

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1158, -1164

AUTOMATED MERCHANDISING SYSTEMS, INC.,

Plaintiff-Cross Appellant,

v.

CRANE CO.,

Defendant-Appellant,

and

SEAGA MANUFACTURING, INC.,

Defendant.

Appeal from the United States District Court for the Northern District of West Virginia
in case no. 3:08-CV-97, Chief Judge John Preston Bailey.

ON MOTION

Before LINN, Circuit Judge.

ORDER

Crane Co. moves to vacate the December 2, 2008 preliminary injunction of the United States District Court for the Northern District of West Virginia and dismiss this appeal. Automated Merchandising Systems, Inc. opposes.

We deem it the better course to deny the motion without prejudice to the parties raising the issues in their briefs.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

MAY - 1 2009

Date

cc: James D. Berquist, Esq.
Jamil N. Alibhai, Esq.
David G. Hanson, Esq.

s19

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

MAY - 1 2009

JAN HORBALY
CLERK