

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

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SILICON GRAPHICS, INC.,

Plaintiff,

v.

ATI TECHNOLOGIES, INC.,  
ATI TECHNOLOGIES, ULC and  
ADVANCED MICRO DEVICES, INC.,

Defendants.  
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OPINION and ORDER

06-cv-611-bbc

Plaintiff Silicon Graphics has filed a motion to strike Section II and Section VII of defendants' 64-page opening brief on "threshold" issues because those sections include arguments for granting summary judgment to defendants. Dkt. #707. That motion is GRANTED. Plaintiff is correct that the court contemplated that the parties' briefs would be limited to those matters necessary to resolve any disagreements regarding the scope of the mandate of the court of appeals. This was not an opportunity for defendants to make yet another attempt at obtaining summary judgment. If defendants believe they are entitled to judgment as a matter of law, they may file a motion under Fed. R. Civ. P. 50 at the appropriate time. The stay on briefing the threshold issues is LIFTED. The parties may have until December 15, 2010 to file their responses. I agree with plaintiff that no reply is

needed because the parties filed their opening briefs simultaneously, giving both sides an opportunity to respond to the other's arguments.

Entered this 8th day of December, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge