

PATENT

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:09-cv-10217-WGY**

Ambit Corporation v. Delta Air Lines, Inc. et al
Assigned to: Judge William G. Young
related Case: [1:09-cv-11408-WGY](#)
Cause: 35:271 Patent Infringement

Date Filed: 02/13/2009
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Ambit Corporation

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| Date Filed | # | Docket Text |
|-------------------|-----------|--|
| 02/13/2009 | <u>1</u> | COMPLAINT against all defendants Filing fee: \$ 350, receipt number 01010000000002300769, filed by Ambit Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet, # <u>3</u> Category Form)(Moriarty, Brian) (Additional attachment(s) added on 2/13/2009: # <u>4</u> Corrected (non filliable) Document) (Johnson, Jay). (Entered: 02/13/2009) |
| 02/13/2009 | <u>2</u> | REPORT on the filing/termination of patent/trademark case. (Moriarty, Brian) (Additional attachment(s) added on 2/13/2009: # <u>1</u> Corrected (non filliable) Document) (Johnson, Jay). (Entered: 02/13/2009) |
| 02/13/2009 | | ELECTRONIC NOTICE of Case Assignment. Judge William G. Young assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein (Johnson, Jay) (Entered: 02/13/2009) |
| 02/13/2009 | <u>3</u> | Summons Issued as to Delta Air Lines, Inc., Aircell LLC. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Johnson, Jay) (Entered: 02/13/2009) |
| 02/13/2009 | <u>4</u> | CORPORATE DISCLOSURE STATEMENT by Ambit Corporation. (Moriarty, Brian) (Entered: 02/13/2009) |
| 02/19/2009 | <u>5</u> | NOTICE of Appearance by Lee T. Gesmer on behalf of Ambit Corporation (Gesmer, Lee) (Entered: 02/19/2009) |
| 02/20/2009 | <u>6</u> | NOTICE of Appearance by David J. Thibodeau, Jr on behalf of Ambit Corporation (Thibodeau, David) (Entered: 02/20/2009) |
| 02/20/2009 | <u>7</u> | NOTICE of Appearance by David J. Brody on behalf of Ambit Corporation (Brody, David) (Entered: 02/20/2009) |
| 02/26/2009 | <u>8</u> | SUMMONS Returned Executed Aircell LLC served on 2/17/2009, answer due 3/9/2009. (Moriarty, Brian) (Entered: 02/26/2009) |
| 02/26/2009 | <u>9</u> | SUMMONS Returned Executed Delta Air Lines, Inc. served on 2/18/2009, answer due 3/10/2009. (Moriarty, Brian) (Entered: 02/26/2009) |
| 03/05/2009 | <u>10</u> | NOTICE of Appearance by Marc C. Laredo on behalf of Delta Air Lines, Inc., Aircell LLC (Laredo, Marc) (Entered: 03/05/2009) |

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| 03/05/2009 | 11 | NOTICE of Appearance by Mark D Smith on behalf of Delta Air Lines, Inc., Aircell LLC (Smith, Mark) (Entered: 03/05/2009) |
| 03/05/2009 | 12 | Joint MOTION for Extension of Time to April 10, 2009 to File Answer <i>or other responsive pleadings to the complaint</i> by Delta Air Lines, Inc., Aircell LLC.(Smith, Mark) (Entered: 03/05/2009) |
| 03/06/2009 | | Judge William G. Young: Electronic ORDER entered granting 12 Joint MOTION for Extension of Time to April 10, 2009 to File Answer or other responsive pleadings to the complaint. Delta Air Lines, Inc. answer due 4/10/2009; Aircell LLC answer due 4/10/2009. (Paine, Matthew) (Entered: 03/06/2009) |
| 04/08/2009 | 13 | MOTION for Leave to Appear Pro Hac Vice for admission of David T. Pritikin, Thomas D. Rein, Tung T. Nguyen Filing fee \$ 150, receipt number 0101000000002371508. by Delta Air Lines, Inc., Aircell LLC.(Smith, Mark) (Additional attachment(s) added on 4/9/2009: # 1 Corrected Motion, # 2 Certificate of David T. Pritikin, # 3 Certificate of Thomas D. Rein, # 4 Certificate of Tung T. Nguyen) (Paine, Matthew). (Additional attachment(s) added on 4/9/2009: # 5 Certificate of Compliance LR 7.1) (Paine, Matthew). (Entered: 04/08/2009) |
| 04/10/2009 | | Judge William G. Young: Electronic ORDER entered granting 13 Motion for Leave to Appear Pro Hac Vice; Added Thomas D. Rein for Delta Air Lines, Inc. and Aircell LLC, David T. Pritikin for Delta Air Lines, Inc. and Aircell LLC, Tung T. Nguyen for Delta Air Lines, Inc. and Aircell LLC. Attorneys admitted Pro Hac Vice must register for electronic filing. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Paine, Matthew) (Entered: 04/10/2009) |
| 04/10/2009 | 14 R | <i>Aircell LLC's</i> ANSWER to 1 Complaint, with Jury Demand <i>and</i> , COUNTERCLAIM against Ambit Corporation by Aircell LLC.(Smith, Mark) (Entered: 04/10/2009) |
| 04/10/2009 | 15 | <i>Delta Air Lines, Inc.'s</i> ANSWER to 1 Complaint, with Jury Demand <i>and</i> , COUNTERCLAIM against Ambit Corporation by Delta Air Lines, Inc..(Smith, Mark) (Entered: 04/10/2009) |
| 04/10/2009 | 16 | CORPORATE DISCLOSURE STATEMENT by Aircell LLC. (Smith, Mark) (Entered: 04/10/2009) |
| 04/10/2009 | 17 | CORPORATE DISCLOSURE STATEMENT by Delta Air Lines, Inc.. (Smith, Mark) (Entered: 04/10/2009) |
| 04/13/2009 | 18 | NOTICE of Hearing : Scheduling Conference set for 5/4/2009 02:00 PM in Courtroom 18 before Judge William G. Young. (Smith, Bonnie) (Entered: 04/13/2009) |
| 04/22/2009 | 19 | NOTICE of Appearance by Joseph J. Laferrera on behalf of Ambit Corporation (Laferrera, Joseph) (Entered: 04/22/2009) |

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| 04/23/2009 | 20 | NOTICE of Appearance by Benjamin P. Hurwitz on behalf of Ambit Corporation (Hurwitz, Benjamin) (Entered: 04/23/2009) |
| 04/23/2009 | 21 | CERTIFICATE OF SERVICE by Ambit Corporation re 19 Notice of Appearance. (Laferrera, Joseph) (Entered: 04/23/2009) |
| 04/27/2009 | 22 | CERTIFICATION pursuant to Local Rule 16.1 (D)(3) by Delta Air Lines, Inc..(Smith, Mark) (Entered: 04/27/2009) |
| 04/27/2009 | 23 | CERTIFICATION pursuant to Local Rule 16.1 (D)(3) by Aircell LLC.(Smith, Mark) (Entered: 04/27/2009) |
| 04/27/2009 | 24 | CERTIFICATION pursuant to Local Rule 16.1 (D)(3) by Ambit Corporation.(Moriarty, Brian) (Entered: 04/27/2009) |
| 04/27/2009 | 25 | JOINT STATEMENT of counsel for <i>Scheduling Conference</i> . (Moriarty, Brian) (Entered: 04/27/2009) |
| 05/01/2009 | 26 | MOTION for Leave to Appear Pro Hac Vice for admission of Stephanie P. Koh Filing fee \$ 50, receipt number 01010000000002405947. by Delta Air Lines, Inc., Aircell LLC.(Smith, Mark) (Entered: 05/01/2009) |
| 05/01/2009 | 27 | Response by Ambit Corporation to 14 R Answer to Complaint, Counterclaim of <i>Aircell LLC</i> . (Moriarty, Brian) (Entered: 05/01/2009) |
| 05/01/2009 | 28 | Response by Ambit Corporation to 15 Answer to Complaint, Counterclaim of <i>Delta Air Lines, Inc.</i> . (Moriarty, Brian) (Entered: 05/01/2009) |
| 05/01/2009 | 29 | JOINT STATEMENT of counsel for <i>Scheduling Conference (Corrected to Add Exhibit A)</i> . (Attachments: # 1 Exhibit A - Proposed Order as to Filing Documents Containing Confidential Information)(Moriarty, Brian) (Entered: 05/01/2009) |
| 05/01/2009 | 30 | Joint MOTION for Protective Order (<i>Stipulation and Protective Order</i>) by Ambit Corporation, Delta Air Lines, Inc., Aircell LLC.(Moriarty, Brian) (Entered: 05/01/2009) |
| 05/04/2009 | 31 R | Judge William G. Young: ORDER entered. re 29 Joint statement is SO ORDERED AS MODIFIED as the case management scheduling order. DISCOVERY DUE December 5, 2009 and DISPOSITIVE MOTIONS DUE December 22, 2009(Paine, Matthew) (Entered: 05/04/2009) |
| 05/04/2009 | 32 | Judge William G. Young: ORDER entered. STIPULATION AND PROTECTIVE ORDER (Attachments: # 1 Exhibit - A)(Paine, Matthew) (Entered: 05/04/2009) |
| 05/04/2009 | | Electronic Clerk's Notes for proceedings held before Judge William G. Young: Scheduling Conference held on 5/4/2009, 16.1 Conference held. Court explains the requirements of the session. The Court inquires as to whether the parties want to proceed before a Magistrate Judge. The parties DECLINE to go to ADR. (Final Pretrial Conference set for NO SOONER THAN 5/3/2010 02:00 PM before Judge William G. Young., Jury Trial set for RUNNING TRIAL LIST AS OF 6/7/2010 09:00 AM before Judge |

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| | | William G. Young.). (Smith, Bonnie) (Entered: 05/05/2009) |
| 05/05/2009 | | Judge William G. Young: Electronic ORDER entered granting 26 Motion for Leave to Appear Pro Hac Vice; Added Stephanie P. Koh for Delta Air Lines, Inc. and Aircell LLC Attorneys admitted Pro Hac Vice must register for electronic filing. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Paine, Matthew) (Entered: 05/05/2009) |
| 05/11/2009 | 33 | Disclosure pursuant to Rule 26 by Delta Air Lines, Inc..(Laredo, Marc) (Entered: 05/11/2009) |
| 05/11/2009 | 34 | Disclosure pursuant to Rule 26 by Aircell LLC.(Laredo, Marc) (Entered: 05/11/2009) |
| 05/15/2009 | 35 | Assented to MOTION to Modify scheduling order by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 05/15/2009) |
| 05/18/2009 | | Judge William G. Young: Electronic ORDER entered granting 35 Assented to MOTION to Modify scheduling order (Paine, Matthew) (Entered: 05/18/2009) |
| 07/20/2009 | 36 | MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 07/20/2009) |
| 07/20/2009 | 37 | MEMORANDUM in Support re 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 07/20/2009) |
| 07/20/2009 | 38 | Statement of Material Facts L.R. 56.1 re 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112 as to Which There is No Genuine Dispute</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 07/20/2009) |
| 07/20/2009 | 39 | DECLARATION <i>of Stephanie Koh in Support of Defendant's Motion for Summary Judgment</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit)(Laredo, Marc) (Entered: 07/20/2009) |
| 08/03/2009 | 40 | Assented to MOTION for Extension of Time to August 10, 2009 to File <i>Opposition to Summary Judgment by Ambit, and Allowing Defendants to File Reply Brief by August 17, 2009</i> by Ambit Corporation, Delta Air Lines, Inc., Aircell LLC.(Gesmer, Lee) (Entered: 08/03/2009) |
| 08/04/2009 | 41 R | BRIEF by Delta Air Lines, Inc., Aircell LLC <i>Defendants' Opening Claim Construction Brief.</i> (Smith, Mark) (Entered: 08/04/2009) |
| 08/04/2009 | 42 | DECLARATION re 41 R <i>Brief Declaration of Stephanie P. Koh in Support of Defendants' Opening Claim Construction Brief</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9)(Smith, Mark) (Entered: 08/04/2009) |

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| 08/04/2009 | 43 R | BRIEF by Ambit Corporation (<i>Plaintiff Ambit Corporation's Preliminary Markman Brief</i>). (Moriarty, Brian) (Entered: 08/04/2009) |
| 08/04/2009 | 44 | DECLARATION re 43 R Brief (<i>Declaration of Benjamin P. Hurwitz in Support of Plaintiff Ambit Corporation's Preliminary Markman Brief</i>) by Ambit Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C - Part 1, # 4 Exhibit C - Part 2, # 5 Exhibit D, # 6 Exhibit E - Part 1, # 7 Exhibit E - Part 2, # 8 Exhibit E - Part 3, # 9 Exhibit F, # 10 Exhibit G, # 11 Exhibit H, # 12 Exhibit I, # 13 Exhibit J)(Moriarty, Brian) (Entered: 08/04/2009) |
| 08/04/2009 | 45 | DECLARATION re 43 R Brief (<i>Declaration of D. Richard Brown, Ph.D. in Support of Plaintiff Ambit Corporation's Preliminary Markman Brief</i>) by Ambit Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Moriarty, Brian) (Entered: 08/04/2009) |
| 08/04/2009 | 46 | CERTIFICATE OF SERVICE by Ambit Corporation re 43 R Brief, 44 Declaration, 45 Declaration,. (Moriarty, Brian) (Entered: 08/04/2009) |
| 08/05/2009 | | ELECTRONIC NOTICE issued requesting courtesy copy for 43 R Brief, 41 R Brief, 42 Declaration, 44 Declaration, 45 Declaration, 46 Certificate of Service. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 08/05/2009) |
| 08/06/2009 | | Judge William G. Young: Electronic ORDER entered granting 40 Motion for Extension of Time to File (Smith, Bonnie) (Entered: 08/06/2009) |
| 08/06/2009 | | ELECTRONIC NOTICE of Hearing on Motion 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> : Motion Hearing set for 9/22/2009 02:00 PM in Courtroom 18 before Judge William G. Young. Opposition is due by 8/10/09. Reply brief is due by 8/17/09.(Smith, Bonnie) (Entered: 08/06/2009) |
| 08/06/2009 | | ELECTRONIC NOTICE Cancelling Hearing. Hearing cancelled: Motion Hearing set for 9/22/09. The Court's practice is to hold a Markman hearing prior to any Summary Judgment hearing. (Smith, Bonnie) (Entered: 08/06/2009) |
| 08/10/2009 | 47 | MOTION to Compel <i>Answers to Interrogatory No. 10 and for an Expedited Briefing Schedule</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Text of Proposed Order Expedited Briefing Schedule)(Laredo, Marc) (Entered: 08/10/2009) |
| 08/10/2009 | 48 | MEMORANDUM in Support re 47 MOTION to Compel <i>Answers to Interrogatory No. 10 and for an Expedited Briefing Schedule</i> filed by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Text of Proposed Order Compel Answers)(Laredo, Marc) (Entered: 08/10/2009) |

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| 08/10/2009 | 49 | DECLARATION re 47 MOTION to Compel <i>Answers to Interrogatory No. 10 and for an Expedited Briefing Schedule</i> , 48 Memorandum in Support of Motion by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit) (Laredo, Marc) (Entered: 08/10/2009) |
| 08/10/2009 | 50 | MEMORANDUM in Opposition re 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> filed by Ambit Corporation. (Gesmer, Lee) (Entered: 08/10/2009) |
| 08/10/2009 | 51 | Counter Statement of Material Facts L.R. 56.1 re 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> filed by Ambit Corporation. (Gesmer, Lee) (Entered: 08/10/2009) |
| 08/10/2009 | 52 | AFFIDAVIT in Opposition re 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> filed by Ambit Corporation. (Attachments: # 1 Exhibit Curriculum Vitae of David Starobinski, # 2 Exhibit U.S. Patent No. 7,400,858)(Gesmer, Lee) (Entered: 08/10/2009) |
| 08/11/2009 | 53 | EXHIBIT re 49 Declaration, <i>Exhibit 3</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit Part 2 of Exhibit 3)(Laredo, Marc) (Entered: 08/11/2009) |
| 08/12/2009 | 54 R | Opposition re 47 MOTION to Compel <i>Answers to Interrogatory No. 10 and for an Expedited Briefing Schedule (opposition to Expedited Briefing Schedule only)</i> filed by Ambit Corporation. (Gesmer, Lee) (Entered: 08/12/2009) |
| 08/12/2009 | 55 | Joint MOTION for Leave to File Excess Pages <i>regarding reply briefs</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 08/12/2009) |
| 08/13/2009 | | Judge William G. Young: Electronic ORDER entered granting a 20 page limit 55 Motion for Leave to File Excess Pages (Smith, Bonnie) (Entered: 08/13/2009) |
| 08/14/2009 | 56 R | BRIEF by Delta Air Lines, Inc., Aircell LLC <i>Defendants' Reply Claim Construction Brief</i> . (Laredo, Marc) (Entered: 08/14/2009) |
| 08/14/2009 | 57 | DECLARATION re 56 R Brief <i>Declaration of Stephanie P. Koh</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Laredo, Marc) (Entered: 08/14/2009) |
| 08/14/2009 | 58 | DECLARATION re 56 R Brief <i>Declaration of William R. Michalson</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G PART 1, # 8 Exhibit G PART 2, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L)(Laredo, Marc) (Entered: 08/14/2009) |
| 08/14/2009 | 59 R | BRIEF by Ambit Corporation to 41 R Brief (<i>Plaintiff Ambit Corporation's Reply Brief to Defendants' Opening Claim Construction Brief</i>). (Moriarty, Brian) (Entered: 08/14/2009) |

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| 08/14/2009 | 60 | DECLARATION re 59 R Brief (<i>Second Declaration of Benjamin P. Hurwitz</i>) by Ambit Corporation. (Attachments: # 1 Exhibit K, # 2 Exhibit L, # 3 Exhibit M)(Moriarty, Brian) (Entered: 08/14/2009) |
| 08/14/2009 | 61 | CERTIFICATE OF SERVICE by Ambit Corporation re 59 R Brief, 60 Declaration. (Moriarty, Brian) (Entered: 08/14/2009) |
| 08/17/2009 | 62 | REPLY MEMORANDUM in Support re 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) Modified text (add word Reply) on 8/24/2009 to (Duong, Diep). (Entered: 08/17/2009) |
| 08/17/2009 | 63 | DECLARATION re 62 Memorandum in Support of Motion by <i>Stephanie P. Koh</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1)(Laredo, Marc) (Entered: 08/17/2009) |
| 08/17/2009 | 64 | <i>Defendants' Response to Plaintiff's Counter-Statement of Facts</i> Response by Delta Air Lines, Inc., Aircell LLC to 51 Statement of Material Facts L.R. 56.1. (Laredo, Marc) (Entered: 08/17/2009) |
| 08/18/2009 | 65 | EXHIBIT re 60 Declaration of <i>Benjamin Hurwitz (Exhibit L-Redacted)</i> by Ambit Corporation. (Moriarty, Brian) (Entered: 08/18/2009) |
| 08/19/2009 | 66 | MOTION to Strike 45 Declaration, of <i>D. Richard Brown, PH.D. In Support of Ambit Corporation's Preliminary Markman Brief</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 08/19/2009) |
| 08/19/2009 | 67 | MEMORANDUM in Support re 66 MOTION to Strike 45 Declaration, of <i>D. Richard Brown, PH.D. In Support of Ambit Corporation's Preliminary Markman Brief</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 08/19/2009) |
| 08/19/2009 | 68 | DECLARATION re 66 MOTION to Strike 45 Declaration, of <i>D. Richard Brown, PH.D. In Support of Ambit Corporation's Preliminary Markman Brief Stephanie P. Koh's Declaration</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1)(Laredo, Marc) (Entered: 08/19/2009) |
| 08/20/2009 | | Judge William G. Young: Electronic ORDER entered denying 47 Motion to Compel "Motion for expedited briefing schedule is denied" (Smith, Bonnie) (Entered: 08/20/2009) |
| 08/21/2009 | 69 R | JOINT STATEMENT of counsel (<i>Joint Claim Construction and Prehearing Statement</i>). (Hurwitz, Benjamin) (Entered: 08/21/2009) |
| 08/24/2009 | 70 | Opposition re 47 MOTION to Compel <i>Answers to Interrogatory No. 10 and for an Expedited Briefing Schedule (oopposition to motion to compel answers to Interrogatory No. 10)</i> filed by Ambit Corporation. (Laferrera, Joseph) (Entered: 08/24/2009) |
| 08/24/2009 | | ELECTRONIC NOTICE Resetting or Cancelling Hearing. Hearing rescheduled or cancelled: the motion hearing on the Motion for Summary Judgment is cancelled and will be rescheduled AFTER a Markman hearing. The parties are NOT to come 9/22/09 for hearing. (Smith, Bonnie) (Entered: 08/24/2009) |

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| | | 08/24/2009) |
| 08/25/2009 | 71 | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Thomas F. Hankinson Filing fee \$ 50, receipt number 0101000000002559447. by Delta Air Lines, Inc., Aircell LLC.(Smith, Mark) (Entered: 08/25/2009) |
| 08/25/2009 | 72 | Certificate of Good Standing re 71 Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Thomas F. Hankinson Filing fee \$ 50, receipt number 0101000000002559447. <i>Certificate of Thomas F. Hankinson</i> by Delta Air Lines, Inc., Aircell LLC. (Smith, Mark) (Entered: 08/25/2009) |
| 08/26/2009 | | Judge William G. Young: Electronic ORDER entered granting 71 Motion for Leave to Appear Pro Hac Vice; Added Thomas F. Hankinson for Delta Air Lines, Inc., Aircell LLC and Delta Air Lines, Inc.. Attorneys admitted Pro Hac Vice must register for electronic filing. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Smith, Bonnie) (Entered: 08/26/2009) |
| 08/28/2009 | 73 | MOTION to Supplement Record by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 08/28/2009) |
| 08/28/2009 | 74 | MEMORANDUM in Support re 73 MOTION to Supplement Record filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 08/28/2009) |
| 08/28/2009 | 75 | DECLARATION re 73 MOTION to Supplement Record of <i>Stephanie P. Koh</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Laredo, Marc) (Entered: 08/28/2009) |
| 09/02/2009 | 76 | MOTION to Amend <i>Defendants' Motion for Leave to Amend Their Answers</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 09/02/2009) |
| 09/02/2009 | 77 | Proposed Document(s) submitted by Delta Air Lines, Inc., Aircell LLC. Document received: [Proposed] Order Granting Defendants' Motion for Leave to Amend Their Answers. (Laredo, Marc) (Entered: 09/02/2009) |
| 09/02/2009 | 78 | MEMORANDUM in Support re 76 MOTION to Amend <i>Defendants' Motion for Leave to Amend Their Answers</i> filed by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Laredo, Marc) (Entered: 09/02/2009) |
| 09/02/2009 | 79 | MEMORANDUM in Opposition re 66 MOTION to Strike 45 Declaration, of <i>D. Richard Brown, PH.D. In Support of Ambit Corporation's Preliminary Markman Brief</i> filed by Ambit Corporation. (Attachments: # 1 Exhibit A)(Moriarty, Brian) (Entered: 09/02/2009) |
| 09/02/2009 | 80 | MOTION to Amend 1 Complaint, by Ambit Corporation. (Attachments: # 1 Exhibit 1, # 2 Text of Proposed Order)(Moriarty, Brian) (Entered: 09/02/2009) |

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| 09/02/2009 | 81 | MEMORANDUM in Support re 80 MOTION to Amend 1 Complaint, filed by Ambit Corporation. (Moriarty, Brian) (Entered: 09/02/2009) |
| 09/02/2009 | 82 | DECLARATION re 80 MOTION to Amend 1 Complaint, (<i>Declaration of Benjamin P. Hurwitz, Esq. in Support of Plaintiff's Motion to Amend Complaint</i>) by Ambit Corporation. (Moriarty, Brian) (Entered: 09/02/2009) |
| 09/10/2009 | | Judge William G. Young: Electronic ORDER entered: Motion denied. The parties seem to have a fundamental misunderstanding of Markman proceedings. The Court will initially construe the patent using only the patent, specifications, and prosecution history. The Court has no need of expert testimony at this stage re 66 Motion to Strike (Paine, Matthew) (Entered: 09/10/2009) |
| 09/11/2009 | 83 | Opposition re 73 MOTION to Supplement Record filed by Ambit Corporation. (Moriarty, Brian) (Entered: 09/11/2009) |
| 09/16/2009 | 84 | Opposition re 80 MOTION to Amend 1 Complaint, filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 09/16/2009) |
| 09/16/2009 | 85 | DECLARATION re 84 Opposition to Motion <i>Declaration of Thomas F. Hankinson</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Laredo, Marc) (Entered: 09/16/2009) |
| 09/16/2009 | 86 | MEMORANDUM in Opposition re 76 MOTION to Amend <i>Defendants' Motion for Leave to Amend Their Answers (and Plaintiff's Motion to Strike Defendants' Inequitable Conduct Defense)</i> filed by Ambit Corporation. (Moriarty, Brian) (Entered: 09/16/2009) |
| 09/16/2009 | 87 | DECLARATION re 86 Memorandum in Opposition to Motion, (<i>Declaration of Christopher K. Albert, Esq. in Support of Plaintiff's Opposition to Defendants' Motion for Leave to Amend Their Answers and Plaintiff's Motion to Strike Defendants' Inequitable Conduct Defense</i>) by Ambit Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Moriarty, Brian) (Entered: 09/16/2009) |
| 09/17/2009 | | ELECTRONIC NOTICE issued requesting courtesy copy for 87 Declaration,. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 09/17/2009) |
| 09/22/2009 | | ELECTRONIC NOTICE of Hearing : Markman Hearing set for 11/19/2009 02:00 PM before Judge William G. Young. (Smith, Bonnie) (Entered: 09/22/2009) |
| 09/23/2009 | | ELECTRONIC NOTICE re Notice of Hearing The Markman hearing set for 11/19 will NOT be an evidentiary hearing. (Smith, Bonnie) (Entered: 09/23/2009) |

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| 09/24/2009 | | Judge William G. Young: Electronic ORDER entered. Plaintiff's Motion to Strike Defendants' Inequitable Conduct Defense is denied re 86 Memorandum in Opposition to Motion, filed by Ambit Corporation (Paine, Matthew) (Entered: 09/24/2009) |
| 09/24/2009 | 88 | <i>Defendant Delta Air Lines, Inc.'s Amended ANSWER to 1 Complaint, with Jury Demand and, COUNTERCLAIM with Jury Demand</i> against Ambit Corporation by Delta Air Lines, Inc..(Laredo, Marc) (Entered: 09/24/2009) |
| 09/24/2009 | 89 | <i>Defendant Aircell LLC's First Amended ANSWER to 1 Complaint, with Jury Demand and, COUNTERCLAIM with Jury Demand</i> against Ambit Corporation by Aircell LLC.(Laredo, Marc) (Entered: 09/24/2009) |
| 09/28/2009 | 90 | MOTION to Amend 1 Complaint, (<i>Plaintiff's Consolidated Motion to Amend Complaint</i>) by Ambit Corporation. (Attachments: # 1 Exhibit 1, # 2 Text of Proposed Order)(Moriarty, Brian) (Entered: 09/28/2009) |
| 09/28/2009 | 91 | MEMORANDUM in Support re 90 MOTION to Amend 1 Complaint, (<i>Plaintiff's Consolidated Motion to Amend Complaint</i>) filed by Ambit Corporation. (Moriarty, Brian) (Entered: 09/28/2009) |
| 09/28/2009 | 92 | DECLARATION re 90 MOTION to Amend 1 Complaint, (<i>Plaintiff's Consolidated Motion to Amend Complaint</i>), 91 Memorandum in Support of Motion (<i>Declaration of Benjamin P. Hurwitz, Esq. in Support of Plaintiff's Consolidated Motion to Amend Complaint</i>) by Ambit Corporation. (Moriarty, Brian) (Attachment(s): # 2 Exhibit - A, # 3 Exhibit - B, # 4 Exhibit - C, # 5 Exhibit - D, # 6 Exhibit - E, # 7 Exhibit - F, # 8 Exhibit - G, # 9 Exhibit - H, # 10 Exhibit - I) (Paine, Matthew). (Entered: 09/28/2009) |
| 09/28/2009 | | Judge William G. Young: Electronic ORDER entered denying 73 MOTION to Supplement Record (Paine, Matthew) (Entered: 09/29/2009) |
| 10/05/2009 | 93 | MOTION to Compel <i>Additional Discovery</i> by Ambit Corporation. (Attachments: # 1 Text of Proposed Order)(Moriarty, Brian) (Entered: 10/05/2009) |
| 10/05/2009 | 94 | MEMORANDUM in Support re 93 MOTION to Compel <i>Additional Discovery (REDACTED)</i> filed by Ambit Corporation. (Moriarty, Brian) (Additional attachment(s) added on 10/6/2009: # 1 Memorandum) (Paine, Matthew). (Entered: 10/05/2009) |
| 10/05/2009 | 95 | DECLARATION re 93 MOTION to Compel <i>Additional Discovery (Declaration of Benjamin P. Hurwitz, Esq. in Support of Plaintiff's Motion to Compel Discovery)</i> by Ambit Corporation. (Attachments: # 1 Exhibit A - Redacted, # 2 Exhibit B, # 3 Exhibit C-K Redacted, # 4 Exhibit L, # 5 Exhibit M, # 6 Exhibit N, # 7 Exhibit O)(Moriarty, Brian) (Entered: 10/05/2009) |
| 10/05/2009 | 96 | MOTION for Leave to File <i>a Motion on the Public Docket Containing Nominally Confidential Information or in the Alternative to Impound Documents Under Local Rule 7.2</i> by Ambit Corporation. (Attachments: # 1 Text of Proposed Order)(Moriarty, Brian) (Entered: 10/05/2009) |

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| 10/05/2009 | 97 | DECLARATION re 96 MOTION for Leave to File <i>a Motion on the Public Docket Containing Nominally Confidential Information or in the Alternative to Impound Documents Under Local Rule 7.2 (Declaration of Christopher K. Albert in Support of Plaintiff's Motion 96)</i> by Ambit Corporation. (Moriarty, Brian) (Entered: 10/05/2009) |
| 10/09/2009 | 98 | Opposition re 90 MOTION to Amend 1 Complaint, (<i>Plaintiff's Consolidated Motion to Amend Complaint</i>) Defendants' Opposition to Plaintiff's Consolidated Motion to Amend Complaint filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 10/09/2009) |
| 10/09/2009 | 99 | DECLARATION re 98 Opposition to Motion, <i>Declaration of Thomas F. Hankinson in Support of Defendants' Opposition to Plaintiff's Consolidated Motion to Amend Complaint</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16)(Laredo, Marc) (Entered: 10/09/2009) |
| 10/13/2009 | | Judge William G. Young: Electronic ORDER entered denying 90 MOTION to Amend 1 Complaint, (Plaintiff's Consolidated Motion to Amend Complaint) (Paine, Matthew) (Entered: 10/13/2009) |
| 10/13/2009 | 100 | Ambit Corporation's Reply to First Amended Counterclaims of Delta Air Lines, Inc., by Ambit Corporation.(Moriarty, Brian) (Modified on 10/14/2009 to Update Docket Text) (Paine, Matthew). (Entered: 10/13/2009) |
| 10/13/2009 | 101 | Ambit Corporation's Reply to First Amended Counterclaims of Aircell LLC, by Ambit Corporation.(Moriarty, Brian) (Modified on 10/14/2009 to Update Docket Text) (Paine, Matthew). (Entered: 10/13/2009) |
| 10/19/2009 | 102 | Opposition re 96 MOTION for Leave to File <i>a Motion on the Public Docket Containing Nominally Confidential Information or in the Alternative to Impound Documents Under Local Rule 7.2</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 10/19/2009) |
| 10/19/2009 | 103 | DECLARATION re 102 Opposition to Motion, <i>Declaration of Marguerite M. Elias</i> by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 10/19/2009) |
| 10/19/2009 | 104 | DECLARATION re 102 Opposition to Motion, <i>Thomas F. Hankinson Declaration</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11)(Laredo, Marc) (Entered: 10/19/2009) |
| 10/19/2009 | 105 | Opposition re 93 MOTION to Compel <i>Additional Discovery</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 10/19/2009) |
| 10/19/2009 | 106 | DECLARATION <i>Thomas F. Hankinson's Declaration</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, |

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| | | # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12)(Laredo, Marc) (Entered: 10/19/2009) |
| 10/20/2009 | | ELECTRONIC NOTICE issued requesting courtesy copy for 104 Declaration, 103 Declaration, 102 Opposition to Motion, 105 Opposition to Motion, 106 Declaration,. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 10/20/2009) |
| 10/21/2009 | | Judge William G. Young: Electronic ORDER entered: This skirmishing about the filing of documents on the public docket of the Court is unseemly and unnecessary. It reflects poorly on all counsel involved. The motion to file a motion on the public docket with all this extraneous material is thus denied as unnecessary and harassing. That said, Ambits motion to compel the production of documents <u>as described in the motion to compel</u> , items 1 and 2, is allowed. Further discovery to be provided within 30 days of the date of this order. Motion otherwise denied. re 93 MOTION to Compel Additional Discovery and re 96 MOTION for Leave to File a Motion on the Public Docket Containing Nominally Confidential Information or in the Alternative to Impound Documents Under Local Rule 7.2. (Paine, Matthew) (Entered: 10/21/2009) |
| 11/19/2009 | | Electronic Clerk's Notes for proceedings held before Judge William G. Young: Hearing re Markman held on 11/19/2009. The Court construes the claims in dispute. the parties have until Nov. 25 to inform the clerk as to whether an evidentiary hearing is necessary. The Court inquires as to whether case 09-11408 should be consolidated with this case. Counsel inform the court that at this time no. The Court holds a 16.1 conference in the 09-11408 case. (Court Reporter: Womack.)(Attorneys present: Plaintiff's Counsel Moriarty, Thibideau, Defense Counsel Rein,Koh,Laredo) (Smith, Bonnie) (Entered: 11/23/2009) |
| 11/23/2009 | 107 | Transcript of Markman Hearing held on November 19, 2009, before Judge Young. Court Reporter: Donald E. Womack at womack@megatran.com . The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 12/11/2009. Redacted Transcript Deadline set for 12/21/2009. Release of Transcript Restriction set for 2/18/2010. (Scalfani, Deborah) (Entered: 11/23/2009) |
| 11/23/2009 | 108 | NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 11/23/2009) |
| 11/25/2009 | 109 | NOTICE of Request for Evidentiary Hearing on Technical Matter Relevant to Claim Construction by Ambit Corporation (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Moriarty, Brian) (Modified on 11/27/2009 to Update Docket |

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| | | Text) (Paine, Matthew). (Entered: 11/25/2009) |
| 11/30/2009 | | ELECTRONIC NOTICE of Hearing : Evidentiary Hearing re: claim construction set for Monday 12/7/2009 02:00 PM in Courtroom 18 before Judge William G. Young. (Smith, Bonnie) (Entered: 11/30/2009) |
| 12/07/2009 | | Electronic Clerk's Notes for proceedings held before Judge William G. Young: Markman Hearing held on 12/7/2009.Plaintiff's evidence commences with examination and cross examination of witness Donald Brown. Ex. 1,2,3 admitted. Ex. A marked for identification, Chalk A marked. Plaintiff rests. Defense evidence commences with examination and cross examination of witness William Michaelson. Ex. 4,5 admitted. Defense rests. The Court takes the matter Under Advisement. The Court sets hearing on the motion for summary judgment for Jan. 20, 2010 @2PM at BU. Notice to issue. (Court Reporter: Womack.)(Attorneys present: Plaintiff's Counsel Moriarty, defense Counsel Rein,Koh) (Smith, Bonnie) (Entered: 12/07/2009) |
| 12/07/2009 | | ELECTRONIC NOTICE of Hearing on Motion 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> : Motion Hearing set for 1/20/2010 02:00 PM before Judge William G. Young. The hearing will take place at BOSTON UNIVERSITY LAW SCHOOL, 765 Commonwealth Ave., 6th Floor Moot Courtroom, Boston. (Smith, Bonnie) (Entered: 12/07/2009) |
| 12/22/2009 | 110 | MOTION for Summary Judgment <i>of Noninfringement, or in the Alternative, Invalidity</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 12/22/2009) |
| 12/22/2009 | 111 R | MEMORANDUM in Support re 110 MOTION for Summary Judgment <i>of Noninfringement, or in the Alternative, Invalidity</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 12/22/2009) |
| 12/22/2009 | 112 | DECLARATION <i>of Stephanie P. Koh in Support of Defendants' Motion for Summary Judgment of Noninfringement, or in the Alternative, Invalidity</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit)(Laredo, Marc) (Additional attachment(s) added on 1/5/2010: # 30 Corrected Exhibit - 12) (Paine, Matthew). (Entered: 12/22/2009) |
| 12/22/2009 | 113 | DECLARATION <i>of Frances H. Phillips in Support of Defendants' Motion for Summary Judgment of Noninfringement, or in the Alternative, Invalidity</i> by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 12/22/2009) |
| 12/22/2009 | 114 | DECLARATION <i>of William W. Archer in Support of Defendants' Motion for Summary Judgment of Noninfringement, or in the Alternative,</i> |

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| | | <i>Invalidity</i> by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 12/22/2009) |
| 12/22/2009 | 115 | DECLARATION of Patrick J. Walsh in Support of Defendants' Motion for Summary Judgment of Noninfringement, or in the Alternative, <i>Invalidity</i> by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 12/22/2009) |
| 12/22/2009 | 116 | DECLARATION of William R. Michalson in Support of Defendants' Motion for Summary Judgment of Noninfringement, or in the Alternative, <i>Invalidity</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit A)(Laredo, Marc) (Additional attachment(s) added on 1/5/2010: # 2 Corrected Exhibit - A) (Paine, Matthew). (Entered: 12/22/2009) |
| 12/22/2009 | 117 | Defendants' Local Rule 56.1 Statement of Material Facts As To Which There is No Genuine Dispute. (Laredo, Marc) (Modified on 12/23/2009 to Update Dockete Text) (Paine, Matthew). (Entered: 12/22/2009) |
| 12/23/2009 | | ELECTRONIC NOTICE issued requesting courtesy copy for 117 Statement of facts, 116 Declaration, 112 Declaration,, 111 R Memorandum in Support of Motion, 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity</i> , 113 Declaration, 115 Declaration, 114 Declaration. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 12/23/2009) |
| 01/04/2010 | 118 | Judge William G. Young: ORDER entered. MEMORANDUM AND ORDER: It is the order of this Court that the term First RF Antenna shall be construed in claim 1 of U.S. Patent No. 7,400,858 as: The first RF antenna of the claimed system, which is located in effective proximity to the radiative RF antenna associated with personal communication device(s), and is distinct from the second radiative RF antenna of the claimed system. The term First RF Antenna shall be construed in claims 10 and 14 of U.S. Patent No. 7,400,858 as: The first RF antenna of the claimed system, which is located in close proximity to the radiative RF antenna associated with personal communication device(s), and is distinct from the second radiative RF antenna of the claimed system.(Paine, Matthew) (Entered: 01/04/2010) |
| 01/05/2010 | | Notice of correction to docket made by Court staff. Corrected Exhibit (12) to Docket Entry 112 and Exhibit (A) to Docket Entry 116 Added to the Docket Entries. (Paine, Matthew) (Entered: 01/05/2010) |
| 01/07/2010 | | ELECTRONIC NOTICE of Hearing on Motion 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity</i> : Motion Hearing set for 1/20/2010 02:00 PM before Judge William G. Young. Opposition is due FORTHWITH. Reply brief, if any, is due 7 days from the date of the filing of the opposition. The hearing will take place at BOSTON UNIVERSITY LAW SCHOOL 765 Commonwealth Ave. 6th floor, Boston. (Smith, Bonnie) (Entered: 01/07/2010) |

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| 01/07/2010 | 119 | MOTION to Compel <i>Performance of Court Order</i> by Ambit Corporation. (Attachments: # 1 Text of Proposed Order)(Moriarty, Brian) (Entered: 01/07/2010) |
| 01/07/2010 | 120 | MEMORANDUM in Support re 119 MOTION to Compel <i>Performance of Court Order</i> filed by Ambit Corporation. (Moriarty, Brian) (Entered: 01/07/2010) |
| 01/07/2010 | 121 | DECLARATION re 120 Memorandum in Support of Motion, 119 MOTION to Compel <i>Performance of Court Order (Declaration of Benjamin P. Hurwitz)</i> by Ambit Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Moriarty, Brian) (Entered: 01/07/2010) |
| 01/07/2010 | | Notice of correction to docket made by Court staff. Correction: time for filing opposition is corrected because: incorrect time calculation. Due to the changes in the Federal Rules of Civil Procedure,(specifically rule 56) the time for filing an opposition to a Motion for Summary Judgment has been extended to 21 days. Therefore, the opposition to the Motion filed 12/22/09 is due 1/12/10. The hearing date will remain the same. If a reply is to be considered, counsel should judiciously calculate the time for filing it. (Smith, Bonnie) (Entered: 01/07/2010) |
| 01/08/2010 | 122 | MOTION for Reconsideration re 118 Memorandum & ORDER,,, <i>Re: First RF Antenna</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 01/08/2010) |
| 01/08/2010 | 123 R | MEMORANDUM in Support re 122 MOTION for Reconsideration re 118 Memorandum & ORDER,,, <i>Re: First RF Antenna</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 01/08/2010) |
| 01/08/2010 | 124 | DECLARATION re 122 MOTION for Reconsideration re 118 Memorandum & ORDER,,, <i>Re: First RF Antenna of Thomas F. Hankinson</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit 1)(Laredo, Marc) (Entered: 01/08/2010) |
| 01/11/2010 | | Judge William G. Young: Electronic ORDER entered denying 122 Motion for Reconsideration (Paine, Matthew) (Entered: 01/11/2010) |
| 01/12/2010 | 125 R | Opposition re 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity</i> filed by Ambit Corporation. (Moriarty, Brian) (Entered: 01/12/2010) |
| 01/12/2010 | 126 | Counter Statement of Material Facts L.R. 56.1 re 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity Responsive to Defendants' Statement of Material Facts as to Which There Exist Genuine Issues to be Tried</i> filed by Ambit Corporation. (Moriarty, Brian) (Entered: 01/12/2010) |
| 01/12/2010 | 127 | AFFIDAVIT of Benjamin P. Hurwitz, Esq. in Opposition re 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity</i> filed by Ambit Corporation. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 |

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| | | Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Errata 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36, # 37 Exhibit 37, # 38 Exhibit 38, # 39 Exhibit 39, # 40 Exhibit 40, # 41 Exhibit 41)(Moriarty, Brian) (Entered: 01/12/2010) |
| 01/12/2010 | 128 | MOTION for Leave to File <i>Under Seal Confidential Documents Supporting Its Opposition to Defendants' Motion for Summary Judgement of Noninfringement, or in the Alternative, Invalidity</i> by Ambit Corporation. (Attachments: # 1 Text of Proposed Order)(Moriarty, Brian) (Entered: 01/12/2010) |
| 01/13/2010 | | ELECTRONIC NOTICE issued requesting courtesy copy for 126 Statement of Material Facts L.R. 56.1, 127 Affidavit in Opposition to Motion,, 125 R Opposition to Motion. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 01/13/2010) |
| 01/13/2010 | | Judge William G. Young: Electronic ORDER entered denying 128 MOTION for Leave to File Under Seal Confidential Documents Supporting Its Opposition to Defendants' Motion for Summary Judgement of Noninfringement, or in the Alternative, Invalidity (Paine, Matthew) (Entered: 01/13/2010) |
| 01/13/2010 | 129 | Opposition re 119 MOTION to Compel <i>Performance of Court Order</i> filed by Aircell LLC. (Laredo, Marc) (Entered: 01/13/2010) |
| 01/13/2010 | 130 | DECLARATION of <i>Marguerite M. Elias in Support of Aircell's Opposition to Plaintiff's Motion to Compel Performance of Court Order</i> by Aircell LLC. (Laredo, Marc) (Entered: 01/13/2010) |
| 01/13/2010 | 131 | DECLARATION of <i>Thomas F. Hankinson in Support of Aircell's Opposition to Plaintiff's Motion to Compel Performance of Court Order</i> by Aircell LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Laredo, Marc) (Entered: 01/13/2010) |
| 01/14/2010 | | Judge William G. Young: Electronic ORDER entered denying 119 MOTION to Compel Performance of Court Order (Paine, Matthew) (Entered: 01/14/2010) |
| 01/15/2010 | 132 | REPLY to Response to 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 01/15/2010) |
| 01/15/2010 | 133 R | REPLY to Response to 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity (Amended)</i> filed by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 01/15/2010) |

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| 01/15/2010 | 134 | DECLARATION of William R. Michalson by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Exhibit A)(Laredo, Marc) (Entered: 01/15/2010) |
| 01/20/2010 | | Electronic Clerk's Notes for proceedings held before Judge William G. Young: Motion Hearing held at Boston University Law School on 1/20/2010 re 110 MOTION for Summary Judgment of <i>Noninfringement, or in the Alternative, Invalidity</i> filed by Delta Air Lines, Inc., Aircell LLC, 36 MOTION for Summary Judgment <i>Of Invalidity for Failure to Comply with 35 U.S.C. Sec. 112</i> filed by Delta Air Lines, Inc., Aircell LLC. After hearing from Plaintiff and Defendant the Court is taking under advisement 36 Motion for Summary Judgment; taking under advisement 110 Motion for Summary Judgment; (Court Reporter: Womack.)(Attorneys present: Plaintiff's Counsel Moriarty, Defense Counsel Rein) (Smith, Bonnie) (Entered: 01/21/2010) |
| 01/22/2010 | 135 | Judge William G. Young: ORDER entered. Delta's motion for non-infringement Doc. No. 110 is GRANTED as to claims 6, 10, 12 and 14. Delta's accused system has the first RF antenna located in the ceiling of the aircraft and not in the close proximity to the radiative RF antenna associated with the personal communication device(s). No reasonable jury, properly instructed could reach a contrary conclusion. Delta's motion that the patent No. 7,400,858 is invalid as obvious under 35 U.S.C. 103 Doc. No 110 is DENIED. The remaining matters raised by Delta's motion - matters of some complexity - remain under advisement. SO ORDERED... (Paine, Matthew) (Entered: 01/22/2010) |
| 01/26/2010 | 136 R | MOTION for Clarification of the Court's January 22, 2010 Order and Memorandum in Support by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 01/26/2010) |
| 01/27/2010 | 137 | Transcript of Motion Hearing held on January 20, 2010, before Judge Young. Court Reporter: Donald E.Womack at womack@megatran.com . The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 2/17/2010. Redacted Transcript Deadline set for 3/1/2010. Release of Transcript Restriction set for 4/27/2010. (Scalfani, Deborah) (Entered: 01/27/2010) |
| 01/27/2010 | 138 | NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 01/27/2010) |
| 01/28/2010 | | Judge William G. Young: Electronic ORDER entered : Delta <u>utterly</u> misunderstands the nature of summary judgment practice. It put the matter of obviousness in issue by its motion and was <u>obligated</u> to set forth <u>all</u> the grounds that demonstrate there is no triable issue on that defense. A contrary rule would allow a party to dribble out a virtually unlimited number of summary judgment motions driving up litigation costs and impairing judicial efficiency re 136 R MOTION for Clarification of the Court's January 22, |

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| | | 2010 Order (Paine, Matthew) (Entered: 01/28/2010) |
| 01/29/2010 | 139 | MOTION for Reconsideration re 135 Order., (<i>Noninfringment of Claims 6, 10, 12, and 14</i>) by Ambit Corporation. (Attachments: # 1 Text of Proposed Order)(Moriarty, Brian) (Entered: 01/29/2010) |
| 01/29/2010 | 140 R | MEMORANDUM in Support re 139 MOTION for Reconsideration re 135 Order., (<i>Noninfringment of Claims 6, 10, 12, and 14</i>) filed by Ambit Corporation. (Moriarty, Brian) (Entered: 01/29/2010) |
| 01/29/2010 | 141 | DECLARATION re 140 R Memorandum in Support of Motion, 139 MOTION for Reconsideration re 135 Order., (<i>Noninfringment of Claims 6, 10, 12, and 14</i>) (<i>Declaration of Benjamin P. Hurwitz, Esq.</i>) by Ambit Corporation. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2-9 (Sealed), # 3 Exhibit 10)(Moriarty, Brian) (Entered: 01/29/2010) |
| 01/29/2010 | 142 | MOTION to Seal <i>Confidential Documents Supporting its Motion to Reconsider Noninfringment of Claims 6, 10, 12 and 14</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 01/29/2010) |
| 02/02/2010 | | Judge William G. Young: Electronic ORDER entered denying 139 Motion for Reconsideration (Paine, Matthew) (Entered: 02/02/2010) |
| 02/02/2010 | | Judge William G. Young: Electronic ORDER entered denied as moot 142 MOTION to Seal Confidential Documents Supporting its Motion to Reconsider Noninfringment of Claims 6, 10, 12 and 14 (Paine, Matthew) (Entered: 02/02/2010) |
| 02/05/2010 | 143 R | BRIEF by Delta Air Lines, Inc., Aircell LLC to 135 Order., <i>Defendants' Opposition to Sua Sponte Summary Judgment on Obviousness</i> . (Laredo, Marc) (Entered: 02/05/2010) |
| 02/05/2010 | 144 | DECLARATION <i>Of Stephanie P. Koh in Support of Defendants' Opposition to Sua Sponte Summary Judgment on Obviousness</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22, # 24 Exhibit 23, # 25 Exhibit 24, # 26 Exhibit 25, # 27 Exhibit 26, # 28 Exhibit 27, # 29 Exhibit 28, # 30 Exhibit 29, # 31 Exhibit 30, # 32 Exhibit 31, # 33 Exhibit 32, # 34 Exhibit 33, # 35 Exhibit 34, # 36 Exhibit 35, # 37 Exhibit 36, # 38 Exhibit 37, # 39 Exhibit 38, # 40 Exhibit 39, # 41 Exhibit 40, # 42 Exhibit 41, # 43 Exhibit 42, # 44 Exhibit 43, # 45 Exhibit 44, # 46 Exhibit 45, # 47 Exhibit 46, # 48 Exhibit 47, # 49 Exhibit 48, # 50 Exhibit 49, # 51 Exhibit 50, # 52 Exhibit 51, # 53 Exhibit 52, # 54 Exhibit 53, # 55 Exhibit 54, # 56 Exhibit 55, # 57 Exhibit 56, # 58 Exhibit 57, # 59 Exhibit 58, # 60 Exhibit 59, # 61 Exhibit 60, # 62 Exhibit 61, # 63 Exhibit 62, # 64 Exhibit 63, # 65 Exhibit 64, # 66 Exhibit 65, # 67 Exhibit 66, # 68 Exhibit 67, # 69 Exhibit 68, # 70 Exhibit 69, # 71 Exhibit 70, # 72 Exhibit 71, # 73 Exhibit 72, # 74 Exhibit 73, # 75 Exhibit |

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| | | 74, # 76 Exhibit 75, # 77 Exhibit 76, # 78 Exhibit 77, # 79 Exhibit 78, # 80 Exhibit 79, # 81 Exhibit 80)(Laredo, Marc) (Entered: 02/05/2010) |
| 02/05/2010 | 145 | DECLARATION of <i>Steven J. Arntzen in Support of Defendants' Opposition to Sua Sponte Summary Judgment on Obviousness</i> by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 02/05/2010) |
| 02/05/2010 | 146 | DECLARATION of <i>Jimmy C. Ray in Support of Defendants' Opposition to Sua Sponte Summary Judgment on Obviousness</i> by Delta Air Lines, Inc., Aircell LLC. (Laredo, Marc) (Entered: 02/05/2010) |
| 02/05/2010 | 147 | DECLARATION of <i>William R. Michalson, Ph.D. in Support of Defendants' Opposition to Sua Sponte Summary Judgment on Obviousness</i> by Delta Air Lines, Inc., Aircell LLC. (Attachments: # 1 declaration part 2, # 2 Declaration Part 3, # 3 Exhibit A, # 4 Exhibit B Part 1, # 5 Exhibit B Part 2, # 6 Exhibit B Part 3, # 7 Exhibit B Part 4, # 8 Exhibit C)(Laredo, Marc) (Entered: 02/05/2010) |
| 02/05/2010 | 148 | STATEMENT of facts <i>As To Which There Are Genuine Disputes to be Tried.</i> (Laredo, Marc) (Entered: 02/05/2010) |
| 02/05/2010 | 149 R | BRIEF by Ambit Corporation to 135 Order,, (<i>Plaintiff's Invited Memorandum on the Question of Whether the Court Should Sua Sponte Grant Summary Judgment Against Defendants on the Ground of Invalidity under 35 U.S.C. § 103</i>). (Moriarty, Brian) (Entered: 02/05/2010) |
| 02/08/2010 | | ELECTRONIC NOTICE issued requesting courtesy copy for 144 Declaration,,,,, 149 R Brief, 145 Declaration, 146 Declaration, 143 R Brief, 148 Statement of facts, 147 Declaration,. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 02/08/2010) |
| 02/19/2010 | 150 | Plaintiff's Reply Brief to Defendants' Opposition to Sua Sponte Summary Judgment on Obviousness. (Moriarty, Brian) (Modified on 2/22/2010 to Update Docket Text) (Paine, Matthew). (Entered: 02/19/2010) |
| 02/26/2010 | 151 | Letter/request (non-motion) from Marc C. Laredo. (Laredo, Marc) (Entered: 02/26/2010) |
| 03/01/2010 | 152 | MOTION for Leave to File <i>a Response to Plaintiff's February 19, 2010 Obviousness Submission and Memorandum in Support</i> by Delta Air Lines, Inc., Aircell LLC.(Laredo, Marc) (Entered: 03/01/2010) |
| 03/01/2010 | 153 | <i>Defendants' Reply to Plaintiff's February 19 Submission Regarding Obviousness</i> Response by Delta Air Lines, Inc., Aircell LLC to 150 Response. (Laredo, Marc) (Entered: 03/01/2010) |
| 03/02/2010 | | Judge William G. Young: Electronic ORDER entered granting 152 MOTION for Leave to File a Response to Plaintiff's February 19, 2010 Obviousness Submission and Memorandum in Support. (Paine, Matthew) (Entered: 03/02/2010) |

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| 03/02/2010 | 154 R | Judge William G. Young: ORDER entered. Motion for summary judgment by Delta Airlines, Inc. and Aircell LLC ("Delta") Doc. No. 36 is DENIED. To the extent this Court has not ruled on Delta's and Aircell's motion for summary judgment Doc. No. 110 it is DENIED. SO ORDERED... (Paine, Matthew) (Entered: 03/02/2010) |
| 03/03/2010 | | Notice of correction to docket made by Court staff. Correction: Order re: summary judgment was corrected because: Aircell was not included as a party to the motion #110 in the text of the electronic order. (Smith, Bonnie) (Entered: 03/03/2010) |
| 03/23/2010 | 155 | Judge William G. Young: ORDER entered. MEMORANDUM AND ORDER: This Court does not <u>sua sponte</u> grant summary judgment against Delta on the issue of obviousness. SO ORDERED...(Paine, Matthew) (Entered: 03/23/2010) |
| 04/01/2010 | 156 | Joint MOTION to Modify Protective Order by Aircell LLC, Ambit Corporation, Delta Air Lines, Inc.. (Attachments: # 1 Text of Proposed Order)(Moriarty, Brian) (Entered: 04/01/2010) |
| 04/02/2010 | | Judge William G. Young: ELECTRONIC ORDER entered granting 156 Joint MOTION to Modify Protective Order (Paine, Matthew) (Entered: 04/02/2010) |
| 04/02/2010 | 157 | Judge William G. Young: ORDER entered. ORDER to MODIFY PROTECTIVE ORDER (Attachments: # 1 Exhibit A)(Paine, Matthew) (Entered: 04/02/2010) |
| 04/13/2010 | | Motions terminated: 80 MOTION to Amend 1 Complaint, filed by Ambit Corporation, 76 MOTION to Amend <i>Defendants' Motion for Leave to Amend Their Answers</i> filed by Delta Air Lines, Inc., Aircell LLC. (Smith, Bonnie) (Entered: 04/13/2010) |
| 04/27/2010 | 158 | Judge William G. Young: ORDER entered. PROCEDURAL ORDER re pretrial/trial Final Pretrial Conference set for 5/13/2010 02:00 PM before Judge William G. Young.(Smith, Bonnie) (Entered: 04/27/2010) |
| 04/27/2010 | | ELECTRONIC NOTICE OF RESCHEDULING Final Pretrial Conference reset for 5/17/2010 02:00 PM before Judge William G. Young. (Smith, Bonnie) (Entered: 04/27/2010) |
| 04/28/2010 | 159 | MOTION to Preclude Testimony From Christopher C. Barry by Aircell LLC, Delta Air Lines, Inc..(Laredo, Marc) (Entered: 04/28/2010) |
| 04/28/2010 | 160 | MEMORANDUM in Support re 159 MOTION to Preclude Testimony From Christopher C. Barry filed by Aircell LLC, Delta Air Lines, Inc.. (Laredo, Marc) (Entered: 04/28/2010) |
| 04/28/2010 | 161 | DECLARATION re 159 MOTION to Preclude Testimony From Christopher C. Barry by Aircell LLC, Delta Air Lines, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Laredo, Marc) (Entered: 04/28/2010) |

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| 05/07/2010 | 162 | Disclosure Under 35 U.S.C. Section 282 by Aircell LLC, Delta Air Lines, Inc.(Laredo, Marc) Modified on 5/10/2010 to Update Docket Text) (Paine, Matthew). (Entered: 05/07/2010) |
| 05/12/2010 | 163 | Opposition re 159 MOTION to Preclude Testimony From Christopher C. Barry filed by Ambit Corporation. (Gesmer, Lee) (Main Document 163 replaced on 5/13/2010 With a Redacted Version - Please Refer to Docket Entry 168 for the Memorandum in Opposition) (Paine, Matthew). (Entered: 05/12/2010) |
| 05/12/2010 | 164 | AFFIDAVIT in Opposition re 159 MOTION to Preclude Testimony From Christopher C. Barry filed by Ambit Corporation. (Attachments: # 1 Exhibit Barry Ex. A, # 2 Exhibit Barry Ex. B)(Gesmer, Lee) (Entered: 05/12/2010) |
| 05/12/2010 | 165 | AFFIDAVIT in Opposition re 159 MOTION to Preclude Testimony From Christopher C. Barry filed by Ambit Corporation. (Attachments: # 1 Exhibit Gesmer Exhibit A, # 2 Exhibit Gesmer Exhibit B)(Gesmer, Lee) (Entered: 05/12/2010) |
| 05/12/2010 | 166 | MOTION to Seal Document 163 Opposition to Motion by Ambit Corporation. (Attachments: # 1 Text of Proposed Order Proposed Order) (Gesmer, Lee) (Entered: 05/12/2010) |
| 05/13/2010 | 167 | EXHIBIT re 164 Affidavit in Opposition to Motion to Preclude Barry From Testifying (Ex. C to Barry Affidavit) by Ambit Corporation. (Gesmer, Lee) (Entered: 05/13/2010) |
| 05/13/2010 | 168 | MEMORANDUM in Opposition re 159 MOTION to Preclude Testimony From Christopher C. Barry [REDACTED] filed by Ambit Corporation. (Gesmer, Lee) (Entered: 05/13/2010) |
| 05/13/2010 | | Judge William G. Young: ELECTRONIC ORDER entered denying 159 Motion to Preclude Testimony From Christopher C. Barry (Paine, Matthew) (Entered: 05/13/2010) |
| 05/13/2010 | | Judge William G. Young: ELECTRONIC ORDER entered denying 166 Motion to Seal Document (Paine, Matthew) (Entered: 05/13/2010) |
| 05/15/2010 | 169 | PRETRIAL MEMORANDUM by Aircell LLC, Ambit Corporation, Delta Air Lines, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Moriarty, Brian) (Entered: 05/15/2010) |
| 05/17/2010 | 170 | MOTION in Limine by Aircell LLC, Delta Air Lines, Inc..(Laredo, Marc) (Entered: 05/17/2010) |
| 05/17/2010 | 171 | MEMORANDUM in Support re 170 MOTION in Limine filed by Aircell LLC, Delta Air Lines, Inc.. (Laredo, Marc) (Entered: 05/17/2010) |
| 05/17/2010 | 172 | DECLARATION re 170 MOTION in Limine, 171 Memorandum in Support of Motion <i>Stephanie P. Koh Declaration</i> by Aircell LLC, Delta Air Lines, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8)(Laredo, Marc) (Entered: 05/17/2010) |

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| 05/17/2010 | | ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Final Pretrial Conference held on 5/17/2010. Court reviews Pretrial Memo with counsel. Court inquires as to settlement. Parties went to mediation. Plaintiff is willing to continue discussing settlement, but defense does not think it would be productive. The Court explains how the trial will be conducted. Defendant will go first with the invalidity case. The plaintiff will follow with the infringement case. Inequitable conduct to be tried to the court. The Court will hold the inequitable conduct part in the afternoon of the days of the jury trial. Jury trial 2 weeks and 4 days. The Court will start the trial as soon as the case of US v Jones and Sonneran Scanner v Perkinelmer are resolved. The Court reminds counsel there will be one expert per discipline. The Court will accept supplemental briefs re: claim construction. The Court explains how jury is selected, time limits and marking of exhibits. The Court discusses how confidential matters are to be presented. If the courtroom needs to be closed the court will close it one time only so that all agreed to protected and confidential matters will be handled at that time. Proposed findings of fact and conclusions of law re: inequitable conduct are to be submitted to the court prior to completion of the nonjury aspect of the case. Counsel are encouraged to stay in touch with the clerk re: schedule. (Attorneys present: Plaintiff's Counsel Moriarty, Defense Counsel Rein, Koh) (Smith, Bonnie) (Entered: 05/18/2010) |
| 05/18/2010 | 173 | MOTION in Limine <i>to Exclude the Testimony of Defendants' Expert William R. Michalson, Ph.D.</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 174 | MOTION in Limine <i>to Preclude Defendants from Introducing into Evidence the Copending Reexamination</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 175 | MOTION in Limine <i>to Preclude Video Clips Produced by Defendants</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 176 | MOTION in Limine <i>to Preclude Introduction of the Motion Picture Die Hard 2: Die Harder</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 177 | MOTION in Limine <i>to Exclude Mention of "Applicant Admitted Prior Art"</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 178 | MOTION in Limine <i>to Exclude Mention of the "Aircell Napkin"</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 179 | MOTION in Limine <i>to Preclude the Testimony of Jimmy Ray and Robert George</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 180 | MOTION in Limine <i>to Exclude Oral Testimony of Steve Arntzen and William Gordon</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/18/2010 | 181 | MOTION in Limine <i>to Exclude Evidence or Argument that the Claims are Indefinite</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/18/2010) |

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| 05/18/2010 | 182 | MOTION in Limine <i>to Exclude Evidence Relating to Qualcomm CDMA and W-CDMA and Patent Pools</i> by Ambit Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Moriarty, Brian) (Entered: 05/18/2010) |
| 05/19/2010 | 183 | CERTIFICATE OF SERVICE pursuant to LR 5.2 by Aircell LLC, Delta Air Lines, Inc. re 172 Declaration,. (Laredo, Marc) (Entered: 05/19/2010) |
| 05/26/2010 | 184 | MOTION in Limine <i>to Preclude Defendants from Introducing into Evidence the Extraneous File Histories</i> by Ambit Corporation.(Moriarty, Brian) (Entered: 05/26/2010) |
| 05/26/2010 | 185 | DECLARATION re 184 MOTION in Limine <i>to Preclude Defendants from Introducing into Evidence the Extraneous File Histories (Declaration of Christopher K. Albert, Esq.)</i> by Ambit Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Moriarty, Brian) (Entered: 05/26/2010) |