

NOTE: This order is nonprecedential.

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

APPLIED MATERIALS, INC.,
Plaintiff-Appellee,

v.

**MULTIMETRIXS, LLC, MARK KESEL, BORIS
KESIL, and ELIK GERSHENZON,**
Defendants-Appellants.

2010-1149, -1150

Appeals from the United States District Court for the
Northern District of California in Case No. 06-CV-7372,
Judge Marilyn Hall Patel.

ON MOTION

O R D E R

The parties move jointly to lift the stay of proceedings.
Applied Materials, Inc. moves for leave to file a surreply
brief. Multimetrixs, LLC et al. oppose.

The parties state that all bankruptcy stays and other
bankruptcy issues have been resolved.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to lift the stay is granted.
- (2) The motion to file a surreply brief is deferred for consideration by the merits panel assigned to hear this case. A copy of the motion and surreply brief, Multimetrixs' response, and this order shall be transmitted to the merits panel.

FOR THE COURT

AUG 16 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Rohit Kumar Singla, Esq.
Jeffrey I. Kaplan, Esq.

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

AUG 16 2010

JAN HORBALY
CLERK