

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

EXTREME NETWORKS, INC.,

ORDER

Plaintiff,

07-cv-229-bbc

v.

ENTERASYS NETWORKS, INC.,

Defendant.

On July 26, 2011, defendant Enterasys Networks, Inc. filed a motion to strike a supplemental expert report submitted by plaintiff Extreme Networks, Inc., dkt. #546; plaintiff submitted its opposition brief on August 2, 2011. Dkt. #554. The court scheduled a hearing on the motion for August 4, 2011.

On August 3, 2011, counsel for defendant filed a letter with the court in which they stated that the case “has been settled in principle” and that the “hearing scheduled for tomorrow can be removed from the Court’s calendar.” Dkt. #555. In response to this letter, the clerk of court canceled the hearing.

On August 11, defendant filed a document called “motion to enforce settlement

agreement.” Dkt. #557. After a telephone hearing on the motion, I denied it and set a new trial date for October 29, 2011. Dkt. #562.

In light of these developments, the status of defendant’s motion to strike is not clear. Accordingly, IT IS ORDERED that the parties may have until September 2, 2011, to inform the court in writing (1) whether they want the court to resolve defendant’s motion to strike; and (2) if so, whether they wish to file additional materials related to the motion. If the parties agree that the motion to strike needs to be decided, I will do so on the briefs unless the parties persuade me that a hearing is needed.

Entered this 26th day of August, 2011.

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