

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1227, -1240

UNIVERSITY OF PITTSBURGH OF THE COMMONWEALTH SYSTEM
OF HIGHER EDUCATION (doing business as the University of Pittsburgh),

Plaintiff-Appellant,

v.

VARIAN MEDICAL SYSTEMS, INC.,

Defendant-Cross Appellant.

Appeals from the United States District Court for the Western District of Pennsylvania in
case no. 08-CV-1307, Judge Arthur J. Schwab.

ON MOTION

Before LINN, Circuit Judge.

ORDER

The parties jointly move to stay the briefing schedule in this appeal pending disposition of University of Pittsburgh v. Varian Medical Systems, Inc., 2008-1441, -1454.

Both sets of appeals involve the same parties and patents. The parties state that the court's decision may affect the briefing and necessity of this appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to stay the briefing schedule is granted. The appellant is directed to inform this court, within 14 days of the issuance of the mandate in 2008-

1441, -1454, concerning how it believes these appeals should proceed. The cross-appellant may also file a response within that time.

(2) A copy of this order shall be transmitted to the merits panels assigned to 2008-1441, -1454, to inform that panel of this related case.

FOR THE COURT

APR 13 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

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

cc: Roderick R. McKelvie, Esq.
Matthew H. Poppe, Esq.

APR 13 2009

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JAN HORBALY
CLERK