IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
HONORABLE MARCIA S. KRIEGER

Courtroom Deputy: Patricia Glover Date: July 14, 2009
Court Reporter: Paul Zuckerman

Civil Action No. 09-cv-01007-MSK-MJW

Parties:	*Counsel Appearing*:
CELLPORT SYSTEMS, INC. Plaintiff,	Lisa Hogan Geoffrey Williamson James Pinto
v.	
PEIKER ACUSTIC GMBH & CO., KG,, Defendant.	Christopher Toll Timothy Getzoff

---

MINUTES OF RULE 16 CONFERENCE

4:06 p.m. Court in session.

The Court addresses plaintiff's Motion for Remand (**Doc. #13**)

No further argument from counsel.

ORDER: Plaintiff's Motion for Remand (**Doc. #13**) is **DENIED.**

The Court addresses whether or not a Markman hearing is necessary.

Argument by Ms. Hogan and Mr. Getzoff.

The matter has already been referred to the Magistrate Judge and the parties currently have a telephone status conference set on July 29, 2009. The parties will put together a first phase of discovery with the Magistrate Judge. The parties may file a joint motion for another Rule 16 conference before this court when the discovery is complete to proceed to the next phase of this

case. The parties will include in their joint motion what the products are that they are seeking payment of royalties for and what portion of the license agreement they believe entitled plaintiff to be paid the royalty specifically. The parties will be prepared at the next Rule 16 hearing to address whether a Markman hearing is necessary.

4:54 p.m. Court in recess.
Total Time: 48 minutes.
Hearing concluded.