IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

AUBURN UNIVERSITY, Plaintiff, v. INTERNATIONAL BUSINESS MACHINES, CORP., Defendant.	)	CASE NO. 3:09-cv-694-MEF (WO)

O R D E R

Before the Court are Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment on Defendant's Affirmative License Defense and Cross-Motion for Summary Judgment in Defendant's Favor Regarding Defendant's Affirmative License Defense (the "cross-motion for summary judgment"), Doc. #280, Plaintiff's Emergency Motion to Preclude Introduction by Defendant of a New License Theory and Motion to Strike IBM's Untimely Dispositive Motion (the "emergency motion"), Doc. #285, and Plaintiff's Motion for Leave to File its Emergency Motion Under Seal, Doc. #286.

Both parties have requested oral argument regarding disposition of the issues contained in the cross-motion for summary judgment and the emergency motion. As such, the parties are hereby ORDERED to be prepared to argue these motions in the hearing currently scheduled before this Court for December 8, at 2:00 PM in the United States Courthouse, One Church Street, Courtroom 2A, Montgomery, Alabama.

Additionally, it is hereby ORDERED that Plaintiff's Motion to File Under Seal, Doc. #286, is GRANTED.

DONE this the 6th day of December, 2011.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE