

APPEAL, CLOSED, SEALDC

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:03-cv-00372-LP**

SCHOENHAUS et al v. GENESCO, INC. et al  
Assigned to: HONORABLE LOUIS H. POLLAK  
Cause: 28:1338 Patent Infringement

Date Filed: 01/27/2003  
Jury Demand: Plaintiff  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**HAROLD SCHOENHAUS**

represented by **BRIAN WILLIAM HIGGINS**  
WATERGATE  
600 NEW HAMPSHIRE AVENUE  
NW  
WASHINGTON, DC 20037  
202-772-5800  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**CHARLES RANDOLPH WOLFE,  
JR.**  
WATERGATE  
600 NEW HAMPSHIRE AVENUE,  
NW  
WASHINGTON, DC 20037  
202-772-5800  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**GRANT S. PALMER**  
BLANK ROME COMISKY &  
McCAULEY  
ONE LOGAN SQUARE  
PHILADELPHIA, PA 19103  
215-569-5578  
Fax: 215-832-5578  
Email: palmer@blankrome.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**TODD A. SCHOENHAUS**  
BLANK ROME LLP  
ONE LOGAN SQUARE  
PHILADELPHIA, PA 19103-6998  
215-569-5320  
Fax: 215-832-5320

Email: schoenhaus@blankrome.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**RICHARD M. JAY**

represented by **BRIAN WILLIAM HIGGINS**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**CHARLES RANDOLPH WOLFE,  
JR.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**GRANT S. PALMER**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**TODD A. SCHOENHAUS**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**GENESCO, INC.**

represented by **DAVID W. MARSTON, JR.**  
**MORGAN, LEWIS AND BOCKIUS  
LLP**  
1701 MARKET STREET  
PHILADELPHIA, PA 19103-2921  
TEL: 215-963-5000  
Email: dmarston@morganlewis.com  
*TERMINATED: 08/30/2004*  
*LEAD ATTORNEY*

**JOHN S. PRATT**  
**KILPATRICK STOCKTON LLP**  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309-4530  
404-815-6367  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**KRISTIN D. MALLATT**  
**KILPATRICK STOCKTON LLP**

SUITE 2800  
1100 PEACHTREE STREET  
ATLANTA, GA 30309-4530  
404-815-6500  
Email:  
kmallatt@kilpatrickstockton.com  
*TERMINATED: 04/07/2004*  
*LEAD ATTORNEY*

**MATTHEW A. TAYLOR**  
DUANE MORRIS LLP  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103  
215-979-1140  
Email: mataylor@duanemorris.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**MITCHELL G. STOCKWELL**  
KILPATRICK STOCKTON LLP  
SUITE 2800  
1100 PEACHTREE STREET  
ATLANTA, GA 30309-4530  
404-815-6500  
Fax: 404-815-6555  
Email:  
mstockwell@kilpatrickstockton.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**THOMAS B. KENWORTHY**  
MORGAN LEWIS AND BOCKIUS  
L.L.P.  
1701 MARKET STREET  
PHILADELPHIA, PA 19103-2921  
215-963-5702  
*TERMINATED: 08/30/2004*  
*LEAD ATTORNEY*

**TYWANDA L. HARRIS**  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE ST.  
STE. 2800  
ATLANTA, GA 30309-4530  
404-815-6566  
Email: tyharris@kilpatrickstockton.com  
  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**WAB P. KADABA**  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE ST.  
SUITE 2800  
ATLANTA, GA 30309-4530  
404-532-6959  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**MATTHEW MICHAEL RYAN**  
DUANE MORRIS, LLP  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103  
215-979-1110  
Email: mmryan@duanemorris.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JOHNSTON & MURPHY, INC.**

represented by **DAVID W. MARSTON, JR.**  
(See above for address)  
*TERMINATED: 08/30/2004*  
*LEAD ATTORNEY*

**JOHN S. PRATT**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**KRISTIN D. MALLATT**  
(See above for address)  
*TERMINATED: 04/07/2004*  
*LEAD ATTORNEY*

**MATTHEW A. TAYLOR**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**MITCHELL G. STOCKWELL**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**THOMAS B. KENWORTHY**  
(See above for address)  
*TERMINATED: 08/30/2004*  
*LEAD ATTORNEY*

**TYWANDA L. HARRIS**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**WAB P. KADABA**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**MATTHEW MICHAEL RYAN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/27/2003	<a href="#">1</a>	COMPLAINT against GENESCO, INC., JOHNSTON & MURPHY, INC. ( Filing fee \$ 150 receipt number 813784.), filed by RICHARD M. JAY, HAROLD SCHOENHAUS.(ti, ) Additional attachment(s) added on 1/31/2003 (ldb, ). (Entered: 01/28/2003)
01/27/2003		Two Original Summons Issued as to GENESCO, INC., JOHNSTON & MURPHY, INC.. Forwarded To: Counsel on 1/28/03 (ti, ) (Entered: 01/28/2003)
01/27/2003		DEMAND for Trial by Jury by RICHARD M. JAY, HAROLD SCHOENHAUS. (ti, ) (Entered: 01/28/2003)
01/27/2003	<a href="#">2</a>	Copy of Form to Commissioner of Patents. (ti, ) (Entered: 01/28/2003)
03/28/2003	<a href="#">3</a>	ANSWER to Complaint and Additional Defenses by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service.(cdd, ) Additional attachment(s) added on 5/2/2003 (ldb, ). (Entered: 03/28/2003)
03/28/2003		Issue Joined. (cdd, ) (Entered: 03/28/2003)
03/28/2003	<a href="#">4</a>	MOTION FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC. TO DISMISS COUNT I,BRIEF, CERTIFICATE OF SERVICE. (cdd, ) Additional attachment(s) added on 5/2/2003 (ldb, ). Additional attachment(s) added on 5/2/2003 (ldb, ). Additional attachment(s) added on 5/2/2003 (ldb, ). (Entered: 03/28/2003)
04/01/2003	<a href="#">5</a>	MOTION FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC. FOR ADMISSION PRO HAC VICE OF KRISIN D. MALLATT, CERTIFICATE OF SERVICE.(cdd, ) Additional attachment(s) added on 5/2/2003 (ldb, ). (Entered: 04/02/2003)
04/01/2003		Filing fee: \$ 80.00, receipt number 885722 (cdd, ) (Entered: 04/02/2003)
04/01/2003	<a href="#">6</a>	MOTION FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC. FOR ADMISSION PRO HAC VICE OF MITCHEL G. STOCKWELL, CERTIFICATE OF SERVICE.(cdd, ) Additional attachment(s) added on 5/2/2003 (ldb, ). (Entered: 04/02/2003)

04/01/2003		Filing fee: \$ 80.00, receipt number 885722 (cdd, ) (Entered: 04/02/2003)
04/07/2003	<a href="#">7</a>	ORDER GRANTING <a href="#">5</a> MOTION FOR LIMITED ADMISSION OF KRISTIN D. MALLAT. ( SIGNED BY JUDGE CHARLES R. WEINER ON 4/7/03.) 4/8/03 ENTERED AND COPIES MAILED AND FAXED. (gn, ) Modified on 4/8/2003 (gn, ). (Entered: 04/08/2003)
04/07/2003	<a href="#">8</a>	ORDER GRANTING <a href="#">6</a> MOTION FOR LIMITED ADMISSION OF MITCHELL G. STOCKWELL. ( SIGNED BY JUDGE CHARLES R. WEINER ON 4/7/03.) 4/8/03 ENTERED AND COPIES MAILED AND FAXED. (gn, ) (Entered: 04/08/2003)
04/15/2003	<a href="#">9</a>	STIPULATION AND ORDER THAT PLAINTIFFS MAY HAVE A THIRTY (30) DAY EXTENSION OF TIME UP TO AND INCLUDING 5/12/03 IN WHICH TO FILE A RESPONSE TO DEFENDANTS' MOTION TO DISMISS COUNT I.SIGNED BY JUDGE CHARLES R. WEINER ON 4/15/03. 4/15/03 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 04/15/2003)
04/29/2003	<a href="#">10</a>	PRETRIAL REPORT AND ORDER, ETC.SIGNED BY JUDGE CHARLES R. WEINER ON 4/29/03. 4/29/03 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 04/29/2003)
04/29/2003	<a href="#">11</a>	ORDER THAT THE ABOVE-ENTITLED MATTER IS DISMISSED WITHOUT PREJUDICE, ETC.SIGNED BY JUDGE CHARLES R. WEINER ON 4/29/03. 4/29/03 ENTERED AND COPIES MAILED AND COPIES FAXED BY CHAMBERS ON 4/28/03.(cdd, ) (Entered: 04/29/2003)
04/29/2003		***Civil Case Terminated. (kv, ) (Entered: 04/30/2003)
05/12/2003	<a href="#">12</a>	MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION to Dismiss COUNT I, CERTIFICATE OF SERVICE filed by RICHARD M. JAY, HAROLD SCHOENHAUS. (ss, ) Additional attachment(s) added on 5/22/2003 (ldb, ). (Entered: 05/13/2003)
05/16/2003	<a href="#">13</a>	REPLY filed by GENESCO, INC., JOHNSTON & MURPHY, INC. to Plaintiff's Opposition to Defendants' MOTION TO DISMISS COUNT I, Certificate of Service. (cdd, ) (Entered: 05/16/2003)
05/22/2003	<a href="#">14</a>	Surreply Brief filed by RICHARD M. JAY, HAROLD SCHOENHAUS in Opposition to Defendants' Motion to Dismiss Count I, Certificate of Service. (cdd, ) Modified on 5/29/2003 (cdd, ). (Entered: 05/22/2003)
07/08/2003	<a href="#">15</a>	STIPULATED PROTECTIVE ORDER RE: CERTAIN DOCUMENTS, ETC.SIGNED BY JUDGE CHARLES R. WEINER ON 7/7/03. 7/9/03 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 07/09/2003)
08/01/2003	<a href="#">16</a>	MOTION FILED BY RICHARD M. JAY, HAROLD SCHOENHAUS TO COMPEL, CERTIFICATE OF SERVICE.(cdd, ) Additional attachment(s) added on 9/4/2003 (cdd, ). (Entered: 08/04/2003)
08/04/2003	<a href="#">17</a>	MOTION to Compel <i>and Supporting Brief</i> filed by GENESCO,

		INC..Certificate of Service. (Attachments: # <a href="#">1</a> )(MALLATT, KRISTIN) (Entered: 08/04/2003)
08/07/2003	<a href="#">18</a>	RESPONSE in Opposition re <a href="#">16</a> MOTION to Compel <i>and Supporting Brief</i> filed by GENESCO, INC.. (MALLATT, KRISTIN) (Entered: 08/07/2003)
08/12/2003	<a href="#">19</a>	MOTION to Dismiss <i>Johnston &amp; Murphy as a Party in this Action</i> filed by GENESCO, INC..Declaration of Roger G. Sisson, Certificate of Service.(MALLATT, KRISTIN) (Entered: 08/12/2003)
08/25/2003	<a href="#">20</a>	Rule 7.1 Disclosure Statement by GENESCO, INC., Certificate of Service. (MALLATT, KRISTIN) Modified on 8/26/2003 (np). (Entered: 08/25/2003)
08/29/2003	<a href="#">21</a>	Brief in Opposition filed by RICHARD M. JAY, HAROLD SCHOENHAUS to Defendants' Motion to Dismiss Johnston & Murphy, Inc. as a Part in This Action, Certificate of Service. (cdd, ) (Entered: 09/02/2003)
09/05/2003	<a href="#">22</a>	MOTION FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC. FOR ADMISSION PRO HAC VICE OF TYWANDA L. HARRIS FOR DEFENDANTS GENESCO, INC. AND JOHNSTON & MURPHY, CERTIFICATE OF SERVICE.(cdd, ) (Entered: 09/08/2003)
09/08/2003	<a href="#">23</a>	GENESCO'S MOTION TO ENFORCE <i>THE COURT'S ORDER COMPELLING DISCOVERY RESPONSES OR, ALTERNATIVELY, MOTION IN LIMINE AND SUPPORTING BRIEF</i> , , CERTIFICATE OF SERVICE. (Attachments: # <a href="#">1</a> Exhibit)(STOCKWELL, MITCHELL) Modified on 9/11/2003 (fh) (Entered: 09/08/2003)
09/08/2003	<a href="#">24</a>	Sur Reply in Support of the <a href="#">19</a> MOTION TO DISMISS <i>JOHNSTON &amp; MURPHY AS A PARTY IN THIS ACTION</i> filed by DEFENDANT GENESCO, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit) (STOCKWELL, MITCHELL) Modified on 9/11/2003 (fh) (Entered: 09/08/2003)
09/10/2003	25	ORDER THAT THE MOTION FOR ADMISSION PRO HAC VICE OF TYWANDA L. HARRIS IS GRANTED. SIGNED BY JUDGE CHARLES R. WEINER ON 9/9/03.9/10/03 ENTERED AND COPIES MAILED AND FAXED. (cdd, ) (Entered: 09/10/2003)
09/25/2003	<a href="#">26</a>	Brief filed by RICHARD M. JAY, HAROLD SCHOENHAUS in Opposition to Genesco's Motion to Enforce The Court's Order Compelling Discovery Responses or, Alternatively, Motion in Limine, Certificate of Service. (cdd, ) (Entered: 09/26/2003)
11/26/2003	<a href="#">27</a>	DEFENDANTS' GENESCO, INC., JOHNSTON & MURPHY, INC. MOTION TO COMPEL, OR <i>ALTERNATIVELY, MOTION IN LIMINE CONCERNING PLAINTIFFS' TESTING OF ACCUSED SHOES, AND SUPPORTING BRIEF</i> , Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit C)(STOCKWELL, MITCHELL) Modified on 12/1/2003 (fh) (Entered: 11/26/2003)

11/26/2003	28	EXHIBIT A to GENESCO'S MOTION TO COMPEL, OR ALTERNATIVELY, IN LIMINE. (FILED UNDER SEAL)(md, ) (Entered: 11/28/2003)
11/26/2003	29	EXHIBIT B to GENESCO'S MOTION TO COMPEL, OR ALTERNATIVELY, IN LIMINE.(FILED UNDER SEAL).(md, ) (Entered: 11/28/2003)
12/17/2003	<a href="#">30</a>	STIPULATION AND ORDER THAT PLAINTIFFS MAY HAVE AN EXTENSION OF TIME UP TO AND INCLUDING 1/9/04, IN WHICH TO FILE A RESPONSE TO DEFENDANT'S MTOION TO COMPEL, OR ALTERNATIVELY, MOTION IN LIMINE CONCERNING PLAINTIFFS' TESTING OF ACCUSED SHOES.SIGNED BY JUDGE CHARLES R. WEINER ON 12/17/03. 12/17/03 ENTERED AND COPIES MAILED AND COPIES FAXED BY CHAMBERS.(cdd, ) (Entered: 12/17/2003)
01/21/2004	<a href="#">31</a>	STIPULATION AND CONSENT RDER RE: GENESCO'S MOTION TO COMPEL, OR ALTERNATIVELY, MOTON IN LIMINE CONCERNING PLAINTIFFS' TESTING OF ACCUSED SHOES, ETC.SIGNED BY JUDGE CHARLES R. WEINER ON 1/20/04. 1/21/04 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 01/21/2004)
01/29/2004	<a href="#">32</a>	Proposed Case Management Plan <i>Stipulated Scheduling Order</i> by GENESCO, INC., JOHNSTON & MURPHY, INC.. (STOCKWELL, MITCHELL) (FILED IN ERROR BY ATTORNEY; COPY OF STIPULATION FORWARDED TO JUDGE) Modified on 1/30/2004 (np). (Entered: 01/29/2004)
02/03/2004	33	STIPULATION AND ORDER THAT DEFENDANTS WILL FILE MOTION FOR SUMMARY JUDGMENT 3/8/04; PLAINTIFFS WILL FILE RESPONE TO MOTION FOR SUMMARY JUDGMENT 3/31/04; AND DEFENDANTS WILL FILE REPLY BRIEF 4/12/04, ETC., CERTIFICATE OF SERVICE.SIGNED BY JUDGE CHARLES R. WEINER ON 2/3/04. 2/3/04 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 02/03/2004)
02/10/2004	34	ORDER THAT GENESCO'S MOTION TO COMPEL IS DENIED WITHOUT PREJUDICE; ETC.. SIGNED BY JUDGE CHARLES R. WEINER ON 2/10/04. 2/10/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 02/10/2004)
02/10/2004	35	ORDER THAT GENESCO'S MOTION TO DISMISS JOHNSTON & MURPHY AS A PARTY IN THIS ACTION IS DENIED; ETC.. SIGNED BY JUDGE CHARLES R. WEINER ON 2/10/04. 2/10/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 02/10/2004)
02/10/2004	36	ORDER THAT PLAINTIFF MOTION TO COMPEL IS DENIED WITHOUT PREJUDICE; ETC.. SIGNED BY JUDGE CHARLES R. WEINER ON 2/10/04. 2/10/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 02/10/2004)



02/10/2004	37	ORDER THAT DEFENDANTS' MOTION TO DISMISS COUNT I AND THE BRIEFS OF THE PARTIES IS DENIED WITHOUT PREJUDICE; ETC.. SIGNED BY JUDGE CHARLES R. WEINER ON 2/10/04. 2/10/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 02/10/2004)
02/25/2004	<a href="#">38</a>	First MOTION for Protective Order <i>and Supporting Brief</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F# <a href="#">7</a> Exhibit G)(STOCKWELL, MITCHELL) (Entered: 02/25/2004)
02/26/2004	<a href="#">39</a>	First MOTION to Compel <i>and Supporting Brief</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F)(STOCKWELL, MITCHELL) (Entered: 02/26/2004)
03/05/2004	<a href="#">40</a>	OPPOSITION to Genesco's MOTION for Protective Order filed by RICHARD M. JAY, HAROLD SCHOENHAUS, Certificate of Service. (mar, ) (Entered: 03/05/2004)
03/08/2004	<a href="#">41</a>	First MOTION for Summary Judgment of <i>Noninfringement and Invalidity</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC., CERTIFICATE OF SERVICE. (STOCKWELL, MITCHELL) Modified on 3/9/2004 (np). (Entered: 03/08/2004)
03/08/2004	<a href="#">42</a>	<i>Brief in Support of Defendant's Motion for Summary Judgment of Noninfringement and Invalidity</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order for Summary Judgment) (STOCKWELL, MITCHELL) Modified on 3/9/2004 (np). (Entered: 03/08/2004)
03/08/2004	<a href="#">43</a>	<i>Addendum I to Brief in Support</i> First MOTION for Summary Judgment filed by GENESCO, INC., JOHNSTON & MURPHY, INC. (STOCKWELL, MITCHELL) Modified on 3/9/2004 (np). (Entered: 03/08/2004)
03/09/2004	<a href="#">44</a>	First MOTION to Amend/Correct <a href="#">3</a> Answer to Complaint <i>and Add Counterclaims</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Brief and Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(STOCKWELL, MITCHELL) (Entered: 03/09/2004)
03/09/2004	45	Appendix by GENESCO, INC., JOHNSTON & MURPHY, INC. to Brief in Support of Defendants' Motion for Summary Judgment of Noninfringement and Invalidity, Certificates of Service.(cdd, ) (Entered: 03/09/2004)
03/09/2004	46	EXHIBITS 23, 24, 36, 37, 38, 39, and 48 by GENESCO, INC., JOHNSTON & MURPHY, INC. to their Appendix to the Brief in Support of Defendant's Motion for Summary Judgment on Noninfringement and Invalidity. (FILED UNDER SEAL)(cdd, )

		(Entered: 03/09/2004)
03/09/2004	142	EXHIBITS 23B, 24B AND 64 TO DEFENDANT'S SUPPLEMENT TO APPENDIX TO THE BRIEF IN SUPPORT OF DEFENDANTS'S MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT AND INVALIDITY BY GENESCO, INC., JOHNSTON & MURPHY, INC. (FILED UNDER SEAL)(ac, ) (Entered: 01/10/2006)
03/15/2004		Issue Joined. (cdd, ) (Entered: 03/16/2004)
03/15/2004	<a href="#">47</a>	Response filed by RICHARD M. JAY in Opposition to Genesco's Motion to Compel, Certificate of Service. (cdd, ) (Entered: 03/16/2004)
03/18/2004	<a href="#">48</a>	<i>Reply Brief</i> in Support of its Motion <a href="#">39</a> First MOTION to Compel filed by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(STOCKWELL, MITCHELL) Modified on 3/19/2004 (np). (Entered: 03/18/2004)
03/19/2004	<a href="#">50</a>	NOTICE by GENESCO, INC., JOHNSTON & MURPHY, INC. of Filing Original Declaration of Yasufumi Ito, Certificate of Service. (cdd, ) Additional attachment(s) added on 3/26/2004 (cdd, ). (Entered: 03/22/2004)
03/22/2004	<a href="#">49</a>	Supplemental MOTION to Amend/Correct <a href="#">44</a> First MOTION to Amend/Correct <a href="#">3</a> Answer to Complaint <i>and Add Counterclaims</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Certificate of Service.(HARRIS, TYWANDA) (Entered: 03/22/2004)
03/29/2004	<a href="#">51</a>	MOTION FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC. FOR ADMISSION PRO HAC VICE OF WAB P. KADABA, ESQ., CERTIFICATE OF SERVICE.(cdd, ) (Entered: 03/29/2004)
03/30/2004	52	ORDER THAT GENESCO'S MOTION FOR PROTECTIVE ORDER IS DENIED AS MOOT. SIGNED BY JUDGE CHARLES R. WEINER ON 3/30/04.3/30/04 ENTERED AND COPIES MAILED AND FAXED. (cdd, ) (Entered: 03/30/2004)
03/30/2004	53	ORDER THAT DEFENDANT'S MOTION FOR ADMISSION PRO HAC VICE OF WAB P. KADABA, ESQUIRE IS GRANTED.. SIGNED BY JUDGE CHARLES R. WEINER ON 3/30/04.3/31/04 ENTERED AND COPIES MAILED AND FAXED. (afm, ) (Entered: 03/31/2004)
03/31/2004	<a href="#">54</a>	AMENDED DOCUMENT by GENESCO, INC., JOHNSTON & MURPHY, INC.. Amendment to <a href="#">32</a> Proposed Case Management Plan <i>and Stipulated Scheduling Order</i> . (STOCKWELL, MITCHELL) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE) Modified on 4/1/2004 (np). (Entered: 03/31/2004)
04/07/2004	<a href="#">55</a>	NOTICE by GENESCO, INC., JOHNSTON & MURPHY, INC. of <i>Withdrawal of Appearance of Kristin D. Mallatt</i> , Certificate of Service. (STOCKWELL, MITCHELL) Modified on 4/7/2004 (np). (Entered: 04/07/2004)

04/08/2004	56	STIPULATION AND ORDER THAT PLAINTIFFS WILL FILE RESPONSE TO MOTION FOR SUMMARY JUDGMENT ACCOMPANIED BY THEIR EXPERT'S AFFIDAVIT BY 4/20/04; DEFENDANTS WILL FILE REPLY BRIEF BY 5/11/04, ETC.SIGNED BY JUDGE CHARLES R. WEINER ON 4/5/04. 4/8/04 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 04/08/2004)
04/12/2004	<a href="#">57</a>	Praecipe to Insert Exhibit J to Exhibit 40 to the Appendix to Brief in Support of Defendants' Motion for Summary Judgment of Noninfringement and Invalidity by GENESCO, INC., JOHNSTON & MURPHY, INC. Certificate of Service. (stb, ) (Entered: 04/12/2004)
04/28/2004	<a href="#">58</a>	SECOND AMENDED STIPULATED SCHEDULING ORDER THAT PLAINTIFFS WILL FILE A RESPONSE TO MOTION FOR SUMMARY JUDGMENT ACCOMPANIED BY THEIR EXPERT'S AFFIDAVIT BY 4/30/04; DEFENDANTS WILL FILE REPLY BRIEF BY 5/21/04, ETC.SIGNED BY JUDGE CHARLES R. WEINER ON 4/27/04. 4/28/04 ENTERED AND COPIES MAILED AND FAXED. (cdd, ) (Entered: 04/28/2004)
04/28/2004	<a href="#">59</a>	MOTION FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC. FOR ADMISSION PRO HAC VICE OF JOHN S. PRATT, CERTIFICATE OF SERVICE.(cdd, ) (Entered: 04/28/2004)
04/30/2004	<a href="#">60</a>	Memorandum of Law filed by RICHARD M. JAY, HAROLD SCHOENHAUS in Opposition to Defendants' Motion for Summary Judgment of Noninfringement and Invalidity, Certificate of Service, Appendix of Exhibits in Support. (cdd, ) (Entered: 05/03/2004)
04/30/2004	<a href="#">61</a>	Appendix of Exhibits by RICHARD M. JAY, HAROLD SCHOENHAUS in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment on Noninfringement and Invalidity. (FILED UNDER SEAL)(cdd, ) Additional attachment(s) added on 5/3/2004 (cdd, ). (Entered: 05/03/2004)
05/13/2004	<a href="#">62</a>	Entry of Appearance by MATTHEW A. TAYLOR on behalf of GENESCO, INC., JOHNSTON & MURPHY, INC. with Certificate of Service. (cdd, ) Additional attachment(s) added on 5/17/2004 (cdd, ). (Entered: 05/14/2004)
05/20/2004	<a href="#">63</a>	MOTION TO STAY THE SUMMARY JUDGMENT BRIEFING AND EXPERT DISCOVERY SCHEDULE UNTIL A NEW JUDGE IS APPOINTED TO THIS MATTER BY GENESCO, INC., JOHNSTON & MURPHY, INC. CERTIFICATE OF SERVICE.(stb, ) (Entered: 05/21/2004)
05/21/2004	<a href="#">64</a>	ORDER THAT THIS CASE IS REASSIGNED FROM JUDGE CHARLES R. WEINER TO JUDGE MICHAEL M. BAYLSON FOR ALL FURTHER PROCEEDINGS. SIGNED BY JUDGE MICHAEL E. KUNZ ON 5/21/04. 5/21/04 ENTERED AND COPIES MAILED AND FAXED.(afm, ) (Entered: 05/21/2004)

05/21/2004	<a href="#">65</a>	Opposition filed by RICHARD M. JAY, HAROLD SCHOENHAUS to Defendants "Motion to Stay the Summary Judgment Briefing and Expert Discovery Schedule Until a New Judge is Appointed to this Matter", Certificate of Service. (cdd, ) (Entered: 05/24/2004)
05/25/2004	<a href="#">66</a>	ORDER THAT THE ABOVE CAPTIONED CASE IS REASSIGNED FROM THE CALENDAR OF THE HON. MICHAEL M. BAYLSON TO THE CALENDAR OF THE HON. LOUIS H. POLLAK.SIGNED BY CLERK OF COURT MICHAEL E. KUNZ ON 5/25/04. 5/25/04 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 05/25/2004)
06/09/2004	<a href="#">67</a>	ORDER THAT THE ABOVE-CAPTIONED CASE IS REFERRED TO MAGISTRATE JUDGE M. FAITH ANGELL FOR ALL DISCOVERY DISPUTES, ETC.SIGNED BY JUDGE LOUIS H. POLLAK ON 6/8/04. 6/9/04 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 06/09/2004)
06/23/2004	<a href="#">68</a>	ORDER THAT A DISCOVERY HEARING IS SET FOR 7/15/2004 02:00 PM IN COURTROOM BEFORE MAGISTRATE M. FAITH ANGELL. SIGNED BY JUDGE M. FAITH ANGELL ON 6/22/04. 6/23/04 ENTERED AND COPIES FAXED.(stb, ) (Entered: 06/23/2004)
06/29/2004	<a href="#">69</a>	STIPULATION <i>to Extend Time for Defendants to File Reply Brief in Support of Their Motion For Summary Judgment</i> by GENESCO, INC., JOHNSTON & MURPHY, INC.. (HARRIS, TYWANDA) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 6/30/2004 (np). (Entered: 06/29/2004)
07/06/2004	70	STIPULATION AND ORDER THAT THE PARTIES WILL PARTICIPATE IN A HEARING BEFORE JUDGE ANGELL ON 7/15/04 TO RESOLVE THE PARTIES' DISPUTE REGARDING THE DEPOSITION OF DR. HILLSTROM AND THE INSPECTION OF THE GAIT STUDY CENTER, AND THE PAYMENT OF DR. DOWNEY'S FEE FOR 5/21/04, ETC.SIGNED BY JUDGE LOUIS H. POLLAK ON 7/1/04. 7/7/04 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) Modified on 7/7/2004 (cdd, ). (Entered: 07/07/2004)
07/13/2004	<a href="#">71</a>	ORDER THAT THE DISCOVERY HEARING WHICH WAS SCHEDULED FOR 7/15/04, IS CONTINUED, AND IT WILL NOW BE HELD ON 7/23/04 AT 10:30 A.M. IN COURTROOM 3H, U.S. COURTHOUSE, ETC.SIGNED BY JUDGE M. FAITH ANGELL ON 7/9/04. 7/13/04 ENTERED AND COPIES FAXED BY CHAMBERS ON 7/12/04.(cdd, ) (Entered: 07/13/2004)
07/23/2004	<a href="#">72</a>	ORDER THAT A TELEPHONE STATUS CONFERENCE WILL BE HELD ON 7/29/2004 AT 10:00 AM BEFORE MAGISTRATE M. FAITH ANGELL TO DISCUSS SCHEDULING MATTERS; PLAINTIFFS' COUNSEL SHALL INITIATE THIS CONFERENCE CALL TO (215) 597-6079. (SIGNED BY JUDGE M. FAITH ANGELL) ON 07/23/04; 07/26/04 ENTERED AND COPIES MAILED AND FAXED BY CHAMBERS ON 07/23/04.(np) (Entered: 07/26/2004)

07/27/2004	73	TRANSCRIPT of Proceedings held on 7/23/04 before Judge M. FAITH ANGELL. Court Reporter: ANN FUHRMAN. (mac, ) (Entered: 07/28/2004)
07/28/2004	74	ORDER THAT DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO AMEND THEIR ANSWER AND ADD COUNTERCLAIMS IS GRANTED.SIGNED BY JUDGE LOUIS H. POLLAK ON 7/26/04.7/28/04 ENTERED AND COPIES MAILED AND FAXED. (cdd, ) (Entered: 07/28/2004)
07/28/2004	75	First Amended ANSWER to Complaint together with Additional Defenses and Counterclaims by GENESCO, INC., JOHNSTON & MURPHY, INC. (cdd, ) (Entered: 07/28/2004)
07/29/2004	<a href="#">76</a>	ORDER THAT DEFENDANTS' LETTER MOTION TO COMPEL DISCOVERY FROM PLAINTIFFS' EXPERT, DR. HOWARD HILLSTROM AND TO INSPECT THE GAIT STUDY CENTER IS DENIED. DEFENDANTS' REQUEST THA TTHE PLAINTIFFS PROVIDE THEM WITH THE RELEVANT PUBLICATIONS LISTED IN DR. DOWNEY'S CV THAT RELATE TO DR. DOWNEY'S TESTIMONY IS GRANTED. PLAINTIFFS WILL PROVIDE THE RELEVANT PUBLICATIONS BY 8/20/04. DEFENDANTS' REQUEST FOR A COURT ORDER TO DEPOSE A REPRESENTATIVE OF THE MIZUNO CORPORATION IN OSAKA, JAPAN, IN ACCORDANCE WITH ARTICLE 17 OF THE JAPAN-UNITED STATES CONSULAR CONVENTION AND THE RULES OF THE U.S. CONSULATE, IN ORDER THAT DEFENDANTS MAY OBTIAN THE NECESSARY VISA TO SCHEDULE THE DEPOSITION, IS GRANTED. PLAINTFFS' REQUEST FOR REIMBURSEMENT FROM DEFENDANTS FOR THE EXPENSES/FEES INCURRED AS A RESULT OF DEFENDANTS' CANCELLATION OF THE DEPOSITION OF DR. DOWNEY ON MAY 21, 2004, IN THE AMOUNT OF \$2,800, IS GRANTED. PAYMENT TO BE MADE BY 8/12/04. DISCOVERY WILL NOT BE STAYED PENDING MOTIONS FOR SUMMARY JUDGMENT. COUNSLE MUST SUBMIT A JOINT SCHEDULE FOR DISCOVERY TO THE COURT BY 8/6/04, ETC.SIGNED BY JUDGE M. FAITH ANGELL ON 7/28/04. 7/30/04 ENTERED AND COPIES FAXED BY CHAMBERS ON 7/28/04.(cdd, ) (Entered: 07/30/2004)
08/02/2004	<a href="#">77</a>	REPLY Brief in Support of Motion re <a href="#">41</a> First MOTION for Summary Judgment of <i>Noninfringement and Invalidity</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (HARRIS, TYWANDA) Modified on 8/4/2004 (np). (Entered: 08/02/2004)
08/02/2004	<a href="#">78</a>	<i>Defendants' Supplement to Appendix to Brief in Support of Defendants' Motion for Summary Judgment of NonInfringement and Invalidity</i> by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit 21B# <a href="#">2</a> Exhibit 63# <a href="#">3</a> Exhibit 65# <a href="#">4</a> Exhibit 66# <a href="#">5</a> Exhibit 67) (HARRIS, TYWANDA) Modified on 8/4/2004 (np). (Entered: 08/02/2004)

08/02/2004	79	SUPPLEMENT to Appendix to the Brief in Support of Defendant's MOTION for Summary Judgment of Noninfringement and Invalidity. Exhibits 23B, 24B, 64. Filed Separately Under Seal Pursuant to Protective Order by GENESCO, INC., JOHNSTON & MURPHY, INC. (Filed Under Seal). (mar, ) (Entered: 08/03/2004)
08/06/2004	<a href="#">80</a>	MOTION FOR ENTRY OF SCHEDULING ORDER FILED BY GENESCO, INC., JOHNSTON & MURPHY, INC., CERTIFICATE OF SERVICE.(mac, ) (Entered: 08/09/2004)
08/10/2004	<a href="#">81</a>	Request for Oral Argument <i>on Their Motion for Summary Judgment</i> by GENESCO, INC., JOHNSTON & MURPHY, INC.. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order Granting Oral Argument) (STOCKWELL, MITCHELL) (Entered: 08/10/2004)
08/13/2004	<a href="#">82</a>	ORDER THAT IN ACCORDANCE WITH ARTICLE 17 OF THE JAPAN-UNITED STATES CONSULAR CONVENTION AND THE RULES OF THE UNITED STATES CONSULATE, THE DEPOSITION OF YASUFUMI ITO, MIZUNO CORPORATION'S DESIGNATED REPRESENTATIVE, SHALL TAKE PLACE AT THE UNITED STATES CONSULATE IN OSAKA-KOBE JAPAN AT A TIME AND DATE TO BE DECIDED.SIGNED BY JUDGE M. FAITH ANGELL ON 8/12/04. 8/13/04 ENTERED AND COPIES FAXED BY CHAMBERS ON 8/12/04.(cdd, ) (Entered: 08/13/2004)
08/13/2004	<a href="#">83</a>	ORDER THAT DISPOSITIVE MOTIONS SHALL BE FILED NO LATER THAN 2/9/05. A SETTLEMENT CONFERENCE SHALL TAKE PLACE ON 1/4/05 AT 10:00 A.M. IN ROOM 3030, U.S. COURTHOUSE, ETC. DEFENDANTS' MOTION FOR ENTRY OF SCHEDULING ORDER IS MARKED WITHDRAWN AS MOOT.SIGNED BY JUDGE M. FAITH ANGELL ON 8/12/04. 8/13/04 ENTERED AND COPIES FAXED AND MAILED BY CHAMBERS ON 8/12/04.(cdd, ) (Entered: 08/13/2004)
08/17/2004	<a href="#">84</a>	PLAINTIFFS' RICHARD M. JAY & HAROLD SCHOENHAUS' Answer & Additional Defenses to DEFENDANT GENESCO, INC.'S [75]CounterClaims, with Certificate of Service . (SCHOENHAUS, TODD) Modified on 8/17/2004 (fh, ). (Entered: 08/17/2004)
08/17/2004	85	ORDER THAT A STATUS CONFERENCE WILL BE HELD ON THURSDAY, SEPTEMBER 9, 2004 AT 2:30 P.M. IN COURTROOM 16-B . SIGNED BY JUDGE LOUIS H. POLLAK ON 08/17/04. 08/18/04 ENTERED AND COPIES MAILED AND FAXED BY CHAMBERS 08/17/04.(ac, ) (Entered: 08/18/2004)
08/19/2004	<a href="#">86</a>	REPLY to Response to Motion re <a href="#">41</a> First MOTION for Summary Judgment of Noninfringement and Invalidity filed by RICHARD M. JAY, HAROLD SCHOENHAUS, Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit Exhibits A Through E And Certificate of Service) (SCHOENHAUS, TODD) Modified on 8/24/2004 (md). (Entered: 08/19/2004)
08/30/2004	<a href="#">87</a>	WITHDRAWAL of Appearance by THOMAS B. KENWORTHY,

		DAVID W. MARSTON JR. on behalf of GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (mar, ) (Entered: 08/31/2004)
09/02/2004	<a href="#">88</a>	First MOTION to Strike <a href="#">86</a> Reply to Response to Motion, <i>for Summary Judgment</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Memorandum, Certificate of Service. (Attachments: # <a href="#">1</a> Memorandum in Support of Motion# <a href="#">2</a> Exhibit A to Memorandum in Support of Motion to Strike# <a href="#">3</a> Text of Proposed Order Proposed Order) (STOCKWELL, MITCHELL) (Entered: 09/02/2004)
09/07/2004	<a href="#">89</a>	First MOTION to Strike (1) <i>Hillstrom Report</i> and (2) <i>Portions of Downey's Related Testimony</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Memorandum; Certificate of Service. (Attachments: # <a href="#">1</a> Memorandum of Law in Support of Defendants' Motion to Strike (1) Hillstrom Report and (2) Portions of Downey's Related Testimony# <a href="#">2</a> Exhibit A to Memorandum in Support# <a href="#">3</a> Exhibit B to Memorandum in Support# <a href="#">4</a> Exhibit C to Memorandum in Support# <a href="#">5</a> Text of Proposed Order Granting Motion to Strike)(STOCKWELL, MITCHELL) (Entered: 09/07/2004)
09/13/2004	90	ORDER THAT THE DEFENDANTS' MOTION TO STRIKE PLAINTIFFS' SURREPLY FILED WITHOUT LEAVE OF COURT IS DENIED. DEFENDANTS' REQUEST TO FILE A REPLY TO PLAINTIFFS' ARGUMENT REGARDING THE INTERPRETATION OF PLAINTIFFS' EXPERT TEST RESULTS IS GRANTED. SIGNED BY JUDGE LOUIS H. POLLAK ON 9/10/04.9/13/04 ENTERED AND COPIES MAILED AND FAXED. (stb, ) (Entered: 09/14/2004)
09/15/2004	<a href="#">91</a>	ORDER THAT A ORAL ARGUMENT ON DEFENDANTS MOTION TO DISMISS IS SET FOR 10/6/2004 10:00 AM IN COURTROOM BEFORE HONORABLE LOUIS H. POLLAK. SIGNED BY JUDGE LOUIS H. POLLAK ON 9/14/04. 9/15/04 ENTERED AND COPIES MAILED AND FAXED.(stb, ) (Entered: 09/15/2004)
09/16/2004	92	ORDER THAT THE MOTION FOR ADMISSION PRO HAC VICE FOR JOHN S. PRATT IS GRANTED.SIGNED BY JUDGE LOUIS H. POLLAK ON 9/16/04.9/17/04 ENTERED AND COPIES MAILED AND FAXED. (stb, ) (Entered: 09/17/2004)
09/28/2004	<a href="#">93</a>	RESPONSE in Support re <a href="#">41</a> First MOTION for Summary Judgment of <i>Noninfringement and Invalidity : Defendant's Response to Plaintiff's Surreply</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit 63B# <a href="#">2</a> Exhibit 68) (STOCKWELL, MITCHELL) Modified on 9/29/2004 (np). (Entered: 09/28/2004)
09/28/2004	<a href="#">94</a>	Memorandum of Law in Opposition to Defendants' Motion to Strike (1) Hillstrom Report and (2) Portions of Downey's Related Testimony filed by RICHARD M. JAY, HAROLD SCHOENHAUS. Certificate of Service (stb, ) Additional attachment(s) added on 9/29/2004 (stb, ). (Entered: 09/29/2004)
09/28/2004	<a href="#">95</a>	MOTION FOR ADMISSION PRO HAC VICE OF CHARLES R.

		WOLFE, JR. ON BEHALF OF PLAINTIFFS BY RICHARD M. JAY, HAROLD SCHOENHAUS.DECLARATION, CERTIFICATE OF SERVICE.(stb, ) (Entered: 09/29/2004)
09/28/2004	<a href="#">96</a>	MOTION FOR ADMISSION PRO HAC VICE OF BRIAN WM. HIGGINSBY RICHARD M. JAY, HAROLD SCHOENHAUS.DECLARATION, CERTIFICATE OF SERVICE.(stb, ) (Entered: 09/29/2004)
09/29/2004	<a href="#">97</a>	STIPULATION AND ORDER THAT THE TIME FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' MOTION TO STRIKE (1) HILLSTROM REPORT AND (2) PORTIONS OF DOWNEY'S RELATED TESTIMONY IN EXTENDED TO 9/28/04. SIGNED BY JUDGE LOUIS H. POLLAK ON 9/28/04. 9/29/04 ENTERED AND COPIES MAILED AND FAXED.(stb, ) (Entered: 09/29/2004)
09/29/2004	<a href="#">98</a>	Notice of Filing Physical Exhibits in Support of Defendants' Motion for Summary Judgment of Non-Infringement and Invalidity by GENESCO, INC., JOHNSTON & MURPHY, INC. Certificate of Service. (stb, ) (Entered: 09/30/2004)
09/30/2004	<a href="#">99</a>	ORDER THAT A ORAL ARGUMENT ON DEFENDANTS MOTION TO DISMISS IS RESCHEDULED FROM 10/6/04 TO 10/26/04 02:00 PM IN COURTROOM BEFORE HONORABLE LOUIS H. POLLAK. SIGNED BY JUDGE LOUIS H. POLLAK ON 9/29/04. 9/30/04 ENTERED AND COPIES FAXED.(stb, ) (Entered: 09/30/2004)
10/06/2004	<a href="#">100</a>	ORDER THAT PLAINTIFFS' MOTION FOR PRO HAC VICE ADMISSION OF CHARLES R. WOLFE IS GRANTED. SIGNED BY JUDGE LOUIS H. POLLAK ON 10/5/04.10/6/04 ENTERED AND COPIES MAILED AND FAXED. (stb, ) (Entered: 10/06/2004)
10/06/2004	<a href="#">101</a>	ORDER THAT PLAINTIFFS' MOTION FOR PRO HAC VICE ADMISSION OF BRIAN WM. HIGGINS IS GRANTED. SIGNED BY JUDGE LOUIS H. POLLAK ON 10/5/04.10/6/04 ENTERED AND COPIES MAILED AND FAXED. (stb, ) (Entered: 10/06/2004)
10/07/2004	<a href="#">102</a>	ORDER THAT ORAL ARGUMENT SCHEDULED FOR 10/26/04 IS RESCHEDULED FOR 10/25/2004 10:00 AM IN COURTROOM BEFORE HONORABLE LOUIS H. POLLAK. SIGNED BY JUDGE LOUIS H. POLLAK ON 10/7/04. 10/7/04 ENTERED AND COPIES MAILED AND FAXED.(stb, ) (Entered: 10/07/2004)
10/08/2004	<a href="#">103</a>	REPLY to Response to Motion re <a href="#">89</a> First MOTION to Strike (1) <i>Hillstrom Report</i> and (2) <i>Portions of Downey's Related Testimony</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (STOCKWELL, MITCHELL) Modified on 10/12/2004 (fh, ). (Entered: 10/08/2004)
10/19/2004	<a href="#">104</a>	RESPONSE in Opposition re <a href="#">89</a> First MOTION to Strike (1) <i>Hillstrom Report</i> and (2) <i>Portions of Downey's Related Testimony</i> and cert of service filed by RICHARD M. JAY, HAROLD SCHOENHAUS. (Attachments: # <a href="#">1</a> # <a href="#">2</a> Exhibit A through C)(SCHOENHAUS, TODD)



		(Entered: 10/19/2004)
10/22/2004	<a href="#">105</a>	RESPONSE in Support re <a href="#">89</a> First MOTION to Strike (1) <i>Hillstrom Report and (2) Portions of Downey's Related Testimony : Defendants' Response to Plaintiff's Surreply in Opposition to Defendant's First Motion to Strike (1) Hillstrom Report and (2) Portions of Downey's Related Testimony</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC.. (HARRIS, TYWANDA) (Entered: 10/22/2004)
11/03/2004	<a href="#">106</a>	ORDER THAT THE DEPOSITION NOTICE OF MR. YASUFUMI ITO BE TAKEN AT THE U.S. CONSULATE GENERAL IN OSAKA-KOBE, JAPAN COMMENCING ON OR ABOUT 1/19/05 AT 9:00 A.M. AND TERMINATING ON OR ABOUT 1/20/05, AND THAT ANY DOCUMENTARY EXHIBITS IN CONNECTION THERE WITH BE MARKED ACCORDINGLY.SIGNED BY JUDGE M. FAITH ANGELL ON 11/2/04. 11/4/04 ENTERED AND COPIES FAXED BY CHAMBERS ON 11/2/04.(cdd, ) Modified on 11/10/2004 (cdd, ). (Entered: 11/04/2004)
11/05/2004	<a href="#">107</a>	NOTICE by GENESCO, INC., JOHNSTON & MURPHY, INC. of <i>Unavailability</i> , Certificate of Service. (STOCKWELL, MITCHELL) Modified on 11/8/2004 (np). (Entered: 11/05/2004)
11/09/2004	108	Minute Entry for Oral argument held on 10/25/04 before Judge LOUIS H. POLLAK re <a href="#">4</a> MOTION to Dismiss filed by GENESCO, INC., JOHNSTON & MURPHY, INC. Court Reporter: ESR. Argued sur: Defendant's Motion to dismiss. Court addresses counsel; counsel arguments. Ruling: C.A.V. (cdd, ) (Entered: 11/10/2004)
11/19/2004	<a href="#">109</a>	NOTICE of Appearance by MATTHEW MICHAEL RYAN on behalf of GENESCO, INC., JOHNSTON & MURPHY, INC. with Certificate of Service (wgc, ) (Entered: 11/19/2004)
12/13/2004	<a href="#">110</a>	ORDER THAT THE SETTLEMENT CONFERENCE WHICH WAS SCHEDULED FOR 1/4/05 IS CONTINUED AND A NEW DATE WILL BE ANNOUNCED. IN ITS PLACE, A DISCOVERY HEARING WILL BE HELD ON 1/4/05 AT 10:00 A.M. IN COURTROOM 3H, U.S. COURTHOUSE.SIGNED BY JUDGE M. FAITH ANGELL ON 12/9/04. 12/14/04 ENTERED AND COPIES E-MAILED AND COPIES FAXED BY CHAMBERS ON 12/10/04.(cdd, ) (Entered: 12/14/2004)
12/17/2004	<a href="#">111</a>	STIPULATION re <a href="#">83</a> Order,, Set Deadlines/Hearings,, Terminate Motions, <i>to Amend Scheduling Order</i> by GENESCO, INC., JOHNSTON & MURPHY, INC.. (HARRIS, TYWANDA) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 12/20/2004 (np). (Entered: 12/17/2004)
12/23/2004	112	STIPULATION AND AMENDED SCHEDULING ORDER THAT FACT DISCOVERY DUE 1/21/05; DEADLINE FOR DISPOSITIVE MOTIONS 2/23/05, ETC.SIGNED BY JUDGE M. FAITH ANGELL ON 12/22/04. 12/23/04 ENTERED AND COPIES FAXED BY CHAMBERS ON 12/22/04.(cdd, ) (Entered: 12/23/2004)

12/30/2004	<a href="#">113</a>	MOTION to Strike <i>Defendants' Expert Rebuttal Report</i> filed by HAROLD SCHOENHAUS, RICHARD M. JAY.Memorandum, Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit Supplemental Expert Report of Lloyd S. Smith)(SCHOENHAUS, TODD) (Entered: 12/30/2004)
01/06/2005	114	TRANSCRIPT of hearing held on 1/4/05 before Judge Hon. M. Faith Angell. Court Reporter: ESR. (cdd, ) (Entered: 01/06/2005)
01/10/2005	<a href="#">115</a>	ORDER THAT DEFENDANTS' MOTION TO STRIKE IS DISMISSED AS MOOT.SIGNED BY JUDGE LOUIS H. POLLAK ON 1/10/05.1/10/05 ENTERED AND COPIES MAILED AND E-MAILED. (cdd, ) (Entered: 01/10/2005)
01/10/2005	<a href="#">116</a>	MEMORANDUM AND OPINION THAT DEFENDANTS' MOTION FOR SUMMARY JUDGMENT WITH RESPECT TO COUNT 1 OF PLAINTIFFS' COMPLAINT IS GRANTED.SIGNED BY JUDGE LOUIS H. POLLAK ON 1/10/05. (Attachments: # <a href="#">1</a> Opinion) 1/10/05 ENTERED AND COPIES MAILED AND E-MAILED.(cdd, ) (Entered: 01/10/2005)
01/10/2005	<a href="#">117</a>	ORDER THAT JUDGMENT BE AND THE SAME IS HEREBY ENTERED IN FAVOR OF DEFENDANTS GENESCO, INC., AND JOHNSTON & MURPHY, INC. AND AGAINST PLAINTIFF HAROLD SCHOENHAUS AND RICHARD M. JAY AS TO COUNT I OF THE COMPLAINT ONLY.SIGNED BY JUDGE LOUIS H. POLLAK ON 1/10/05. 1/10/05 ENTERED AND COPIES MAILED AND E-MAILED.(cdd, ) (Entered: 01/10/2005)
01/11/2005	<a href="#">118</a>	ORDER THAT DEFENDANTS' LETTER MOTION TO COMPEL PLAINTIFFS TO SUBMIT SUPPLEMENTAL INTERROGATORY RESPONSES RELATING TO TRADE SECRETS IS DENIED. DEFENDANTS' LETTER MOTION TO COMPEL PLAINTIFFS TO PRODUCE DR. RICHARD M. JAY FOR AN ADDITIONAL DEPOSITION IS DENIED. THE DEPOSITION OF MR. YASUFUMI ITO SHALL PROCEED AS SCHEDULED. ALL PARTICIPATING COUNSEL MUST BE PRESENT, ETC.SIGNED BY JUDGE M. FAITH ANGELL ON 1/7/05. 1/11/05 ENTERED AND COPIES FAXED BY CHAMBERS ON 1/7/05; COPIES E-MAILED.(cdd, ) (Entered: 01/11/2005)
01/13/2005	<a href="#">119</a>	ORDER THAT THE DEPOSITION ON NOTICE OF MR. YASUFUMI ITO BE TAKEN AT THE UNITED STATES CONSULATE GENERAL IN OSAKA-KOBE, JAPAN COMMENCING ON OR ABOUT 1/19/05 AT 9:00 A.M. AND TERMINATING ON OR ABOUT 1/20/05 IS CONTINUED. THE DEPOSITION WILL BE RESCHEDULED ON THE EARLIEST AVAILABLE DATE FOR MR. ITO AND THE UNITED STATES' CONSUL'S OFFICE.SIGNED BY JUDGE M. FAITH ANGELL ON 1/11/05. 1/13/05 ENTERED AND COPIES E-MAILED AND COPIES FAXED BY CHAMBERS ON 1/11/05.(cdd, ) (Entered: 01/13/2005)

01/13/2005	120	Minute Entry for Discovery Hearing held on 1/13/2005 before Chief Magistrate Judge M. FAITH ANGELL. (cdd, ) (Entered: 01/13/2005)
01/14/2005	<a href="#">121</a>	RESPONSE to Motion re <a href="#">113</a> MOTION to Strike <i>Defendants' Expert Rebuttal Report</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A-Supplemental Expert Report) (STOCKWELL, MITCHELL) Modified on 1/18/2005 (np). (Entered: 01/14/2005)
01/20/2005	<a href="#">122</a>	MOTION for Protective Order <i>for Third Party</i> filed by GENESCO, INC., JOHNSTON & MURPHY, INC..Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A-Stipulated Third Party Protective Order) (HARRIS, TYWANDA) (Entered: 01/20/2005)
01/24/2005	<a href="#">123</a>	STIPULATION <i>Agreement Regarding Possible Motions for Costs and Fees</i> by GENESCO, INC., JOHNSTON & MURPHY, INC. (HARRIS, TYWANDA) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 1/26/2005 (np). (Entered: 01/24/2005)
01/25/2005	<a href="#">124</a>	JOINT MOTION <i>to Amend Order Dated January 10, 2005 and Stay Further Proceedings Pending Appeal</i> filed by HAROLD SCHOENHAUS. (SCHOENHAUS, TODD) Modified on 1/27/2005 (np). (Entered: 01/25/2005)
01/27/2005	125	STIPULATION AND ORDER THAT ANY DOCUMENTS AND THINGS PRODUCED BY ALDEN SHOE COMPANY, A THIRD PARTY SUBPOENAED BY DEFENDANTS, WILL BE PRODUCED SUBJECT TO THE STIPULATED PROTECTIVE ORDER ENTERED ON 7/9/03.SIGNED BY JUDGE M. FAITH ANGELL ON 1/25/05. 1/27/05 ENTERED AND COPIES FAXED BY CHAMBERS ON 1/25/05 AND COPIES MAILED.(cdd, ) (Entered: 01/27/2005)
01/31/2005	126	STIPULATION AND ORDER THAT THE PARTIES HEREBY AGREE THAT THE COURT'S 1/10/05 ORDER AS TO PLAINTIFFS HAROLD SCHOENHAUS AND RICHARD JAY'S CLAIM FOR PATENT INFRINGEMENT, DOES NOT TOLL THE TIME TO FILE MOTIONS FOR FEES AND COSTS UNDER RULE 54 OF THE FEDERAL RULES OF CIVIL PROCEDURE. PLAINTIFFS HAROLD SCHOENHAUS AND RICHARD JAY FURTHER AGREE NOT TO OBJECT ON TIMELINESS GROUNDS TO ANY SUBSEQUENT MOTION BY DEFENDANTS GENESCO, INC. AND JOHNSTON & MURPHY FOR COSTS AND ATTORNEYS FEES BASED ON THE 1/10/05 ORDER.SIGNED BY JUDGE M. FAITH ANGELL ON 1/31/05. 2/1/05 ENTERED AND COPIES FAXED BY CHAMBERS ON 1/31/05.(cdd, ) (Entered: 02/01/2005)
01/31/2005	127	STIPULATION AND ORDER THAT ALL DATES SET FORTH IN THE COURT'S AMENDED SCHEDULING ORDER OF 12/22/04 ARE STAYED PENDING THE COURT'S DISPOSITION OF THE JOINT MOTION TO AMEND ORDER DATED 1/10/05 AND STAY FURTHER PROCEEDINGS PENDING APPEAL. SHOULD THE

		COURT DENY THE JOINT MOTION, THE PARTIES HEREBY AGREE THAT ALL DATES SET FORTH IN THE COURT'S AMENDED SCHEDULING ORDER OF 12/22/04 ARE TO BE EXTENDED BY THIRTY (30) DAYS FROM THE DATE OF THE COURT'S ORDER DENYING THE JOINT MOTION.SIGNED BY JUDGE M. FAITH ANGELL ON 1/31/05. 2/1/05 ENTERED AND COPIES FAXED BY CHAMBERS ON 1/31/05.(cdd, ) (Entered: 02/01/2005)
02/09/2005	128	ORDER THAT THE JOINT MOTION TO AMEND THIS COURT'S ORDER OF 1/10/05 AND STAY FURTHER PROCEEDINGS PENDING APPEAL IS GRANTED. IT IS ACCORDINGLY ORDERED AND DECREED AS FOLLOWS: THE ORDER DATED 1/10/05 IS HERWITH AMENDED TO INCLUDE THE FOLLOWING: THE COURT EXPRESSLY DETERMINES, PURSUANT TO THE PROVISIONS OF RULE 54(b) OF THE FEDERAL RULES OF CIVIL PROCEDURE, THAT THERE IS NO JUST REASON FOR DELAY IN PERMITTING AN APPEAL AND DIRECTS THE CLERK TO PREPARE FINAL JUDGMENT IN ACCORDANCE WITH THIS ORDER DISMISSING THE INFRINGEMENT CLAIM SET OUT IN COUT I OF THE COMPLAINT. ALL FURTHER PROCEEDINGS IN THIS COURT ARE HEREBY STAYED PENDING DETERMINATION OF THE APPEAL OF THIS COURT'S ORDER OF 1/10/05 TO THE FEDERAL CIRCUIT.SIGNED BY JUDGE ANITA B. BRODY FOR HON. LOUIS H. POLLAK ON 2/2/05. 2/10/05 ENTERED AND COPIES MAILED AND FAXED.(cdd, ) (Entered: 02/10/2005)
03/02/2005	<a href="#">129</a>	NOTICE OF APPEAL to the Federal Circuit as to [128] Order by HAROLD SCHOENHAUS, RICHARD M. JAY. Filing fee \$ 255, receipt number 914197. Copies to Judge, Clerk USCA for the Federal Circuit, Appeals Clerk, TODD A. SCHOENHAUS, W, Kadaba, J. Pratt, B. Higgins, C. Wolfe, M. Taylor, M. Ryan, T. Harris, M. Stockwell, and G. Palmer. (cdd, ) Modified on 3/7/2005 (cdd, ). (Entered: 03/03/2005)
03/02/2005	130	Clerk's Notice to USCA for the Federal Circuit re <a href="#">129</a> Notice of Appeal. (cdd, ) (Entered: 03/07/2005)
03/16/2005	131	Copy of TPO Form re <a href="#">129</a> Notice of Appeal. (fb) (Entered: 03/17/2005)
03/21/2005		NOTICE of Docketing Record on Appeal from USCA for the FEDERAL CIRCUIT re: <a href="#">129</a> Notice of Appeal filed by HAROLD SCHOENHAUS, RICHARD M. JAY. USCA for the FEDERAL CIRCUIT Case Number 05-1278. (cdd, ) (Entered: 03/22/2005)
04/19/2005	<a href="#">132</a>	ORDER THAT THE CLERK SHALL REMOVE THIS CASE FROM MAGISTRATE JUDGE ANGELL AND RETURN IT TO THE DOCKET OF THE HONORABLE POLLACK FOR ALL FURTHER PROCEEDINGS. SIGNED BY JUDGE M. FAITH ANGELL ON 4/14/05. 4/20/05 ENTERED AND COPIES MAILED, E-MAILED AND FAXED.(wgc, ) (Entered: 04/20/2005)

04/22/2005	133	TRANSCRIPT of Proceedings held on 10/25/04 before Judge LOUIS H. POLLAK. Court Reporter: Jerry LaRosa. (le, ) (Entered: 04/25/2005)
07/11/2005	<a href="#">134</a>	<i>Petition to Forward Portions of the Record to the Federal Circuit</i> filed by HAROLD SCHOENHAUS, RICHARD M. JAY, Certificate of Service. (SCHOENHAUS, TODD) Modified on 7/12/2005 (np). (Entered: 07/11/2005)
07/14/2005	<a href="#">135</a>	Second MOTION to Transfer <i>Petition to Forward Portions of the Record to the Federal Circuit</i> filed by HAROLD SCHOENHAUS, RICHARD M. JAY. Certificate of Service.(SCHOENHAUS, TODD) (Entered: 07/14/2005)
07/25/2005	<a href="#">136</a>	ORDER THAT PLAINTIFF'S UNOPPOSED PETITION TO FORWARD PORTIONS OF THE RECORD TO THE FEDERAL CIRCUIT IS GRANTED. THE CLERK OF COURT SHALL FORWARD THE EXHIBITS OF DOCKET INDEX NO. 45, EXHIBIT 2; DOCKET INDEX NO. 45, EXHIBIT 17, AND DOCKET INDEX NO. 45, EXHIBIT 52 TO THE FEDERAL CIRCUIT COURT OF APPEALS.SIGNED BY JUDGE LOUIS H. POLLAK ON 7/19/05. 7/25/05 ENTERED AND COPIES MAILED AND E-MAILED.(cdd, ) (Entered: 07/25/2005)
07/25/2005	<a href="#">137</a>	ORDER THAT PLAINTIFFS' UNOPPOSED PETITION TO FORWARD PORTIONS OF THE RECORD TO THE FEDERAL CIRCUIT IS GRANTED. THE CLERK OF COURT SHALL FORWARD DOCKET INDEX NO. 45, EXHIBIT 41 - EXHIBIT A "INSERT" TO THE DECLARATION OF BOBBY DRAKE AND DOCKET INDEX NO. 45, EXHIBIT 41 - EXHIBIT B "INSERT" TO THE DECLARATION OF BOBBY DRAKE TO THE FEDERAL CIRCUIT COURT OF APPEALS.SIGNED BY JUDGE LOUIS H. POLLAK ON 7/21/05. 7/25/05 ENTERED AND COPIES MAILED AND E-MAILED.(cdd, ) (Entered: 07/25/2005)
07/25/2005		Portions of Record, Exhibit 2, Exhibit 17, Exhibit 52, Exhibit 41 - Exhibit A "insert" to the Declaration of Bobby Drake, and Exhibit 41 - Exhibit B "insert" to the Declaration of Bobby Drake and one pair of shoes forwarded to the Federal Circuit Court of Appeals pursuant to Order filed 7/25/05. (cdd, ) Modified on 7/25/2005 (cdd, ). (Entered: 07/25/2005)
07/26/2005	<a href="#">138</a>	PETITION <i>to Foward Portions of the Record to the Federal Circuit</i> by GENESCO, INC., JOHNSTON & MURPHY, INC., CERTIFICATE OF SERVICE. (STOCKWELL, MITCHELL) Modified on 7/27/2005 (np). (Entered: 07/26/2005)
07/26/2005	<a href="#">139</a>	REPLY BRIEF IN SUPPORT OF PETITION <i>to Forward Portions of the Record to the Federal Circuit--Reply Brief in Support Thereof</i> by GENESCO, INC., JOHNSTON & MURPHY, INC., Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(STOCKWELL, MITCHELL) Modified on 7/27/2005 (np). (Entered: 07/26/2005)
07/27/2005	<a href="#">140</a>	Response in Opposition <i>Plaintiffs' Opposition to Defendants' Petition to</i>

		<i>Forward Portions of the Record to the Federal Circuit</i> by HAROLD SCHOENHAUS, RICHARD M. JAY, Certificate of Service. (SCHOENHAUS, TODD) Modified on 7/29/2005 (np). (Entered: 07/27/2005)
08/11/2005	<a href="#">141</a>	MEMORANDUM AND ORDER THAT THE DEFENDANTS' PETITION TO FORWARD PORTIONS OF THE RECORD TO THE FEDERAL CIRCUIT IS GRANTED. THE CLERK OF COURT SHALL FORWARD THE EXHIBIT LISTED ABOVE TO THE FEDERAL CIRCUIT COURT OF APPEALS. SIGNED BY JUDGE LOUIS H. POLLAK ON 08/10/05. 08/12/05 ENTERED AND COPIES MAILED AND E-MAILED.(ac, ) (Entered: 08/12/2005)
08/12/2005		Exhibit forwarded to Federal Circuit Court of Appeals. (ac, ) (Entered: 08/12/2005)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
03/15/2006 19:55:34			
<b>PACER Login:</b>	mb0175	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:03-cv-00372-LP
<b>Billable Pages:</b>	12	<b>Cost:</b>	0.96