</u> Exhibit G -- prior art, # <u>8</u> Exhibit H -- prior art, # <u>9</u> Exhibit I -- prior art, # <u>10</u> Exhibit J -- prior art, # <u>11</u> Exhibit K -- prior art, # <u>12</u> Exhibit L -- prior art, # <u>13</u> Exhibit M -- prior art, # <u>14</u> Exhibit N -- prior art, # <u>15</u> Exhibit O -- prior art, # <u>16</u> Exhibit P -- prior art, # <u>17</u> Exhibit Q -- prior art, # <u>18</u> Exhibit R -- prior art)(Ward, Robert) (Entered: 08/15/2012)
09/04/2012	<u>30</u>	Supplemental Disclosure of Infringement Contentions and Document Production filed by ATLeisure, Inc... (Breloski, Jeffrey) (Entered: 09/04/2012)
10/05/2012	<u>31</u>	Joint Claim Construction Statement filed by ATLeisure, Inc... (Attachments: # <u>1</u> ATLeisure, LLC's LPR 6.2 Exchange of Preliminary Constructions Letter, # <u>2</u> Ace Evert Inc.'s Preliminary Proposed Construction of Claimed Terms, Phrases, and Clauses)(Brazier, Robert) (Entered: 10/05/2012)
11/01/2012	<u>32</u>	Claim Construction Brief filed by ATLeisure, Inc... (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit)(Brazier, Robert) (Entered: 11/01/2012)
11/05/2012	<u>33</u>	Consent MOTION for Extension of Time to (1) Provide Opening Brief & Evidence Supporting Claim Construction; and (2) Provide Responsive Claim Construction Brief & Supporting Evidence by ACE Evert, Inc., ACE Evert, Inc.. (Ward, Robert) Modified on 11/6/2012 to correct docket entry of text in all caps. (cem) (Entered: 11/05/2012)
11/05/2012	<u>34</u>	Document filed in error MOTION for Preliminary Injunction with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Breloski, Jeffrey) Modified on 11/6/2012 Incorrect PDF attached. Attorney notified to re-file Motion with correct PDF. (cem). (Entered: 11/05/2012)
11/08/2012	<u>35</u>	ORDER GRANTING <u>33</u> Motion for Extension of Time through 11/16/2012 for defendant to file its Claim Construction Brief. Responsive claim construction brief's are due 12/4/2012. Plaintiff's <u>32</u> Claim Construction Brief is inadequate. The plaintiff is directed to file a new, properly supported claim construction brief and any evidence supporting its claim construction on the same dates as requested in the defendant's motion for extension of time. Signed by Judge Charles A. Pannell, Jr on 11/8/2012. (adg) (Entered: 11/08/2012)

11/13/2012	<u>36</u>	MOTION for Preliminary Injunction with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit Declaration of Jason Bliss, # <u>3</u> Exhibit Declaration of Ross Boone, # <u>4</u> Exhibit Report to Congress)(Brazier, Robert) (Entered: 11/13/2012)
11/16/2012	<u>37</u>	Claim Construction Brief filed by ATLeisure, Inc... (Brazier, Robert) (Entered: 11/16/2012)
11/16/2012	<u>38</u>	First Claim Construction Brief filed by ACE Evert, Inc., ACE Evert, Inc... (Attachments: # <u>1</u> Exhibit A -- Bulb -- Merriam-Webster definition, # <u>2</u> Exhibit B -- Bulb -- Wikipedia definition)(Ward, Robert) (Entered: 11/16/2012)
11/29/2012	<u>39</u>	NOTICE Of Filing by ATLeisure, Inc. re <u>36</u> MOTION for Preliminary Injunction (Attachments: # <u>1</u> Text of Proposed Order Proposed Opinion and Order to Plaintiff's Motion for Preliminary Injunction)(Brazier, Robert) (Entered: 11/29/2012)
11/29/2012	<u>40</u>	RESPONSE re <u>39</u> Notice of Filing <i>and statement re due date of opposition brief</i> filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit A -- Motion for a preliminary injunction filed 11/13/2012)(Ward, Robert) (Entered: 11/29/2012)
11/30/2012	<u>41</u>	SECOND NOTICE Of Filing <i>Proposed Opinion and Order to Plaintiff's Motion for Preliminary Injunction</i> re <u>39</u> Notice of Filing by ATLeisure, Inc. (Attachments: # <u>1</u> Exhibit Plaintiff's Brief in Support of Motion for Preliminary Injunctive Relief)(Brazier, Robert) Modified on 12/3/2012 to correct docket entry to reflect efiled pleading. (cem) (Entered: 11/30/2012)
11/30/2012	<u>42</u>	ORDER re <u>36</u> MOTION for Preliminary Injunction. For the sake of clarity the court hereby ORDERS that the defendant may file a response in opposition to the motion no later than 11/30/2012. The plaintiff's reply, if any, will be due according to the court's local rules. Signed by Judge Charles A. Pannell, Jr. on 11/30/12. (cem) (Entered: 11/30/2012)
11/30/2012	<u>43</u>	RESPONSE in Opposition re <u>36</u> MOTION for Preliminary Injunction filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit A -- Declaration, # <u>2</u> Exhibit B -- claim construction brief, # <u>3</u> Exhibit C -- prior art patent showing invalidity, # <u>4</u> Exhibit D -- ATLeisure advertisement showing "Made in China", # <u>5</u> Exhibit E -- ATLeisure name change, # <u>6</u> Exhibit F -- ATLeisure statement showing "Made in China", # <u>7</u> Exhibit G -- Linkedin Biography showing ATLeisure products "Made in China")(Ward, Robert) (Entered: 11/30/2012)
12/04/2012	<u>44</u>	CERTIFICATE OF SERVICE <i>OF DISCOVERY</i> by ATLeisure, Inc..(Breloski, Jeffrey) (Entered: 12/04/2012)
12/04/2012	<u>45</u>	RESPONSE re <u>38</u> Claim Construction Brief filed by ATLeisure, Inc.. (Brazier, Robert) (Entered: 12/04/2012)
12/04/2012	<u>46</u>	Second Markman Brief filed by ACE Evert, Inc., ACE Evert, Inc... (Ward, Robert) (Entered: 12/04/2012)
12/14/2012	<u>47</u>	PROPOSED CONSENT ORDER Consent Protective Order. (Brazier, Robert) (Entered: 12/14/2012)
12/17/2012	<u>48</u>	REPLY BRIEF re <u>36</u> MOTION for Preliminary Injunction filed by ATLeisure, Inc.. (Brazier, Robert) (Entered: 12/17/2012)
12/18/2012		Submission of <u>36</u> MOTION for Preliminary Injunction, submitted to District Judge Charles A. Pannell. (jtj) (Entered: 12/18/2012)
12/19/2012	<u>49</u>	First MOTION for Extension of Time to Complete Discovery <i>and to extend all scheduled dates</i> by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Appendix Attachment A to Notices of Depositions, # <u>6</u> Exhibit E)(Ward, Robert) (Entered: 12/19/2012)
12/20/2012	<u>50</u>	ORDER adopting in part and amending in part Paragraph 7 of the <u>47</u> Proposed Protective Order. Signed by Judge Charles A. Pannell, Jr. on 12/18/12. (See Order for full details)(cem) (Entered: 12/20/2012)
12/27/2012	<u>51</u>	NOTICE to Take Deposition of Ace Evert, Inc. filed by ATLeisure, Inc. (Breloski, Jeffrey) (Entered: 12/27/2012)

12/28/2012	<u>52</u>	Joint MOTION for Extension of Time to Complete Discovery by ACE Evert, Inc. (Ward, Robert) (Entered: 12/28/2012)
01/08/2013	<u>53</u>	ORDER GRANTING <u>52</u> Motion for Extension of Time to Complete Fact Discovery through and including 2/15/2013; DISMISSING AS MOOT <u>49</u> Motion for Extension of Time to Complete Discovery. Signed by Judge Charles A. Pannell, Jr. on 1/8/2013. (adg) (Entered: 01/08/2013)
01/22/2013	<u>54</u>	Application for Leave of Absence for the following date(s): February 27, 2013 through March 4, 2013, by Steven G. Hall. (Attachments: # <u>1</u> Text of Proposed Order)(Hall, Steven) (Entered: 01/22/2013)
01/24/2013	<u>55</u>	Amended NOTICE to Take Deposition of Ace Evert, Inc. filed by ATLeisure, Inc. (Brazier, Robert) (Entered: 01/24/2013)
01/24/2013	<u>56</u>	APPLICATION for Admission of Kenneth Hayes Pro Hac Vice (Application fee \$ 150, receipt number 113E-4375117)by ACE Evert, Inc., ACE Evert, Inc.. (Ward, Robert) (Entered: 01/24/2013)
01/28/2013	<u>57</u>	Second NOTICE to Take Deposition of ACE Evert, Inc. filed by ATLeisure, Inc. (Brazier, Robert) (Entered: 01/28/2013)
01/28/2013	<u>58</u>	CERTIFICATE OF SERVICE <i>RULE</i> 5.4 by ATLeisure, Inc..(Brazier, Robert) (Entered: 01/28/2013)
01/29/2013		APPROVAL by Clerks Office re: <u>56</u> APPLICATION for Admission of Kenneth Hayes Pro Hac Vice (Application fee \$ 150, receipt number 113E-4375117). Attorney Kenneth Hayes added appearing on behalf of ACE Evert, Inc., ACE Evert, Inc. (pb) (Entered: 01/29/2013)
01/30/2013	<u>59</u>	ORDER GRANTING <u>56</u> Application for Admission Pro Hac Vice of Kenneth Hayes. Signed by Judge Charles A. Pannell, Jr on 1/30/2013. (adg) (Entered: 01/30/2013)
02/01/2013	<u>60</u>	MOTION to Withdraw Jeffrey Thomas Breloski as Attorneyby ATLeisure, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Breloski, Jeffrey) (Entered: 02/01/2013)
02/01/2013	<u>61</u>	ORDER GRANTING <u>60</u> Motion to Withdraw as Attorney Jeffrey Thomas Breloski.. Signed by Judge Charles A. Pannell, Jr on 2/1/2013. (adg) (Entered: 02/04/2013)
02/04/2013	<u>62</u>	Emergency MOTION for Extension of Time to Complete Discovery , MOTION for Protective Order with Brief In Support by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Brief in support, # <u>2</u> Affidavit Declaration of counsel)(Ward, Robert) (Entered: 02/04/2013)
02/13/2013	<u>63</u>	NOTICE of Appearance by Lloyd Garrett Farr on behalf of Southern Sales & Marketing Group, Inc. (Farr, Lloyd) (Entered: 02/13/2013)
02/13/2013	<u>64</u>	Third Party MOTION to Quash Subpoena or in the Alternative, Modify Subpoena with Brief In Support by Southern Sales & Marketing Group, Inc. (Attachments: # <u>1</u> Brief in Support of Motion, # <u>2</u> Exhibit Subpoena)(Farr, Lloyd). Added MOTION to Modify Subpoena on 2/14/2013 (bdb). (Entered: 02/13/2013)
02/15/2013	<u>65</u>	MOTION to Compel Full and Properly-verified Discovery Responses, Privilege Log and 30(b)(6) Deposition Testimony with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Certificate of Good-faith Conferral, # <u>18</u> Text of Proposed Order)(Brazier, Robert) (Entered: 02/16/2013)
02/18/2013	<u>66</u>	RESPONSE in Opposition re <u>64</u> Third Party MOTION to Quash SubpoenaMOTION to Modify Subpoena filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Affidavit)(Ward, Robert) (Entered: 02/18/2013)
02/19/2013	<u>67</u>	MOTION to Quash Subpoenas <i>Issued to Non-parties</i> with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit A - Subpoena to J Fraser, # <u>3</u> Text of Proposed Order)(Brazier, Robert) (Entered: 02/19/2013)

02/19/2013	<u>68</u>	MOTION for Extension of Time to Complete Discovery with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Brief in Support of Motion, # <u>2</u> Exhibit A (Feb. 19, 2013 Correspondence between parties re consent to Motion for Extension), # <u>3</u> Text of Proposed Order)(Brazier, Robert) (Entered: 02/19/2013)
02/21/2013	<u>69</u>	ORDER GRANTING <u>62</u> Motion for 45 day Extension of Time to Complete Discovery; DENYING <u>62</u> Motion for Protective Order; GRANTING IN PART <u>64</u> Motion to Quash; GRANTING IN PART <u>67</u> Motion to Quash; DISMISSING as moot <u>68</u> Motion for Extension of Time to Complete Discovery. Signed by Judge Charles A. Pannell, Jr on 2/21/2013. (adg) (Entered: 02/21/2013)
02/26/2013	<u>70</u>	CERTIFICATE OF SERVICE of Discovery by ATLeisure, Inc..(Brazier, Robert) Modified on 3/1/2013 (adg). (Entered: 02/26/2013)
02/26/2013	<u>71</u>	RESPONSE in Opposition re <u>65</u> MOTION to Compel Full and Properly-verified Discovery Responses, Privilege Log and 30(b)(6) Deposition Testimony filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit A -- Chart showing Atleisure's duplicative discovery demands, # <u>2</u> Affidavit Part 1 -- with Exhibits, # <u>3</u> Affidavit Part 2 -- with Exhibits, # <u>4</u> Affidavit Part 3 -- with Exhibits, # <u>5</u> Affidavit Part 4 -- with Exhibits, # <u>6</u> Affidavit Part 5 -- with Exhibits)(Ward, Robert) (Entered: 02/26/2013)
02/28/2013	<u>72</u>	RESPONSE in Opposition re <u>67</u> MOTION to Quash Subpoenas Issued to Non-parties filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Affidavit -- Ward Declaration, # <u>2</u> Exhibit A -- Order re motion to quash, # <u>3</u> Exhibit B -- email sequence re narrowing subpoena scope)(Ward, Robert) (Entered: 02/28/2013)
03/04/2013	<u>73</u>	NOTICE of Change of Address for Robert M. Ward, counsel for ACE Evert, Inc., ACE Evert, Inc. (Ward, Robert) (Entered: 03/04/2013)
03/04/2013	<u>74</u>	CERTIFICATE OF SERVICE OF DISCOVERY by ATLeisure, Inc..(Brazier, Robert) (Entered: 03/04/2013)
03/11/2013	<u>75</u>	Supplemental Disclosure of Infringement Contentions filed by ATLeisure, Inc... (Hall, Steven) (Entered: 03/11/2013)
03/15/2013	<u>76</u>	MOTION for Protective Order with Brief In Support by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Appendix Certificate of Good Faith, # <u>3</u> Affidavit Declaration of counsel, # <u>4</u> Exhibit A -- Discovery Requests, # <u>5</u> Exhibit B-1 -- Correspondence of counsel, # <u>6</u> Exhibit B-2 -- Correspondence of counsel)(Ward, Robert) (Entered: 03/15/2013)
03/25/2013		Submission of <u>65</u> MOTION to Compel Full and Properly-verified Discovery Responses, Privilege Log and 30(b)(6) Deposition Testimony , submitted to District Judge Charles A. Pannell. (adg) (Entered: 03/25/2013)
03/29/2013	<u>77</u>	Consent MOTION for Extension of Time File Responses re: <u>76</u> MOTION for Protective Order by ATLeisure, Inc.. (Attachments: # <u>1</u> Exhibit Proposed Order)(Brazier, Robert) (Entered: 03/29/2013)
04/02/2013	<u>78</u>	CERTIFICATE OF SERVICE of Discovery by ATLeisure, Inc..(Brazier, Robert) Modified on 4/3/2013 to remove all caps text (adg). (Entered: 04/02/2013)
04/04/2013	<u>79</u>	ORDER GRANTING <u>77</u> Motion for Extension of Time through and including 4/5/2013 for Plaintiff to respond to <u>76</u> MOTION for Protective Order . Signed by Judge Charles A. Pannell, Jr. on 4/4/2013. (adg) (Entered: 04/04/2013)
04/05/2013	<u>80</u>	RESPONSE in Opposition re <u>76</u> MOTION for Protective Order filed by ATLeisure, Inc.. (Attachments: # <u>1</u> Exhibit A- 30(b)(6) Deposition Transcript Excerpts, # <u>2</u> Exhibit B- Non-Confidential Ningbo Everluc Documents in Defendant's Document Production, # <u>3</u> Exhibit C- Proposed Amended Complaint)(Brazier, Robert) (Entered: 04/06/2013)
04/09/2013	<u>81</u>	NOTICE Of Filing Exhibit B by ATLeisure, Inc. re <u>80</u> Response in Opposition to Motion, (Attachments: # <u>1</u> Exhibit B)(Brazier, Robert) (Entered: 04/09/2013)
04/09/2013	<u>82</u>	Consent MOTION for Extension of Time of Parties' Expert Discovery Deadlines with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Brazier, Robert) (Entered: 04/09/2013)

04/11/2013	<u>83</u>	ORDER GRANTING <u>82</u> Motion for Extension of Expert Discovery Deadlines.. Signed by Judge Charles A. Pannell, Jr on 4/11/2013. (adg) (Entered: 04/11/2013)
04/17/2013	<u>84</u>	REPLY to Response to Motion re <u>76</u> MOTION for Protective Order <i>and yet further regarding ATLeisure's filing of Exhibit B on 4/9/13</i> filed by ACE Evert, Inc., ACE Evert, Inc.. (Ward, Robert) Modified on 4/19/2013 (adg). (Entered: 04/17/2013)
04/19/2013		Submission of <u>76</u> MOTION for Protective Order , submitted to District Judge Charles A. Pannell. (adg) (Entered: 04/19/2013)
05/17/2013		NOTICE of Hearing on Motion re: <u>36</u> MOTION for Preliminary Injunction. Motion Hearing set for 5/22/2013 at 03:00 PM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr. (mam) (Entered: 05/17/2013)
05/20/2013	<u>85</u>	CLAIM CONSTRUCTION ORDER. The court construes the term operating element to mean a pulley system. Plaintiff ATLeisure contends the term bulb means a lighting device that comprises a light, a casing, and an electrical conductor. The court rejects Ace's proposed construction of the term bulb and adopts ATLeisure's. The court agrees with ATLeisure, and the term locking means should be afforded its ordinary meaning consistent with § 112 6. Signed by Judge Charles A. Pannell, Jr on 5/20/213. (adg) (Entered: 05/20/2013)
05/21/2013	<u>86</u>	MOTION for Reconsideration re <u>85</u> Order,, <i>regarding proposed claim construction of means-plus-function element ('492 patent-in-suit)</i> with Brief In Support by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit A -- Federal Circuit Model Patent Jury Instructions)(Ward, Robert) (Entered: 05/21/2013)
05/21/2013	<u>87</u>	MOTION for Summary Judgment <i>FOR LACK OF STANDING</i> and/or, in the alternative, MOTION to Dismiss <i>FOR FAILURE TO JOIN A NECESSARY PARTY</i> with Brief In Support by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Affidavit Affidavit of RM Ward, # <u>3</u> Exhibit A -- AtLeisure's initial Complaint, # <u>4</u> Exhibit B -- AtLeisure's Amended Complaint, # <u>5</u> Exhibit C -- portions of the transcript of deposition of Browne, # <u>6</u> Exhibit D -- portions of Asset Purchase Agreement, # <u>7</u> Exhibit E -- Assignment of Intellectual Property, # <u>8</u> Statement of Material Facts)(Ward, Robert) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- Modified on 5/22/2013 (adg). (Entered: 05/21/2013)
05/22/2013	<u>88</u>	Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: Motion Hearing held on 5/22/2013; <u>36</u> Motion for Preliminary Injunction TAKEN UNDER ADVISEMENT; <u>86</u> Motion for Reconsideration DENIED; Opening statements by counsel. Pla's evidence: Jason Bliss; William Martin, sworn. Plas exhs 1 & 2 admitted. Closing arguments by counsel. The record is open for an additional 5 days for the parties to file additional evidence. Hearing Concluded. (Court Reporter Martha Frutchey)(adg) (Entered: 05/22/2013)
05/22/2013	<u>92</u>	Exhibit List by ATLeisure, Inc. (adg) (Entered: 05/30/2013)
05/28/2013	<u>89</u>	RESPONSE in Opposition re <u>36</u> MOTION for Preliminary Injunction <i>pursuant to Order of May 22, 2013 (Doc. 88)</i> filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Affidavit of rebuttal evidence, # <u>2</u> Exhibit a -- deposition transcript, # <u>3</u> Exhibit B -- Everluck sales, # <u>4</u> Exhibit C -- sales in China only docs., # <u>5</u> Exhibit D-1 -- BB&B documents, # <u>6</u> Exhibit D-2 -- BB&B documents, # <u>7</u> Exhibit D-3 -- BB&B documents, # <u>8</u> Exhibit D-4 -- BB&B documents, # <u>9</u> Exhibit D-5 -- BB&B documents, # <u>10</u> Errata D-6 -- BB&B documents, # <u>11</u> Exhibit D-7 -- BB&B documents, # <u>12</u> Exhibit D-8 -- BB&B documents, # <u>13</u> Exhibit D-9 -- BB&B documents, # <u>14</u> Exhibit D-10 -- BB&B documents, # <u>15</u> Exhibit D-11 -- BB&B documents, # <u>16</u> Exhibit E-1 -- Walmart documents, # <u>17</u> Exhibit E-2 -- Walmart documents, # <u>18</u> Exhibit E-3 -- Walmart documents, # <u>19</u> Exhibit E-4 -- Walmart documents, # <u>20</u> Exhibit E-5 -- Walmart documents, # <u>21</u> Exhibit E-6 -- Walmart documents, # <u>22</u> Exhibit E-7 -- Walmart documents, # <u>23</u> Exhibit F-1 -- Red Star Complaint, # <u>24</u> Exhibit F-2 -- Red Star dismissal, # <u>25</u> Exhibit F-3 -- Yotrio Complaint, # <u>26</u> Exhibit F-4 -- Yotrio dismissal)(Ward, Robert) (Entered: 05/28/2013)
05/28/2013	<u>90</u>	TRANSCRIPT of Proceedings held on May 22, 2013, before Judge Charles A. Pannell, Jr.. Court Reporter/Transcriber Martha J. Frutchey, Telephone number (404) 215-1573. Transcript may be viewed at the court public terminal or purchased through

		the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/18/2013. Redacted Transcript Deadline set for 6/28/2013. Release of Transcript Restriction set for 8/26/2013. (Attachments: # <u>1</u> Notice of Filing Transcript) (fem) (Entered: 05/29/2013)
05/28/2013	<u>93</u>	EXHIBITS from Motion Hearing held 5/22/2013 before Judge Charles A. Pannell, Jr. received from Courtroom Deputy and placed in Exhibit room.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(adg) (Entered: 05/30/2013)
05/29/2013	<u>91</u>	REPLY BRIEF re <u>36</u> MOTION for Preliminary Injunction <i>As to Standing</i> filed by ATLeisure, Inc.. (Attachments: # <u>1</u> Exhibit William Browne Declaration and Attachments)(Brazier, Robert) (Entered: 05/29/2013)
06/03/2013	<u>94</u>	MOTION to Strike <i>The Declaration of Zhaojun Wang and for Sanctions</i> with Brief In Support by ATLeisure, Inc.. (Attachments: # <u>1</u> Exhibit Defendant's Objections and Response to Plaintiff's First Set of Interrogatories dated January 11, 2013, # <u>2</u> Exhibit Excerpt from Deposition Transcript of Hang Zhao, 30(b)(6) representative for Defendant Ace Evert, Inc., Pages 7-9 and 71-72, # <u>3</u> Exhibit Sampling of a 2012 Purchase Orders from Walmart to Atleisure LLC for products not at issue, # <u>4</u> Exhibit Plaintiff's Brief in Support of Motion to Strike the Declaration of Zhaojun Wang and for Sanctions)(Brazier, Robert) (Entered: 06/03/2013)
06/03/2013	<u>95</u>	RESPONSE re <u>91</u> Reply Brief of <i>Atleisure as to standing</i> filed by ACE Evert, Inc., ACE Evert, Inc.. (Ward, Robert) (Entered: 06/03/2013)
06/06/2013	<u>96</u>	ORDER DENYING <u>36</u> Motion for Preliminary Injunction. Signed by Judge Charles A. Pannell, Jr on 6/6/2013. (adg) (Entered: 06/06/2013)
06/06/2013	<u>97</u>	ORDER GRANTING IN PART and DENYING IN PART <u>65</u> Motion to Compel and GRANTING IN PART and DENYING IN PART <u>76</u> Motion for Protective Order. The court ORDERS Ace to fully respond to ATLeisure's first and second interrogatories and requests for production of documents and ATLeisure's third request for production of documents, and to make a Rule 30(b)(6) witness available for deposition, all consistent with the discussion of the scope of discovery in this order, within the next 60 days. Ace must clarify its privilege and work product objections as discussed in ATLeisure's motion to compel. The discovery period is extended by 45 days to allow the defendant to comply. Signed by Judge Charles A. Pannell, Jr on 6/6/2013. (adg) (Entered: 06/06/2013)
06/13/2013	<u>98</u>	MOTION for Extension of Time to Respond to Defendant's pending Motion for Summary Judgment by ATLeisure, Inc.. (Attachments: # <u>1</u> Exhibit Email Consent from Heng Wang, # <u>2</u> Order on Consent)(Brazier, Robert) (Entered: 06/13/2013)
06/13/2013	<u>99</u>	ORDER GRANTING <u>98</u> Motion for Extension of Time until 6/28/2013 for Plaintiff to respond to <u>87</u> MOTION for Summary Judgment <i>FOR LACK OF STANDING</i> , and/or, in the alternative MOTION to Dismiss <i>FOR FAILURE TO JOIN A NECESSARY PARTY</i> . Signed by Judge Charles A. Pannell, Jr on 6/13/2013. (adg) (Entered: 06/14/2013)
06/20/2013	<u>100</u>	RESPONSE in Opposition re <u>94</u> MOTION to Strike <i>The Declaration of Zhaojun Wang and for Sanctions</i> filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit A -- Ace Evert stock certificates)(Ward, Robert) (Entered: 06/20/2013)
06/28/2013	<u>101</u>	NOTICE of Appearance by Joshua Tropper on behalf of ATLeisure, Inc. (Tropper, Joshua) (Entered: 06/28/2013)
06/28/2013	<u>102</u>	RESPONSE in Opposition re <u>87</u> MOTION for Summary Judgment <i>FOR LACK OF STANDING</i> , and/or, in the alternative MOTION to Dismiss <i>FOR FAILURE TO JOIN A NECESSARY PARTY</i> filed by ATLeisure, Inc.. (Attachments: # <u>1</u> Declaration of Robert G. Brazier)(Brazier, Robert) (Entered: 06/28/2013)
06/28/2013	<u>103</u>	Response to Statement of Material Facts re <u>87</u> MOTION for Summary Judgment <i>FOR LACK OF STANDING</i> , and/or, in the alternative MOTION to Dismiss <i>FOR FAILURE TO JOIN A NECESSARY PARTY</i> filed by ATLeisure, Inc.. (Brazier, Robert) (Entered: 06/28/2013)

07/09/2013	<u>104</u>	Amended Certificate of Interested Persons and Corporate Disclosure Statement by ACE Evert, Inc.. (Ward, Robert) Modified on 7/11/2013 (adg). (Entered: 07/09/2013)
07/14/2013	<u>105</u>	REPLY to Response to Motion re <u>87</u> MOTION for Summary Judgment <i>FOR LACK OF STANDING</i> , and/or, in the alternative MOTION to Dismiss <i>FOR FAILURE TO JOIN A NECESSARY PARTY</i> filed by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Exhibit 1 -- Ace Evert's Requests for Production)(Ward, Robert) (Entered: 07/14/2013)
07/16/2013		Submission of <u>87</u> MOTION for Summary Judgment <i>FOR LACK OF STANDING</i> , and/or, in the alternative MOTION to Dismiss <i>FOR FAILURE TO JOIN A NECESSARY PARTY</i> , <u>94</u> MOTION to Strike <i>The Declaration of Zhaojun Wang and for Sanctions</i> , submitted to District Judge Charles A. Pannell. (adg) (Entered: 07/16/2013)
08/22/2013	<u>106</u>	MOTION to Amend <i>Answer to First Amended Complaint</i> with Brief In Support by ACE Evert, Inc., ACE Evert, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit proposed amended answer, # <u>3</u> Affidavit Declaration in support)(Ward, Robert) Modified on 8/23/2013 to correct docket text (adg). (Entered: 08/22/2013)
08/23/2013		Notification of Docket Correction re <u>106</u> MOTION to Amend Answer to First Amended Complaint. Modified on 8/23/2013 to correct docket text (adg) (Entered: 08/23/2013)
09/06/2013	<u>107</u>	MOTION for Clarification of <i>prior Orders re submission date for expert report(s)-in-chief</i> , and, MOTION for Extension of Time to file rebuttal expert reports with Brief In Support by ACE Evert, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Affidavit, # <u>3</u> Exhibit A -- Order, # <u>4</u> Exhibit B -- Order, # <u>5</u> Exhibit C -- Correspondence to counsel)(Ward, Robert) (Entered: 09/06/2013)
09/09/2013	<u>108</u>	RESPONSE re <u>106</u> MOTION for Service MOTION to Amend Answer to First Amended Complaint MOTION to Appoint Receiver filed by ATLeisure, Inc.. (Brazier, Robert) (Entered: 09/09/2013)
09/10/2013	<u>109</u>	ORDER directing the plaintiff to file a response brief not later than 9/13/2013 re <u>107</u> MOTION for Clarification of <i>prior Orders re submission date for expert report(s)-in-chief</i> , and MOTION for Extension of Time to file rebuttal expert reports Signed by Judge Charles A. Pannell, Jr on 9/10/2013. (adg) (Entered: 09/10/2013)
09/12/2013	<u>110</u>	REPLY BRIEF re <u>106</u> MOTION for Service MOTION to Amend Answer to First Amended Complaint MOTION to Appoint Receiver filed by ACE Evert, Inc.. (Ward, Robert) (Entered: 09/12/2013)
09/13/2013		Submission of <u>106</u> MOTION for Service MOTION to Amend Answer to First Amended Complaint MOTION to Appoint Receiver, submitted to District Judge Charles A. Pannell. (adg) (Entered: 09/13/2013)
09/13/2013	<u>111</u>	RESPONSE re <u>107</u> MOTION for Clarification of <i>prior Orders re submission date for expert report(s)-in-chief</i> , and MOTION for Extension of Time to file rebuttal expert reports filed by ATLeisure, Inc.. (Brazier, Robert) (Entered: 09/13/2013)
09/13/2013	<u>112</u>	REPLY BRIEF re <u>107</u> MOTION for Clarification of <i>prior Orders re submission date for expert report(s)-in-chief</i> , and MOTION for Extension of Time to file rebuttal expert reports filed by ACE Evert, Inc.. (Ward, Robert) (Entered: 09/13/2013)
09/16/2013		Submission of <u>107</u> MOTION for Clarification of <i>prior Orders re submission date for expert report(s)-in-chief</i> , and MOTION for Extension of Time to file rebuttal expert reports , submitted to District Judge Charles A. Pannell. (adg) (Entered: 09/16/2013)
09/17/2013	<u>113</u>	ORDER GRANTING IN PART and DENYING IN PART <u>107</u> Motion for Clarification and Modification of Expert Discovery Deadlines. The deadline for expert disclosures is 9/19/2013; The deadline for expert disclosures for matters on which the opposing party has the burden of proof is 10/4/2013; The deadline for rebuttal expert disclosures in response to the opposing party's expert disclosures is 11/4/2013; The deadline for expert depositions is 11/18/2013; The deadline for Daubert motions with regard to expert testimony is 12/16/2013; The deadline for summary judgment motions is 12/16/2013. As a final matter, the court addresses the plaintiff's repeated request that the court determine who the proper parties should be. It is the parties' responsibility to

		determine the proper parties. The court will not investigate and determine who the proper parties are in this matter. Signed by Judge Charles A. Pannell, Jr on 9/17/2013. (adg) (Entered: 09/17/2013)
09/19/2013	<u>114</u>	Emergency MOTION for Extension of Time Submint Expert Witness Report re: <u>113</u> Order on Motion for Clarification, Order on Motion for Extension of Time,,,,, by ATLeisure, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Brazier, Robert) (Entered: 09/19/2013)
09/19/2013	<u>115</u>	MOTION to withdraw <u>114</u> Emergency MOTION for Extension of Time Submint Expert Witness Report re: <u>113</u> Order on Motion for Clarification, Order on Motion for Extension of Time,,,,, by ATLeisure, Inc.. (Brazier, Robert) (Entered: 09/19/2013)
09/24/2013	<u>116</u>	MOTION to Exclude further expert reports and testimony at trial with Brief In Support by ACE Evert, Inc.. (Attachments: # <u>1</u> Brief, # <u>2</u> Affidavit, # <u>3</u> Exhibit A -- September 17, 2013 Order, # <u>4</u> Exhibit B -- Plaintiffs "initial expert report ", # <u>5</u> Exhibit C -- Plaintiffs Emergency Motion, # <u>6</u> Exhibit D -- Plaintiffs Motion to Withdraw Emergency Motion, # <u>7</u> Exhibit E -- Plaintiffs Response to Defendants First Set of Interrogatories, # <u>8</u> Exhibit F -- Plaintiffs Initial Disclosures)(Ward, Robert) (Entered: 09/24/2013)
10/18/2013		Submission of <u>116</u> MOTION to Exclude further expert reports and testimony at trial, submitted to District Judge Charles A. Pannell. (adg) (Entered: 10/18/2013)
10/30/2013	<u>117</u>	STIPULATION of Dismissal <i>with prejudice</i> by ACE Evert, Inc., ATLeisure, Inc., Southern Sales & Marketing Group, Inc.. (Ward, Robert) (Entered: 10/30/2013)
10/31/2013		Clerk's Entry of Dismissal APPROVING <u>117</u> Stipulation of Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(ii) (adg) (Entered: 10/31/2013)
10/31/2013		Civil Case Terminated. (adg) (Entered: 10/31/2013)
11/06/2013	<u>118</u>	AO Form 120 forwarded to the Director of the USPTO. (Attachments: # <u>1</u> Stipulation of Dismissal) (adg) (Entered: 11/06/2013)
05/09/2016	<u>119</u>	NOTICE TO PLAINTIFF'S COUNSEL OF RECORD regarding RECLAMATION AND DISPOSITION OF UNCLAIMED EXHIBITS (Motion Hearing - May 22, 2013) pursuant to Local Rule 79.1D(2). (mec) (Entered: 05/09/2016)
07/11/2016		EXHIBITS DESTROYED as directed in <u>119</u> Exhibit Return Notification (mec) (Entered: 07/11/2016)