

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-1051

ASPEX EYEWEAR, INC., and CONTOUR OPTIK, INC.,

Plaintiffs-Appellants,

v.

E'LITE OPTIK, INC.,

Defendant-Appellee.

Appeal from the United States District Court for the Northern District of Texas  
in case no. 02-CV-634, Judge Sidney A. Fitzwater.

### ORDER

The bankruptcy trustee for E'Lite Optik, Inc. submits notice that E'Lite Optik has become part of the bankruptcy estate of E'Lite Eyewear Holding, Inc.

The automatic stay provision of 11 U.S.C. § 362 is applicable.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The appeal is stayed pursuant to 11 U.S.C. § 362.

(2) E'Lite Optik is directed to file a status report every 60 days and to inform the court within 21 days after the bankruptcy proceedings are completed or the stay has been lifted. Aspex Eyewear, Inc. et al. may also file status reports.

FOR THE COURT

**MAR 3 1 2009**

\_\_\_\_\_  
Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

cc: Michael A. Nicodema, Esq.  
Daniel V. Thompson, Esq.

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**MAR 3 1 2009**

JAN HORBALY  
CLERK