IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 09-cv-00970-PAB

PREDATOR INTERNATIONAL, INC., a Colorado corporation,

Plaintiff,

v.

GAMO OUTDOOR USA, INC., a Florida corporation,

Defendant.

ORDER SETTING HEARING UNDER FED. R. CIV. P. 16

This matter comes before the Court upon a Complaint filed by the Plaintiff alleging, among other things, the infringement of a patent. In light thereof, a hearing pursuant to Fed. R. Civ. P. 16 is appropriate. It is

ORDERED:

1. That a hearing is set for **July 9, 2009 at 2:30 p.m.** in Courtroom A601 at the United States Courthouse located at 901 19th Street, Denver, Colorado. Counsel shall bring their calendars. This is not a scheduling conference. The parties should not submit a proposed scheduling order.

2. That prior to the hearing, the parties shall meet and confer about the following issues and be prepared to address them at the hearing:

- Whether there are issues of claim construction.
- Whether a hearing will be required under *Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996).
- If a *Markman* hearing is required, whether discovery is necessary prior to such hearing. If so, what discovery is required. (This hearing does not substitute for a scheduling conference before the Magistrate Judge.)

- Whether there are any other issues or impediments to the setting of a *Markman* hearing.
- Other appropriate issues enumerated in Fed. R. Civ. P. 16(c).

DATED May 27, 2009.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge