

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

THIRD WAVE TECHNOLOGIES, INC.,

Plaintiff,

v.

DIGENE CORPORATION,

Defendant.

ORDER

05-C-594-C

Defendant has asked for oral argument on its motion to dismiss plaintiff's complaint for lack of declaratory judgment jurisdiction. The request is DENIED.

It is not my practice to schedule oral argument on motions to dismiss. I view it as the parties' responsibility to explain their arguments cogently in their moving and opposing briefs.

Entered this 27th day of December, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge