

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

MISCELLANEOUS DOCKET NO. 895

IN RE CLASSIC INDUSTRIES, LP, CLASSIC INDUSTRIES, INC., CLASSIC
ARCHITECTURAL PRODUCTS, LP, CLASSIC CAPITAL MANAGEMENT, LLC, RLW
GP MANAGEMENT, LLC SKW GP MANAGEMENT, LLC and RICKEY L. WILSON
(also known as Rick Wilson),

Petitioners.

On Writ of Mandamus from the United States District Court for the Southern District
of Texas in case no. 4:08-CV-01309, Judge Gray H. Miller.

ON PETITION FOR WRIT OF MANDAMUS

Before GAJARSA, LINN, and PROST, Circuit Judges.

PROST, Circuit Judge.

ORDER

Classic Industries, LP et al. (Classic) move to stay all proceedings before the
United States District Court for the Southern District of Texas, pending this court's
disposition of its petition for a writ of mandamus.

We determine that Classic has not shown entitlement to the relief requested in
its motion. See Federal Trade Comm'n v. Standard Oil Co., 449 U.S. 232, 244 (1980)
(expenses and burdens of defending action do not constitute irreparable harm).

Accordingly,

IT IS ORDERED THAT:

The motion to stay proceedings before the district court is denied.

FOR THE COURT

FEB 9 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

cc: Jeffrey S. Lowenstein, Esq.
Paul C. Van Slyke, Esq.

FEB 09 2009

s19

JAN HORBALY
CLERK