

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

KRAFT FOODS HOLDINGS, INC.,

Plaintiff,

ORDER

v.

THE PROCTOR & GAMBLE COMPANY,

07-cv-613-bbc

Defendant

On April 30, 2008, the parties filed a joint motion (which they characterized as a stipulation) to move the summary judgment motion deadline back two weeks from May 9 to May 23, 2008. *See* *id.* 125. Trial begins September 9, 2008, so this new deadline would violate the court's four-month safe zone. Counsel realize this, but explain that it would substantially facilitate their intense settlement discussions to receive a two-week "litigation standstill." *Id.*

The court accepts this stipulation and wishes the parties success in their negotiations. If they fail, then there shall be no relief from this new May 23 motion deadline and the parties are assured of summary judgment rulings almost literally on the eve of trial, a very inefficient, perilous state of affairs in a multimillion dollar patent lawsuit.¹

Entered this 1st day of May, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge

¹ The seemingly obvious solution of moving the trial date back a couple of weeks is not available: Judge Crabb has no open dates for a patent trial until April 2009 and the parties declined to consent to the magistrate judge's jurisdiction. In light of this, the trial date is not moving.