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UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, Plaintiff v. EMERSON ELECTRIC CO., a Missouri corporation; ONE WORLD TECHNOLOGIES, INC., a Delaware corporation; RIDGE TOOL COMPANY, an Ohio corporation; RIDGID, INC., a Delaware corporation; and DOES 1 – 100 Defendants. and related counterclaims.	Case No. 08cv00060 BTM CAB ORDER REGARDING PLAINTIFF'S MOTION FOR EXCEPTION TO STAY

Plaintiff JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST ("Plaintiff") has moved this Court at Docket # 39 for an exception to the stay of proceedings in this case for the purposes of limited discovery.

The Court, having considered briefing by the parties and oral arguments on August 20, 2008, **grants in part** and **denies in part** Plaintiff's motion for exception to the stay as set forth below.

1. All prototype and production molds used in the production of the accused products within the custody and control of the Defendant(s) are to be preserved.

2. All design and technical documents for the accused product within the control and custody of the Defendant(s) are to be preserved.

3. Plaintiff is granted leave to propound one (1) interrogatory on the Defendant(s) that asks for the identification of the company names and addresses of nonparty manufacturers, suppliers, and importers who have prototype, production, design, technical documents or evidence regarding the accused products.

4. Plaintiff is granted leave to file an Amended Complaint adding accused products within 30 days of this Order. Defendant must respond to said the Amended Complaint within 45 days after the stay is lifted.

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The Court **denies without prejudice** Plaintiff's request for leave of court to use appropriate procedural discovery steps to acquire prototype, production, design, technical documents or evidence regarding the accused products from nonparties at this time; any subsequent requests will be reviewed on a case-by-case basis.

IT IS SO ORDERED.

DATED this 2nd day of September, 2008.

Honorable Barry Ted Moskowitz
United State District Judge