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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

AMERANTH, INC.,	)	Civil No. 11-CV-1810-DMS (WVG)
Plaintiff,	)	Consolidated with:
v.	)	12-CV-0729-DMS (WVG)
PIZZA HUT, INC., <i>et al.</i> ,	)	12-CV-1640-DMS (WVG)
Defendants.	)	12-CV-0731-DMS (WVG)
_____	)	12-CV-1642-DMS (WVG)
	)	12-CV-0732-DMS (WVG)
	)	12-CV-1643-DMS (WVG)
	)	12-CV-0733-DMS (WVG)
AND RELATED COUNTERCLAIMS.	)	12-CV-1644-DMS (WVG)
_____	)	12-CV-0737-DMS (WVG)
	)	12-CV-1646-DMS (WVG)
	)	12-CV-0739-DMS (WVG)
	)	12-CV-1648-DMS (WVG)
	)	12-CV-0742-DMS (WVG)
	)	12-CV-1649-DMS (WVG)
	)	12-CV-0858-DMS (WVG)
	)	12-CV-1650-DMS (WVG)
	)	12-CV-1627-DMS (WVG)
	)	12-CV-1651-DMS (WVG)
	)	12-CV-1629-DMS (WVG)
	)	12-CV-1652-DMS (WVG)
	)	12-CV-1630-DMS (WVG)
	)	12-CV-1653-DMS (WVG)
	)	12-CV-1631-DMS (WVG)
	)	12-CV-1654-DMS (WVG)
	)	12-CV-1633-DMS (WVG)
	)	12-CV-1655-DMS (WVG)
	)	12-CV-1634-DMS (WVG)
	)	12-CV-1656-DMS (WVG)
	)	12-CV-1636-DMS (WVG)
	)	12-CV-1659-DMS (WVG)
	)	12-CV-2350-DMS (WVG)
	)	13-CV-0352-DMS (WVG)
	)	13-CV-0350-DMS (WVG)
	)	13-CV-0353-DMS (WVG)

1	<b>ORDER VACATING EARLY</b>	13-CV-0836-DMS (WVG)
2	<b>NEUTRAL EVALUATION</b>	13-CV-1072-DMS (WVG)
3	<b>CONFERENCES DUE TO</b>	13-CV-1520-DMS (WVG)
4	<b>LITIGATION STAY; DENYING AS</b>	13-CV-1840-DMS (WVG)
5	<b>MOOT PENDING DISCOVERY</b>	13-CV-1525-DMS (WVG)
6	<b>MOTION</b>	

**I. EARLY NEUTRAL EVALUATION CONFERENCES VACATED**

On October 30, 2013, this Court issued a Notice and Order for Early Neutral Evaluation (“ENE”) Conference. (Doc. No. 525.) In that Order, the Court set eighteen separate ENE Conferences with the parties in these consolidated cases. *Id.* at 6.

On November 26, 2013, the Honorable Dana M. Sabraw, United States District Judge, issued an Order Granting Defendants’ Motion to Stay this litigation pending review by the Patent Trial and Appeal Board (“PTAB”) of a petition for review of the validity of the patents in suit under the Transitional Program for Covered Business Method (“CBM”) Patents. (Doc. No. 549.) Judge Sabraw Ordered that, upon issuance of a final decision from the PTAB, the parties shall request that the stay be lifted so that this case may proceed. *Id.* at 5. Judge Sabraw also Ordered the Clerk of Court to administratively close this case. *Id.*

Therefore, all eighteen ENE Conferences set before the undersigned are hereby VACATED. The Court will revisit the scheduling of ENE Conferences when the stay is lifted.

**II. JOINT MOTION IN CASE NO. 12-CV-1630-DMS-WVG DENIED AS MOOT**

On November 26, 2013, Plaintiff and Defendant Best Western International, Inc., filed a Joint Motion to Continue Any Deadline (1) To File a Joint Statement for Determination of Discovery Dispute; and (2) To Serve Amended Infringement Contentions as to Best Western International, Inc., in Related Case Number 12-CV-1360-DMS-WVG. (12-CV-1360-DMS-WVG; Doc. No. 35.) As discussed above, Judge Sabraw has granted Defendants’ Motion to Stay these cases. (Doc. No. 549.) Judge Sabraw specifically noted that the parties are relieved of their obligations to prepare infringement and invalidity contentions and conduct claim construction discovery. *Id.* at 4. Therefore, the parties’ Joint Motion in Related Case Number 12-CV-1360-DMS-WVG, is DENIED as moot.

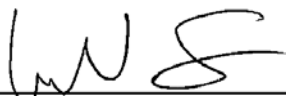
1 **III. JOINT MOTION IN CASE NO. 12-CV-2350-DMS-WVG DENIED AS MOOT**

2 On August 20, 2013, Plaintiff and Defendant Apple, Inc., filed a Joint Motion to  
3 Extend Time to Resolve Disputes Regarding Discovery Responses and Infringement  
4 Contentions in Related Case Number 12-CV-2350-DMS-WVG). (12-CV-2350-DMS-WVG;  
5 Doc. No. 35.) As discussed above, Judge Sabraw has granted Defendants' Motion to Stay  
6 these cases, and specifically noted that the parties are relieved of their obligations to prepare  
7 infringement and invalidity contentions and conduct claim construction discovery. (Doc.  
8 No. 549 at 4.) Therefore, the parties' Joint Motion in Related Case Number 12-CV-2350-  
9 DMS-WVG, is DENIED as moot.

10 **IV. ALL OTHER DISCOVERY DATES ISSUED BY THIS COURT ARE**  
11 **VACATED**

12 Due to the stay in this litigation, all other discovery dates issued by this Court are  
13 hereby VACATED. The Court will revisit the discovery schedule when the stay is lifted.  
14 IT IS SO ORDERED.

15 DATED: December 4, 2013

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18 Hon. William V. Gallo  
19 U.S. Magistrate Judge  
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