

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRIGGS & STRATTON CORP.,

Plaintiff,

v.

KOHLER CO.,

Defendant.

ORDER

05-C-0025-C

What was to have been the final pretrial in this case was held on November 25, 2005, before United States District Court Judge Barbara B. Crabb. Plaintiff appeared by David DeBruin and Charles Crueger. Defendant appeared by David Harth and Christopher Hanewicz.

After taking up the motions for reconsideration and plaintiff's request for a revised construction of the term "rail," it became apparent that it would be necessary to continue the trial previously set for Monday, November 28, 2005.

Trial will be held on February 6, 2006. The final pretrial conference will be held at 3:00 p.m. on February 2, 2006.

For the time being, I am withdrawing the order entered on plaintiff's motion for summary judgment. Defendant may have until December 2, 2005, in which to assert its opposition to plaintiff's proposed version of the court's claim construction. Plaintiff may have until December 9, 2005, to respond.

In addition, plaintiff may have until December 2, 2005, in which to serve and file a reply brief on its request for sanctions.

Entered this 28th day of November, 2005.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge