IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

Thermo-Ply, Inc., Plaintiff, v. The Ohio Willow Wood Company, Silipos, Inc., Southern Prosthetic Supply, Inc., Hanger Prosthetics & Orthotics, Inc., and Seattle Systems, Inc., Defendants.	)	Case No. 8:05-cv-779-EAK-MAP Judge Elizabeth A. Kovachevich Magistrate Judge Mark A. Pizzo

DEFENDANT THE OHIO WILLOW WOOD COMPANY'S RESPONSE TO PLAINTIFF THERMO-PLY, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT

The Ohio Willow Wood Company ("OWW") recognizes the potential for application of the doctrine of collateral estoppel in the present matter with regard to United States Patent No. 5,830,237 ("the '237 Patent"). On January 23, 2014, the United States Court of Appeals for the Federal Circuit ("CAFC") denied OWW's Combined Petition for Panel Rehearing and Rehearing En Banc related to the '237 Patent. As OWW can still petition the Supreme Court of the United States for a writ of certiorari to review the CAFC's decision, OWW respectfully requests that this Court stay consideration of Plaintiff Thermo-Ply, Inc.'s Motion for Partial Summary Judgment until all appellate rights are exhausted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of January, 2014, a true and accurate copy of the foregoing was electronically filed with the Court. Notice of this filing will be automatically sent by the Court's CM/ECF system.

/s/ Michael Stonebrook
Michael Stonebrook