

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**OLE K. NILSSEN,**  
*Plaintiff,*

AND

**GEO FOUNDATION, LTD.,**  
*Plaintiff-Appellant,*

v.

**WAL-MART STORES, INC.,**  
*Defendant-Appellee,*

AND

**COSTCO WHOLESALE CORP.,**  
*Defendant-Appellee,*

AND

**MENARD, INC., ACE HARDWARE CORP.,  
TRUSERV CORPORATION, AND HOME DEPOT,  
INC.,**  
*Defendants,*

AND

**LOWE'S HOME CENTERS, INC.,**  
*Defendant-Appellee,*

AND

**IKEA ILLINOIS, LLC,**  
*Defendant-Appellee.*

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2010-1139

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Appeal from the United States District Court for the Northern District of Illinois in case no. 04-CV-5363, Judge Robert W. Gettleman.

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ON MOTION

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ORDER

Upon consideration of the parties' supplemental filings regarding *Therasense, Inc. v. Becton, Dickinson & Co.*, \_\_\_ F.3d \_\_\_, 2008-1511 et al (Fed. Cir. May 25, 2011),

IT IS ORDERED THAT:

- (1) The stay of proceedings is lifted.
- (2) The case will be placed on the next available oral argument calendar.
- (3) The parties' supplemental briefings shall be transmitted to the merits panel assigned to the appeal.

FOR THE COURT

AUG 22 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Leland W. Hutchinson, Jr., Esq.  
Anthony J. Fitzpatrick, Esq.  
Margaret M. Duncan, Esq.  
Kimball R. Anderson, Esq.  
Gary William Smith, Esq.

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

AUG 22 2011

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**JAN HORBALY  
CLERK**