

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

SILICON GRAPHICS, INC.,

Plaintiff,

v.

ATI TECHNOLOGIES, INC.,

Defendant,

ORDER

06-C-611-C

On September 19, 2007, ATI requested an extension of the October 5, 2007 summary judgment motion deadline. It needs more time because the court has not yet entered its order construing the claims, in large part because the court granted the parties' request for post-hearing briefing. SGI has indicated an intent to oppose this request, but it should save its fire: the court is going to allow a post-construction dispositive motion. I will give the parties as much time as the schedule allows, but it isn't much.

It is unlikely that the court will issue a claims construction order much before October 8, 2007. Pairing this with the February 4, 2008 trial date leads to **October 22, 2007** as the latest possible filing deadline for a summary judgment motion. If a motion is timely filed, responses would be due **November 13, 2007**. Replies would be due **November 21, 2007**. Same day service is mandatory. Given the court's workload, it is unlikely that a summary judgment ruling would issue much sooner than January 2, 2008. This would leave about a month to digest the ruling and prepare for trial, if trial is necessary. Maintaining this schedule will be hard on the court and on counsel, but the trial date is not moving again, so everyone will have make this work.

Entered this 21st day of September, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge