ESTTA Tracking number: **ESTTA325011**
Filing date: **01/04/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184529
Party	Defendant Global Tissue Group, Inc.
Correspondence Address	R. Glenn Schroeder Hoffman & Baron, LLP 6900 Jericho Turnpike Syosset, NY 11791 UNITED STATES gschroeder@hoffmannbaron.com
Submission	Reply in Support of Motion
Filer's Name	R. Glenn Schroeder
Filer's e-mail	rgsdocket@hoffmannbaron.com
Signature	/r. glenn schroeder/
Date	01/04/2010
Attachments	Reply to G-P's Opposition to Motion to Compel.pdf (47 pages)(2359359 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

GEORGIA-PACIFIC CONSUMER PRODUCTS LP,	)	
Opposer,	)	Opposition No.: 91184529
v.	)	
GLOBAL TISSUE GROUP, INC.	)	
Applicant.	)	

REPLY TO GEORGIA-PACIFIC'S OPPOSITION TO MOTION TO COMPEL

At the outset, Global Tissue notes the Board's Order of December 2, 2009 suspending the proceedings herein, and directing the parties not to file any paper not germane to the Motion to Compel. Notwithstanding this Order, Georgia-Pacific has proceeded to file opposition papers to all of the outstanding motions. In accordance with the Board's Suspension Order, Global Tissue has limited this Reply to the issues concerning the Motion to Compel.[1]

INTRODUCTION

Georgia-Pacific addresses Global Tissue's Motion to Compel Discovery by arguing, in sum, that Global Tissue has improperly attempted to take discovery on the "eve of the close of discovery." In support of its position, Georgia-Pacific cites several non-TTAB cases wherein a court denied a discovery request because the action was attempted within a few days of the close of the discovery period. However, those cases have no relevance in this dispute. Here, Global Tissue, with a month remaining in the

[1] Georgia-Pacific will prepare Replies in connection with the other motions when instructed to do so by the Board.

discovery period, attempted to take discovery to which it is entitled. Georgia-Pacific was unwilling to cooperate with Global Tissue and, to use Georgia-Pacific's own words, "unilaterally" decided that it did not have to produce the witnesses noticed by Global Tissue or to produce the discovery material requested by Global Tissue. In other words, under Georgia-Pacific's theory of TTAB practice, the last month of a discovery period simply does not count.

ARGUMENT

A. The Depositions were Properly and Timely Noticed

Georgia-Pacific had an entire month to produce the noticed witnesses, and chose not to do so. It now attempts to explain its behavior by arguing that it was not given "reasonable notice." To make such an argument, Georgia-Pacific has found it necessary to resort to counting business days - rather than calendar days. In particular, it argues that the depositions were unilaterally scheduled for "ten business days" after service of the notices, and that there were "only seventeen business days" between the date of service of the notices and the close of discovery. As will be recognized by the Board, Georgia-Pacific had 14 calendar days of notice from service of the deposition notices on November 4th, and had 28 calendar days to produce witnesses.

More to the point, Georgia-Pacific's reliance on "business days" is contrary to the practice and rules of the TTAB. As discussed by the TTAB in *The Sunrider Corporation v. Raats,* 83 U.S.P.Q.2d 1648 (TTAB 2007), the "Board generally does not count only business days when accessing the reasonableness of a notice of deposition. Similarly, the Board generally does not distinguish between calendar days and business days when

setting other times to take action, unless the last day of the set period is not a business date."

Georgia-Pacific's counsel was advised by telephone and email on November 2, 2009 that Global Tissue intended to take depositions (see email attached as Exhibit A to Motion to Compel). Accordingly, a total of 16 calendar days existed between the time Georgia-Pacific was first made aware of the intention to depose these individuals and the noticed deposition dates, and a total of 30 calendar days existed between such date and the close of discovery.[2] Even more importantly, it is to be noted that the TTAB in *Sunrider* found that six days notice was reasonable, and also cited two additional cases where one or two days notice was found to be reasonable. It would therefore appear that 16 days notice (as was given here) is more than reasonable.

Rather than cite any controlling case law from the TTAB on this issue, Georgia-Pacific relies upon three District Court cases, all of which are readily distinguishable from the facts at hand. In the cited *Sulphuric Acid Antitrust litigation* matter, not only were the noticed witnesses out of country, but the noticing counsel did not respond to a request for alternative dates until the day before the close of discovery. In contrast, this case does not involve foreign witnesses or action taken on the day before the close of discovery.

Next, Georgia-Pacific cites *Alfred V. Gonzalez,* a criminal matter involving an individual detained as a material witness in an ongoing terrorist investigation. The criminal defendant noticed a deposition of a justice department official "after normal business hours on a Friday, five days before the deposition was to be taken." The deposition was scheduled for two days before the discovery cutoff. Although it is unclear

[2] The TTAB in *Sunrider Incorporation* notes that "modern technology" includes email and facsimile.

how the facts of a criminal proceeding are relevant to a TTAB proceeding, it is nonetheless clear that the cited case involved five days notice (as opposed to the sixteen days notice given Georgia-Pacific), and that the cited case involved action taken during the last week of discovery (not during the last month as in this case).

Likewise, the third case cited by Georgia-Pacific, i.e. *Erbe Elektromedizin GmbH v. Canady*, Civ. A. No. 05-1674 (W.D. Pa. Nov. 21, 2006), involved a party noticing ten deponents on the last day of discovery, as well as requesting documents, interrogatories and requests for admissions. It is difficult to understand how Georgia-Pacific can argue in good faith that noticing ten depositions on the last day of discovery is comparable to noticing six depositions at the beginning of the final month of discovery.

Georgia-Pacific also argues that the depositions were "unilaterally" scheduled by Global Tissue, which is apparently an attempt to depict Global Tissue as unreasonable and/or uncooperative. First, the depositions were properly noticed in accordance with Rule 30 of the Federal Rules of Civil Procedure. There is no "unilateral" exception in these rules, or in any other applicable TTAB rules. Second, as evidenced in its email of November 2nd (attached as Exhibit A to the Motion to Compel), Global Tissue made every effort to accommodate the witnesses.

Next, Georgia-Pacific states that the depositions were noticed for the week before Thanksgiving. It is unclear why this is important, unless Georgia-Pacific is taking the position that the entire week preceding a week containing a holiday is "off-limits" for TTAB discovery. Global Tissue is unaware of any such rule. Next, Georgia-Pacific agues that 5 of the 6 individuals are "senior executives," and due to their schedules and the Thanksgiving holiday, were unable to clear their schedules for deposition prior to the

close of discovery. Such an argument is simply not credible. To suggest that not one of the individuals was available for deposition over a period of 30 calendar days defies common sense.

As for its argument that one of the six individuals is a former employee, this is the first time that Global Tissue has learned of such fact. Under the Federal Rules, Georgia-Pacific has a continuing duty to update its discovery responses. Its original discovery responses identified all the individuals as employees of Georgia-Pacific. If this is no longer the case, then Global Tissue should have been advised of this through a supplemental discovery response. It was not – which, like its failure to provide a privilege log until directly confronted[3], is yet another violation of the Federal Rules. To this day, Global Tissue does not know which individual is the former employee.

Georgia-Pacific also argues that Global Tissue knew the identity of the witnesses for over a year, and did not previously ask to depose such individuals. Inasmuch as Global Tissue noticed the witnesses with an entire month left in the discovery period, the foregoing argument is not understood. Moreover, Georgia-Pacific has conveniently failed to mention that it did not produce its documents and accompanying chart until June 17, 2009, and that these proceedings were suspended from July 15, 2009 until September 9, 2009. It would have been pointless to notice depositions prior to receipt and review of Georgia-Pacific's 32,000 plus pages of documents, and it would have been a violation of the Board's suspension order to notice depositions while the proceeding was suspended. In other words, the depositions were timely noticed once the proceedings had resumed, and after the 32,000 plus pages of documents had been considered.

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[3] In its paper, Georgia-Pacific argues that it "promptly" responded to Global Tissue's request for a privilege log on "the very next day." It fails, however, to mention that it had an obligation under the Federal Rules to produce a privilege log at the time its documents were produced.

Finally, with respect to Georgia-Pacific's statement that it had previously asked Global Tissue's prior counsel whether he intended to take depositions, the Board is respectfully directed to the Declaration of Andrew Katz (Global Tissue's prior counsel) attached hereto as Exhibit A. Mr. Katz makes clear that he never foreclosed the possibility of taking depositions, and that Georgia-Pacific has been operating under this same understanding the whole time.

More to the point, in the absence of a written stipulation, counsel for either party is always free to revise/change its strategy. Whether prior counsel intended to take a deposition or not at some in the past has no bearing on whether Global Tissue's current counsel should be allowed to take deposition within the original discovery period.

In sum, Georgia-Pacific made a conscious decision to "run out" the discovery clock by refusing to produce any of its witnesses, despite such witnesses having been properly noticed. It is respectfully requested that the Board compel the production of the noticed witnesses.

B. The Identified Search Report is neither Privileged nor Irrelevant

Georgia-Pacific acknowledges that it is in possession of a 2002 search report, but argues that this search report is both privileged and irrelevant. This argument is, however, contrary to controlling law.

With respect to its claim of privilege, Georgia-Pacific states that the 2002 search report was "obtained by Georgia-Pacific's in-house legal department in connection with the mark IT'S ALL IN THE QUILTING." It then argues that the search report is "privileged and confidential work product, and is thus not discoverable." Those two statements represent the entirety of Georgia-Pacific's argument as to why the 2002 search

report is privileged. There are no underlying facts presented, or any discussion of particular circumstances which would somehow distinguish this search report from any other trademark search report.

In support of its arguments, Georgia-Pacific cites a recent case from the Northern District of Illinois in which a Magistrate Judge found certain trademark search reports, as well as the documentation evidencing the performance of such searches, to be protected by the attorney-client privilege. Georgia-Pacific's citation of the *Flagstar Bank* decision is interesting, but irrelevant. The TTAB is clearly not bound by the decision of a Magistrate Judge from the Northern District of Illinois. Here, Georgia-Pacific has presented no facts which would distinguish this 2002 search report from any other search report. Even more to the point, Georgia-Pacific does not address the leading case law of the TTAB regarding trademark search reports and the attorney-client privilege. As cited in Global Tissue's moving papers, the TTAB has repeatedly held that "search reports, per se, do not fall within the attorney-client privilege and must be furnished." *Miles Laboratory, Inc. v. Instrumentation Laboratory, Inc.* 185 U.S.P.Q. 432 (TTAB 1975). *See also* TBMP § 414(6).

With respect to relevance, Georgia-Pacific has, on its own, determined that a seven year old search report is irrelevant, and therefore does not need to be produced. Global Tissue is unaware of any case law which stands for this proposition, nor has Georgia-Pacific been able to cite any such cases. However, in an attempt to bypass this argument, as well as the cases cited in Global Tissue's moving papers regarding relevance, Georgia-Pacific argues that a search report conducted <u>seven years ago</u> has no bearing on the <u>current</u> market perception of Georgia-Pacific's family of QUILTED

trademarks (emphasis in original). Whether this statement is true or not, it has no bearing on the relevance of the search report itself. If Georgia-Pacific believes that the market perception has changed over the past seven years, it can make such an argument in its final Brief. What it cannot do is deny Global Tissue the opportunity to review the search report to determine whether the findings contained in this search report are relevant in this proceeding, or might lead to relevant evidence.

In sum, it is respectfully requested that the Board compel production of the 2002 search report.

C. The Kimberly-Clark Documents are both Responsive and Relevant

Georgia-Pacific's position that the Kimberly-Clark documents are not responsive to any of Global Tissue's request is nothing more than an attempt to cover-up its glaring failure to produce these documents. This related litigation is discussed at length in the TTAB's decision of December 8, 2009 in Cancellation No. 92051438, a copy of which is attached as Exhibit B. In particular, the TTAB acknowledges Georgia-Pacific's argument that the federal infringement cases involve its "rights in its QUILTED and QUILTED NORTHERN word marks as they apply to the strength and protectability of the Quilted Diamond Design." For Georgia-Pacific to now argue that such documents are not responsive to Global Tissue's discovery requests is simply not credible.

For example, Global Tissue's Document Request 22 (attached as Exhibit J to the Motion to Compel) seeks documents relating to any judicial proceeding in any forum in which Opposer is a party, and which relates to the Mark or term "QUILT", or variations thereof. By its own admission, Georgia-Pacific acknowledges that the Kimberly-Clark litigation relates to its QUILTED and QUILTED NORTHERN marks. Thus, its failure

to originally identify this litigation to Global Tissue, and its current failure to produce the requested documents, is yet another violation of the discovery rules. Likewise, its failure to identify the cancellation proceeding filed by Kimberly-Clark required Georgia-Pacific to purposefully ignore, at the minimum, Document Request Nos. 17 and 22.

Georgia-Pacific argues at length in its opposition papers that it should not be compelled to produce documents from this litigation because the "substantive pleadings" are publicly available through the PACER and TTAB View systems. What Georgia-Pacific means by the term "substantive pleadings" is unclear – but what is clear is that many of the motions filed by Georgia-Pacific in the Kimberly-Clark litigation were filed under seal and are therefore not available through PACER. As shown in the Docket Sheet from the Kimberly-Clark litigation (attached as Exhibit C), Docket Entries 7, 26, 27, 62, 107, 132, 135 and 145 refer to substantive motions filed by Georgia-Pacific under seal. In other words, Georgia-Pacific argues to this Board that the "pleadings" are available through PACER, while the whole time knowing that many of the motions in that case were filed under seal and are therefore not available through PACER. Likewise, Georgia-Pacific filed many of its documents under seal (see, e.g., Docket Entries 28, 63, 108, 133, 137, and 139). Global Tissue has no way of identifying which documents are included in these filings.

Next, Georgia-Pacific argues that the documents produced in discovery by Georgia-Pacific to Kimberly-Clark <u>already were included</u> among the materials Georgia-Pacific produced to Global Tissue in this matter (emphasis added). This argument misses the point. Whether these documents were in fact already produced is irrelevant. Global Tissue is entitled to see how these documents are being used/interpreted by Georgia-

Pacific in this related litigation. In the same way that Georgia-Pacific made conflicting arguments with respect to its QUILTED NORTHERN marks, it may have made arguments in its sealed motions that are relevant in this proceeding. For example, Docket Entry 28 is a sealed Declaration of Emily Boss, who is one of the noticed witnesses. Ms. Boss' testimony in this related litigation could clearly be relevant in this proceeding.

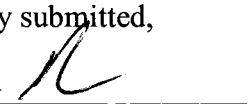
In sum, Georgia-Pacific made a conscious decision to not produce certain responsive documents (nor to even identify the related proceedings involving Kimberly-Clark) and now seeks to be rewarded for its purposeful violation of the discovery rules by attempting to keep such documents out of the hands of Global Tissue. It is respectfully requested that Georgia-Pacific be compelled to produce all responsive Kimberly-Clark documents.

CONCLUSION

For the reasons discussed hereinabove, Global Tissue's Motion should be granted, and the Board should issue an order compelling Georgia-Pacific to produce the noticed witnesses for deposition, to produce the requested search report, and to produce all responsive documents from the Kimberly-Clark proceedings.

Dated: January 4, 2010

Respectfully submitted,



Charles R. Hoffmann
R. Glenn Schroeder

Attorneys for Applicant
Global Tissue Group, Inc.

Hoffmann & Baron, LLP
6900 Jericho Turnpike
Syosset, New York 11791
Telephone: (516) 822-3550
Facsimile: (516) 822-3582

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date, January 4, 2010, a copy of the foregoing REPLY TO GEORGIA-PACIFIC'S OPPOSITION TO MOTION TO COMPEL was served upon the Opposer, by email and by U.S. mail, to Opposer's current identified counsel, as set forth below:

Charlene R. Marino, Esq.
Kilpatrick Stockton, LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309
cmarino@kilpatrickstockton.com

R. Glenn Schroeder

EXHIBIT A

BEFORE THE UNITED STATES
TRADEMARK TRIAL AND APPEAL BOARD

GEORGIA-PACIFIC CONSUMER PRODUCTS LP, Opposer, v. GLOBAL TISSUE GROUP, INC., Applicant.	Opp. No. 91184529 Serial No. 77/364616

DECLARATION OF ANDREW B. KATZ, ESQ.

I, ANDREW B. KATZ, declare as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below.

2. I served as attorney of record for Global Tissue Group, Inc. ("GTG") in the above-captioned Opposition proceeding ("the Opposition") from the filing of the Notice of Opposition through late October 2009.

3. As part of my duties as attorney of record for GTG in the Opposition, I was responsible for preparing and responding to discovery requests.

4. After the discovery period opened and some preliminary motions were decided, the subject of depositions was discussed between counsel for Georgia Pacific Consumer Products LP ("GP") and myself.

5. On behalf of GTG, I represented that GTG did not anticipate taking depositions in this matter, but was careful to leave open the opportunity to take depositions at some point in the future.

6. Thereafter, on a couple of occasions during the course of subsequent conversations with GP counsel on other discovery related matters, the subject of depositions of GP personnel was raised by GP counsel. I answered questions about GTG's intent to take deposition discovery the same way as the first time I was asked; that is, I made clear that I did not anticipate any

depositions but I was careful to leave open the possibility of taking depositions if GTG determined that taking the depositions added value to the case.

7. I believe that GP counsel clearly understood at all times that depositions of GP personnel were a distinct possibility. The fact that GP counsel asked about GTG's intentions on taking depositions of GP personnel on several different occasions evidences conclusively their understanding that GTG's right and ability to take depositions of GP personnel was never waived or otherwise encumbered.

8. To be clear, GTG's uncertainty as to the need for depositions of the GP personnel was caused solely by (a) its efforts to determine the relative value of taking the depositions in relation to the merits of the case; and (b) its desire not to waste time and money, if the depositions were deemed to be unnecessary. Any other motive ascribed to GTG's position with respect taking depositions of GP personnel is patently false.

9. On October 23, 2009, I defended the continuation of Philip Shaoul's deposition in Long Island New York. At the conclusion of the deposition, counsel for GP once again asked whether GTG would be taking any depositions of GP personnel. This time, I began to respond to the question by stating that I did not think GTG would be needing any depositions, when I was interrupted by Mr. Shaoul who made very clear to GP's counsel that GTG might be taking such depositions and that GTG, through counsel, would get back to GP's counsel within a short time on the subject and clearly state its discovery needs. Everyone, including GP counsel, accepted this course of action.

10. Shortly thereafter, by mutual decision of all involved, GTG hired new lead counsel for the Opposition, who, I understand, did indeed contact GP counsel promptly and requested depositions of certain GP personnel.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 1/4/2010

Andrew B. Katz

EXHIBIT B

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

MBA

Mailed: December 8, 2009

Cancellation No. 92051438

Kimberly-Clark Corporation

v.

Georgia-Pacific Consumer Products LP

Michael B. Adlin, Interlocutory Attorney:

This case now comes up for consideration of respondent's motion, filed October 15, 2009, to suspend this proceeding in favor of two pending and very closely-related federal trademark infringement actions between the parties herein: (1) Georgia-Pacific Consumer Products LP v. Kimberly-Clark Corporation et al., Case No. 1:09-cv-02263, pending in the U.S. District Court for the Northern District of Illinois ("Federal Infringement Case I"); and (2) Georgia-Pacific Consumer Products LP v. Kimberly-Clark Corp. at al., Case No. 1:09-cv-07157, also pending in the U.S. District Court for the Northern District of Illinois ("Federal Infringement Case II"). Collectively, Federal Infringement Case I and Federal Infringement Case II are referred to herein as the "Federal Infringement Cases."

Background

Petitioner herein seeks to: (1) cancel several of respondent's registrations of marks comprised of the word QUILTED or a foreign language equivalent thereof[1] on the ground of descriptiveness; and (2) modify a number of respondent's other registrations which include the word QUILTED as well as other elements,[2] by requiring respondent to disclaim QUILTED apart from the marks as shown. Respondent has not yet answered the petition for cancellation, filing instead its motion to suspend in favor of the Federal Infringement Cases.

Respondent herein is the plaintiff in both of the Federal Infringement Cases, and therein alleges, among other things, prior use and registration of its "'Quilted Diamond Design,' which is embossed on every sheet of Quilted Northern bath tissue ...," and that petitioner herein "recently introduced [three] bath tissue products bearing designs remarkably similar to the Quilted Diamond Design." First Amended Complaint in Federal Infringement Case I ¶¶ 2-3; Complaint in Federal Infringement Case II ¶¶ 2-4. While respondent pleads ownership of some of the registrations at issue in this proceeding in the Federal Infringement Cases,

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[1] Registration Nos. 2957128, 3170713 and 2933048.

[2] Registration Nos. 2933048, 2968615, 3463900, 3463899, 3018501, 3293547, 3463460, 2980757, 3642378, 3517622, 3642213 and 3532136.

it complains therein only of petitioner's use of the "Quilted Diamond Design," not petitioner's use of the word QUILTED or any foreign equivalent thereof. In any event, respondent's causes of action in the Federal Infringement Cases include trademark infringement and unfair competition under state and federal law, and dilution under state law, and in both of the Federal Infringement Cases, respondent seeks injunctive and monetary relief. In its Answer in Federal Infringement Case I, petitioner denies the salient allegations in the First Amended Complaint, raises several affirmative defenses and counterclaims for cancellation of certain of respondent's registrations on the ground that the "Quilted Diamond Design," and/or variations thereof, but not the word QUILTED, is functional and has been abandoned. Petitioner's affirmative defenses and counterclaims are unrelated to the word QUILTED.[3]

Respondent's Motion and Petitioner's Response

Respondent argues that the "petition for cancellation [in this proceeding] is a strategic ploy, and an ill-fated effort to deflect from the same issues being decided in [respondent's] lawsuit." Respondent further argues that "the outcome of [respondent's] civil trademark infringement action will have a direct bearing upon the outcome" of this

[3] Petitioner's Answer, if any, in Federal Infringement Case II is not of record.

proceeding, because the Federal Infringement Cases involve respondent's "rights in its QUILTED and QUILTED NORTHERN word marks as they apply to the strength and protectability of the Quilted Diamond Design," and the Federal Infringement Cases "will require an analysis of the strength and protectability of the QUILTED and QUILTED NORTHERN marks." Respondent does not, however, explain how the Federal Infringement Cases involve respondent's rights in its QUILTED or QUILTED NORTHERN word marks, or the strength and protectability thereof, other than pointing out that certain of the registrations pled in the Federal Infringement Cases are also involved herein.

Petitioner argues that the issues in the Federal Infringement Cases relate to the Quilted Diamond Design, and are therefore "entirely different from the issues involved in this proceeding," which involves "the merely descriptive word 'Quilted' as used in connection with bath tissue." According to petitioner, "the disposition of the [Federal Infringement Cases] will have no bearing on the Board's resolution of the issues presented for decision herein," including because "the validity of the QUILTED NORTHERN word marks is not at issue" in the Federal Infringement Cases. Petitioner includes with its response copies of certain of respondent's discovery requests in Federal Infringement Case I, all of which appear to relate to the design rather than

the QUILTED word mark. Finally, petitioner submits a copy of its pending motion for summary judgment in Federal Infringement Case I, in which petitioner seeks judgment on its affirmative defenses and counterclaims that the Quilted Diamond Design is functional. Petitioner also submits a transcript from a hearing in Federal Infringement Case I in which respondent's counsel admitted that if petitioner's motion for summary judgment is granted on the grounds of functionality, "we don't have a trademark anymore, so the case goes away." Petitioner's Opposition to Motion to Suspend Ex. F. p. 6.

In its reply brief, respondent points out that it recently filed Federal Infringement Case II, and claims that this "provides yet another reason for this proceeding to be suspended." However, respondent does not cite to any allegation, issue or defense in either of the Federal Infringement Cases which relates to the word QUILTED as opposed to the "Quilted Diamond Design."

Decision

The Board's well-settled policy is to suspend proceedings when the parties are involved in a civil action which may be dispositive of or have a bearing on the Board case. Trademark Rule 2.117(a); General Motors Corp. v. Cadillac Club Fashions Inc., 22 USPQ2d 1933, 1937 (TTAB 1992). Here, a review of the pleadings in the Federal

Infringement Cases reveals that those cases deal with the "Quilted Diamond Design," rather than the word mark QUILTED. Respondent does not specifically contend otherwise, or cite to any allegation, defense or issue in the Federal Infringement Cases which relates to the QUILTED word mark, as opposed to the "Quilted Diamond Design." Instead, respondent merely points out that the Federal Infringement Cases involve the same parties and some of the same registrations at issue in this proceeding, which, without more, fails to establish that the Federal Infringement Cases may have a bearing on this one.

On the other hand, respondent's claim that this proceeding is a "strategic ploy" subsidiary to the Federal Infringement Cases is understandable. In fact, it appears from respondent's registrations that QUILTED has been in use for bath tissue for many years, but it was not until this year's filing of the Federal Infringement Cases that petitioner sought to cancel, or require disclaimers in, respondent's QUILTED registrations, "to protect its right, and the right of others, to use the term in a generic or descriptive manner …." Petition for Cancellation ¶ 53.[4]

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[4] While the Federal Infringement Cases will have no direct bearing on this proceeding themselves, if petitioner prevails on its motion for summary judgment, it seems conceivable that petitioner will decline to pursue or agree to settle this proceeding.

Under the fairly unique circumstances presented here, respondent's motion must be denied because it has not shown that the Federal Cases will have a bearing on this one. However, because the eventual ruling on petitioner's motion for summary judgment in the Federal Infringement Cases may have some effect on petitioner's strategic or tactical decisions in this proceeding, and because the Federal Infringement Cases could expand in a way which would result in them having a bearing on this proceeding,[5] respondent's motion is **DENIED, WITHOUT PREJUDICE**. That is, if respondent can in the future establish -- by citing specific allegations, defenses or issues in the Federal Infringement Cases - that the Federal Infringement Cases may have a bearing on this one, then it may once again seek suspension of this proceeding on that basis.

Conclusion

Respondent's motion to suspend is denied without prejudice. Disclosure, conferencing, discovery, trial and other dates are reset as follows:

Time to Answer	**January 7, 2010**
Deadline for Discovery Conference	**February 6, 2010**
Discovery Opens	**February 6, 2010**

[5] It would not be unusual for one or both parties to amend their pleadings in the Federal Infringement Cases to add issues related to the word mark QUILTED. In fact, the parties may wish to consider bringing the word mark issues into the Federal Infringement Cases so that all issues are decided together.

Initial Disclosures Due	**March 8, 2010**
Expert Disclosures Due	**July 6, 2010**
Discovery Closes	**August 5, 2010**
Plaintiff's Pretrial Disclosures	**September 19, 2010**
Plaintiff's 30-day Trial Period Ends	**November 3, 2010**
Defendant's Pretrial Disclosures	**November 18, 2010**
Defendant's 30-day Trial Period Ends	**January 2, 2011**
Plaintiff's Rebuttal Disclosures	**January 17, 2011**
Plaintiff's 15-day Rebuttal Period Ends	**February 16, 2011**

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EXHIBIT C

INTERDIST - TRANSF, KEYS, PROTO

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 4.0.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:09-cv-02263

Georgia-Pacific Consumer Products LP v. Kimberly-Clark Corporation et al
Assigned to: Honorable Virginia M. Kendall
related Case: 1:09-cv-07157
Case in other court: Georgia Northern, 1:09-cv-00371
Cause: 28:1338 Trademark Infringement

Date Filed: 04/14/2009
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

Georgia-Pacific Consumer Products LP represented by

Richard Charles Henn , Jr.
Kilpatrick Stockton LLP
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309
(404) 815-6572
Email: chenn@kilpatrickstockton.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Howard Brewster
Kilpatrick Stockton
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309-4530
404-815-6500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gary Y. Leung
McGuireWoods LLP
77 West Wacker Drive
Suite 4100
Chicago, IL 60601
(312)849-8100
Email: gleung@mcguirewoods.com
ATTORNEY TO BE NOTICED

John A. Leja
McGuireWoods LLP
77 West Wacker Drive
Suite 4400
Chicago, IL 60601-7567
(312)849-8100

Email: jleja@mcguirewoods.com
ATTORNEY TO BE NOTICED

V.

Defendant

Kimberly-Clark Corporation represented by **Howard S. Michael**
Brinks, Hofer, Gilson & Lione
455 North Cityfront Plaza Drive
Suite 3600
Chicago, IL 60611-5599
(312) 321-4200
Email: hmichael@brinkshofer.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffery A. Handelman
Brinks, Hofer, Gilson & Lione
455 North Cityfront Plaza Drive
Suite 3600
Chicago, IL 60611-5599
(312) 321-4200
Email: jhandelman@usebrinks.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Vicki Margolis
Kimberly-Clark Corporation - WI
401 North Lake Street
Neenah, WI 54956
920-721-2609
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Christopher Paul Galanek
Bryan Cave Powell Goldstein
One Atlantic Center, 14th Floor
1201 West Peachtree St, N.W.
Atlanta, GA 30309-3448
404-572-6600
ATTORNEY TO BE NOTICED

Raymond Joseph Burby , IV
Bryan Cave Powell Goldstein
One Atlantic Center, 14th Floor
1201 West Peachtree St, N.W.
Atlanta, GA 30309-3448

404-581-6186
ATTORNEY TO BE NOTICED

Defendant

Kimberly-Clark Global Sales, Inc. represented by **Howard S. Michael**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffery A. Handelman
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Vicki Margolis
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Christopher Paul Galanek
(See above for address)
ATTORNEY TO BE NOTICED

Raymond Joseph Burby , IV
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Kimberly-Clark Worldwide, Inc. represented by **Howard S. Michael**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffery A. Handelman
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Vicki Margolis
(See above for address)
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Christopher Paul Galanek

(See above for address)
ATTORNEY TO BE NOTICED

Raymond Joseph Burby , IV
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Kimberly-Clark Corporation represented by **Howard S. Michael**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffery A. Handelman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Margolis
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Paul Galanek
(See above for address)
ATTORNEY TO BE NOTICED

Raymond Joseph Burby , IV
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Kimberly-Clark Global Sales, Inc. represented by **Howard S. Michael**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffery A. Handelman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Margolis
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Paul Galanek
(See above for address)
ATTORNEY TO BE NOTICED

Raymond Joseph Burby , IV
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Kimberly-Clark Worldwide, Inc. represented by **Howard S. Michael**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffery A. Handelman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Margolis
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Paul Galanek
(See above for address)
ATTORNEY TO BE NOTICED

Raymond Joseph Burby , IV
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Georgia-Pacific, LLC

Counter Defendant

Georgia-Pacific Consumer Products LP represented by **Richard Charles Henn , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Howard Brewster
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gary Y. Leung
(See above for address)
ATTORNEY TO BE NOTICED

John A. Leja
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/11/2009	1	COMPLAINT filed by Georgia-Pacific Consumer Products LP.; and Summon(s) issued. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. (Filing fee $ 350.00 receipt number 9265.) (Attachments: # 1 Exhibit 1 - Part 1, # 2 Exhibit 1 - Part 2, # 3 Exhibit 1 - Part 3, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4, # 7 Exhibit 5, # 8 Exhibit 6, # 9 Exhibit 7, # 10 Civil Cover Sheet, # 11 Summons)(eop) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/12/2009)
02/11/2009	2	MOTION to Expedite Discovery with Memorandum In Support by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Memorandum in Support, # 7 Text of Proposed Order)(eop) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/12/2009)
02/11/2009	3	MOTION for Leave to File Excess Pages by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Text of Proposed Order)(eop) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/12/2009)
02/11/2009	4	Certificate of Interested Persons by Georgia-Pacific Consumer Products LP identifying Corporate Parent, Georgia-Pacific, LLC for Georgia-Pacific Consumer Products LP. (eop) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/12/2009)
02/11/2009	5	MOTION to Seal Document by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Text of Proposed Order)(eop) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/12/2009)
02/11/2009	6	MOTION for Preliminary Injunction by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Declaration of S. R. Fallmann, # 2 Declaration S. R. Fallmann - Exhibit 1 - Part 1, # 3 Declaration - S. R. Fallman - Exhibit - 1 Part 3, # 4 Exhibit 1 - Part 4, # 5 Exhibit 1 - Part 5, # 6 Exhibit 1 - Part 6, # 7 Exhibit 1 - Part 6, # 8 Exhibit 1 - Part 7, # 9 Exhibit 2, # 10 Exhibit 3, # 11 Declaration - Joseph Miller, # 12 Declaration - J. Miller - Exhibit 1 - Part 1, # 13 Declaration - J. Miller - Exhibit 1 - Part 2, # 14 Declaration - J. Miller - Exhibit 1 - Part 3, # 15 Text of Proposed Order)(eop) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/13/2009)
02/11/2009	7	--DOCUMENT FILED UNDER SEAL--MEMORANDUM in Support re 6 MOTION for Preliminary Injunction filed by Georgia-Pacific Consumer Products LP. (eop) (Additional attachment(s) added on 2/13/2009: # 1 Declaration of Emily K. Boss, # 2 Declaration - Exhibit - 1, # 3 Declaration - Exhibit 2, # 4 Declaration - Exhibit 3, # 5 Declaration - Exhibit 4, # 6 Declaration - Exhibit 5, # 7 Declaration - Exhibit 6) (eop). Modified on 2/13/2009 (eop). Modified on 2/13/2009; (Verified 2/13/09 by pjm) (eop).

		[Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/13/2009)
02/24/2009	8	NOTICE by Georgia-Pacific Consumer Products LP *of Service* (Henn, Richard) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/24/2009)
02/25/2009	9	NOTICE of Hearing on Motion re: 2 MOTION to Expedite Discovery. Motion Hearing set for 3/2/2009 at 10:00 AM in ATLA Courtroom 2308 before Judge Beverly B. Martin. (pdw) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/25/2009)
02/25/2009	10	NOTICE of Hearing on Motion re: 6 MOTION for Preliminary Injunction. Motion Hearing set for 4/6/2009 at 10:00 AM in ATLA Courtroom 2308 before Judge Beverly B. Martin. (pdw) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/25/2009)
02/26/2009	11	CORRECTED NOTICE of Hearing on Motion re: 2 MOTION to Expedite Discovery. Motion Hearing set for 3/6/2009 at 10:00 AM in ATLA Courtroom 2308 before Judge Beverly B. Martin. (pdw) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 02/26/2009)
03/02/2009	12	APPLICATION for Admission of Howard S. Michael Pro Hac Vice (Application fee $ 150, receipt number 113E0000000002052417)by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Burby, Raymond) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/02/2009)
03/02/2009	13	APPLICATION for Admission of Jeffery A. Handelman Pro Hac Vice (Application fee $ 150, receipt number 113E0000000002052572)by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Burby, Raymond) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/02/2009)
03/02/2009	14	APPLICATION for Admission of Vicki Margolis Pro Hac Vice (Application fee $ 150, receipt number 113E0000000002052588)by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Burby, Raymond) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/02/2009)
03/04/2009		APPROVAL by Clerks Office re: 12 APPLICATION for Admission of Howard S. Michael Pro Hac Vice (Application fee $ 150, receipt number 113E0000000002052417). Attorney Howard S. Michael added appearing on behalf of Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. (cdg) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/04/2009		APPROVAL by Clerks Office re: 14 APPLICATION for Admission of Vicki Margolis Pro Hac Vice (Application fee $ 150, receipt number 113E0000000002052588). Attorney Vicki Margolis added appearing on behalf of Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. (cdg) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)

03/04/2009		APPROVAL by Clerks Office re: 13 APPLICATION for Admission of Jeffery A. Handelman Pro Hac Vice (Application fee $ 150, receipt number 113E0000000002052572). Attorney Jeffery A. Handelman added appearing on behalf of Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. (cdg) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/04/2009		ORDER (BY DOCKET ENTRY ONLY) granting 12 Application for Admission Pro Hac Vice by Howard S. Michael; granting 13 Application for Admission Pro Hac Vice by Jeffery A. Handelman ; granting 14 Application for Admission Pro Hac Vice by Vicki Margolis. Entered by Judge Beverly B. Martin on 3/4/2009. (pdw) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/04/2009	15	RESPONSE re 2 MOTION to Expedite Discovery *Defendants' Opposition to Plaintiff's Motion for Expedited Discovery* filed by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Exhibit Ex. A, # 2 Exhibit Ex. B, # 3 Exhibit Ex. C, # 4 Exhibit Ex. D)(Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/04/2009	16	MOTION for Extension of Time Extension of time to respond to plaintiff's Motion for Preliminary Injunction re: 6 MOTION for Preliminary Injunction by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Text of Proposed Order Proposed Order)(Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/04/2009	17	Certificate of Interested Persons by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/04/2009	18	NOTICE Of Filing Exhibit E to Defendants' Opposition to Plaintiff's Motion for Expedited Discovery by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. re 15 Response to Motion, (Attachments: # 1 Exhibit E (Proposed Order))(Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/04/2009)
03/05/2009	19	REPLY BRIEF re 2 MOTION to Expedite Discovery filed by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Declaration of C. Henn, # 2 Second Declaration of E. Boss)(Henn, Richard) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/05/2009)
03/05/2009	20	MOTION for Leave to File Defendants' Motion for Leave to File Under Sealby Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Text of Proposed Order Proposed Order)(Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/05/2009)
03/05/2009	21	MOTION for Extension of Time to File Answer re 1 Complaint,, *Defendants' Motion for an Extension to Move, Answer or Otherwise Respond* with Brief

		In Support by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Text of Proposed Order, # 2 Brief Memorandum of Law in Support)(Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/05/2009)
03/05/2009	22	MOTION to Transfer Case to Northern District of Illinois *Defendants' Motion to Transfer with redacted Memorandum in Support* with Brief In Support by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Text of Proposed Order, # 2 Brief Memorandum in Support, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C (redacted))(Galanek, Christopher) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/05/2009)
03/06/2009	23	Minute Entry for proceedings held before Judge Beverly B. Martin: Telephone Conference held on 3/6/2009: granting 2 Motion to Expedite; granting 5 Motion to Seal Document ; granting 20 Motion for Leave to File; granting 21 Motion for Extension of Time to Answer, Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.; taking under advisement 22 Motion to Transfer Case. Telephonic motion hearing held. Oral argument heard. Plaintiffs' motion for expedited discovery 2 granted to the extent that defendants will respond to requests for written discovery within 14 days and produce requested documents within 30 days. Plaintiff to respond to defendants' motion to transfer case 22 by 3/13/09, with defendants' reply to be filed by 3/20/09. Other rulings issued as indicated above. (Court Reporter Montrell Vann)(aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/06/2009)
03/09/2009		Submission of the 6 MOTION for Preliminary Injunction and 3 MOTION for Leave to File Excess Pages to District Judge Beverly B. Martin. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/09/2009)
03/13/2009	24	MOTION for Leave to File Under Sealby Georgia-Pacific Consumer Products LP. (Attachments: # 1 Text of Proposed Order)(Henn, Richard) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/13/2009)
03/13/2009	25	(REDACTED) RESPONSE in Opposition re 22 MOTION to Transfer Case to Northern District of Illinois filed by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Redacted Third Declaration of E. Boss, # 2 Redacted Exhibit A to Third Declaration of E. Boss, # 3 Exhibit B to Third Declaration of E. Boss, # 4 Exhibit C to Third Declaration of E. Boss, # 5 Plaintiff's Stipulatin to Facts Regarding 2000 Agreement)(Henn, Richard) Modified on 3/16/2009 to edit text. (aaq). [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/13/2009)
03/13/2009	26	---DOCUMENT FILED UNDER SEAL--- STIPULATION TO FACTS REGARDING THE 2000 AGREEMENT filed by Georgia-Pacific Consumer Products LP. (aaq) Modified on 3/16/2009 to add sealed document. (aaq). [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/16/2009)
03/13/2009	27	---DOCUMENT FILED UNDER SEAL--- OPPOSITION to the 22 MOTION to Transfer Case to Northern District of Illinois *Defendants' Motion to Transfer with redacted Memorandum in Support* filed by Georgia-Pacific

		Consumer Products LP. (aaq) Sealed document added on 3/16/2009 (aaq). [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/16/2009)
03/13/2009	28	---DOCUMENT FILED UNDER SEAL--- THIRD DECLARATION OF EMILY K. BOSS filed by Georgia-Pacific Consumer Products LP. (aaq) (aaq). Sealed document added on 3/16/2009 (aaq). [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/16/2009)
03/17/2009	29	TRANSCRIPT of Proceedings held on March 6, 2009 before Judge Beverly B. Martin. Court Reporter/Transcriber Montrell Vann, Telephone number 404-215-1549. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/7/2009. Redacted Transcript Deadline set for 4/17/2009. Release of Transcript Restriction set for 6/15/2009. (Attachments: # 1 Notice of Filing Transcript) (kac) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/18/2009)
03/18/2009	30	First AMENDED COMPLAINT against Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc., filed by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7)(Henn, Richard) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/18/2009)
03/19/2009	31	PROPOSED ORDER [Proposed] Stipulated Protective Order. (Henn, Richard) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/19/2009)
03/20/2009	32	MOTION for Leave to File Defendants' Motion for Leave to File Under Seal *(Defendants' Reply to Plaintiff's Opposition to Defendants' Motion to Transfer)* with Brief In Support by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Burby, Raymond) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/20/2009)
03/20/2009	33	REPLY to Response to Motion re 22 MOTION to Transfer Case to Northern District of Illinois *Defendants' Motion to Transfer with redacted Memorandum in Support (Redacted)* filed by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Burby, Raymond) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/20/2009)
03/20/2009	34	NOTICE Of Filing Manual Filing Under Seal of Defendants' Reply to Plaintiff's Opposition to Defendants' Motion to Transfer) by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. (Burby, Raymond) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/20/2009)
03/20/2009	35	---DOCUMENT FILED UNDER SEAL--- REPLY to Response to the 22 MOTION to Transfer Case to Northern District of Illinois *Defendants' Motion to Transfer with redacted Memorandum in Support* filed by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc. and Kimberly-Clark

		Worldwide, Inc.. (aaq) Sealed documents added on 3/23/2009 (aaq). [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/23/2009)
03/23/2009		Submission of the 22 MOTION to Transfer Case to Northern District of Illinois *Defendants' Motion to Transfer with redacted Memorandum in Support* to District Judge Beverly B. Martin. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 03/23/2009)
04/02/2009		Submission of the 24 MOTION for Leave to File Under Seal to District Judge Beverly B. Martin. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/02/2009)
04/03/2009	36	MOTION for Discovery *Clarification of the Courts March 6th Order* with Brief In Support by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.. (Attachments: # 1 Brief, # 2 Exhibit, # 3 Text of Proposed Order)(Michael, Howard) Modified on 4/6/2009 to edit text. (aaq). [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/03/2009)
04/06/2009	37	RESPONSE re 36 MOTION for Discovery *CLARIFICATION OF THE COURTS MARCH 6TH ORDER* filed by Georgia-Pacific Consumer Products LP. (Attachments: # 1 Declaration of R. Charles Henn Jr.)(Henn, Richard) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/06/2009)
04/06/2009	38	STIPULATED PROTECTIVE ORDER signed by Judge Beverly B. Martin on 04/06/09. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/06/2009)
04/06/2009	39	Minute Entry for proceedings held before Judge Beverly B. Martin: Teleconference held on 04/06/09 upon request of counsel regarding Defendants' 36 Motion for Clarification; motion GRANTED. Counsel to confer regarding keyword search terms to be utilized during production of discovery materials. (Court Reporter Montrell Vann)(aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/07/2009)
04/08/2009		Submission of the 32 MOTION for Leave to File Defendants' Motion for Leave to File Under Seal to District Judge Beverly B. Martin. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/08/2009)
04/13/2009	40	ORDER granting the 22 Motion to Transfer Case. The Clerk is hereby DIRECTED to transfer this action to the United States District Court for the Northern District of Illinois. Signed by Judge Beverly B. Martin on 04/13/09. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/14/2009)
04/13/2009		Civil Case Terminated. (aaq) [Transferred from Georgia Northern on 4/15/2009.] (Entered: 04/14/2009)
04/15/2009	41	RECEIVED from Georgia Northern; Case Number 1:09-cv-00371 electronic case/documents numbered 1 - 40. (lcw) (Entered: 04/15/2009)
04/15/2009		MAILED Rule 83 transfer in letter to all counsel of record. (lcw,) (Entered: 04/15/2009)

04/15/2009	42	ATTORNEY Appearance for Plaintiff Georgia-Pacific Consumer Products LP by John A. Leja (Leja, John) (Entered: 04/15/2009)
04/15/2009	43	ATTORNEY Appearance for Plaintiff Georgia-Pacific Consumer Products LP by Gary Y. Leung (Leung, Gary) (Entered: 04/15/2009)
04/23/2009	44	MOTION by Plaintiff Georgia-Pacific Consumer Products LP for hearing */initial status conference* (Leja, John) (Entered: 04/23/2009)
04/23/2009	45	NOTICE of Motion by John A. Leja for presentment of motion for hearing 44 before Honorable Virginia M. Kendall on 4/28/2009 at 09:00 AM. (Leja, John) (Entered: 04/23/2009)
04/23/2009	46	MINUTE entry before the Honorable Virginia M. Kendall: Initial Status hearing set for 5/12/2009 at 09:00 AM. Joint Status Report due by 5/5/2009. (See Judge Kendall's web page found at www.ilnd.uscourts.gov for information about status reports). The parties are to report on the following: (1) Possibility of settlement in the case; (2) If no possibility of settlement exists, the nature and length of discovery necessary to get the case ready for trial. Plaintiff is to advise all other parties of the Court's action herein. Lead counsel is directed to appear at this status hearing. Plaintiff's motion for hearing 44 is granted.Mailed notice (jms,) (Entered: 04/23/2009)
04/30/2009	47	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to compel *and for Sanctions* (Leja, John) (Entered: 04/30/2009)
04/30/2009	48	MEMORANDUM by Georgia-Pacific Consumer Products LP in support of motion to compel 47 *and for Sanctions* (Leja, John) (Entered: 04/30/2009)
04/30/2009	49	DECLARATION of R. Charles Henn Jr. regarding motion to compel 47 *and for Sanctions* (Attachments: # 1 Exhibit 1 - 19, # 2 Exhibit 20 - 34)(Leja, John) (Entered: 04/30/2009)
04/30/2009	50	NOTICE of Motion by John A. Leja for presentment of motion to compel 47 before Honorable Virginia M. Kendall on 5/5/2009 at 09:00 AM. (Leja, John) (Entered: 04/30/2009)
05/04/2009	51	MINUTE entry before the Honorable Virginia M. Kendall:Plaintiff's motion to compel 47 is withdrawn telephonically. Telephone notice (jms,) (Entered: 05/04/2009)
05/06/2009	52	STATUS Report *(Joint)* by Georgia-Pacific Consumer Products LP (Leja, John) (Entered: 05/06/2009)
05/12/2009	53	MINUTE entry before the Honorable Virginia M. Kendall:Status hearing held on 5/12/2009. The schedule for the depositions of the KC witnesses1 is extended to the end of business 6/15/09. Submission of expert reports due 6/22/09. Rebuttal reports due 6/29/09. Opposition briefs to the pending motion for preliminary injunction due 7/6/09. Reply briefs due by 7/15/09. A Hearing is set for 8/5/09 at 9:30 a.m. Judicial staff mailed notice (gl,) (Entered: 05/12/2009)
05/14/2009	54	AMENDED STIPULATED PROTECTIVE Order Signed by the Honorable Virginia M. Kendall on 5/14/2009. (gmr,) (Entered: 05/15/2009)

06/15/2009	55	MOTION by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. for leave to file excess pages *in Their Opposition Briefs to Plaintiff's Pending Motion for a Preliminary Injunction* (Michael, Howard) (Entered: 06/15/2009)
06/16/2009	56	NOTICE of Motion by Howard S. Michael for presentment of motion for leave to file excess pages, 55 before Honorable Virginia M. Kendall on 6/18/2009 at 09:00 AM. (Michael, Howard) (Entered: 06/16/2009)
06/19/2009	57	MINUTE entry before the Honorable Virginia M. Kendall:Defendants' motion for leave to file a brief in excess of 15 pages 55 is granted.Mailed notice (jms,) (Entered: 06/19/2009)
06/22/2009	58	MOTION by Plaintiff Georgia-Pacific Consumer Products LP for leave to file *Unopposed Motion to File Supplemental Memorandum and Declaration in Support of Plaintiff's Motion for Preliminary Injunction and to Extend Deadlines* (Leja, John) (Entered: 06/22/2009)
06/22/2009	59	MOTION by Plaintiff Georgia-Pacific Consumer Products LP for leave to file excess pages *Unopposed Motion for Leave to Exceed Page Limits* (Leja, John) (Entered: 06/22/2009)
06/22/2009	60	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to seal *Unopposed Motion for Leave to File Under Seal* (Leja, John) (Entered: 06/22/2009)
06/22/2009	61	NOTICE of Motion by John A. Leja for presentment of motion for leave to file excess pages 59 , motion to seal 60 , motion for leave to file 58 before Honorable Virginia M. Kendall on 6/25/2009 at 09:00 AM. (Leja, John) (Entered: 06/22/2009)
06/22/2009	62	SEALED MOTION by Plaintiff Georgia-Pacific Consumer Products LP *Supplemental Memorandum in Support of Plaintiff's Motion for Preliminary Injunction* (Leja, John) (Entered: 06/22/2009)
06/22/2009	63	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Declaration of Lauren Sullins Ralls in Support of Plaintiff's Supplemental Memorandum* (Attachments: # 1 Exhibit A1 - A5, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K1 - K3, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q1 - Q2, # 18 Exhibit R1 - R6, # 19 Exhibit S, # 20 Exhibit T - Part 1, # 21 Exhibit T - Part 2, # 22 Exhibit T - Part 3, # 23 Exhibit T - Part 4, # 24 Exhibit T - Part 5, # 25 Exhibit T - Part 6, # 26 Exhibit T - Part 7, # 27 Exhibit T - Part 8, # 28 Exhibit T - Part 9, # 29 Exhibit T - Part 10, # 30 Exhibit U, # 31 Exhibit V1 - V8, # 32 Exhibit W, # 33 Exhibit X1 - X2, # 34 Exhibit Y, # 35 Exhibit Z, # 36 Exhibit AA, # 37 Exhibit BB, # 38 Exhibit CC, # 39 Exhibit DD, # 40 Exhibit EE, # 41 Exhibit FF)(Leja, John) (Entered: 06/22/2009)
06/22/2009	64	MINUTE entry before the Honorable Virginia M. Kendall:Plaintiff's motion for leave to file sealed documents 60 is granted in part and denied in part. The parties are ordered to retain copies of all documents containing confidential information which are provided in discovery under the protective order.

		Documents containing confidential information shall NOT be filed with the Clerk of Court. Documents requiring the courts review shall be submitted to chambers in camera in a sealed envelope bearing the caption of the case, case number, the title of the motion or response to which the submitted confidential information pertains, and the name and telephone number of counsel submitting the documents. After the courts review, the in camera items will be returned by the court to the producing party who shall maintain the submission intact for any further review. A redacted copy of the pleading shall be filed with the Clerk of Court for the record. Mailed notice (jms,) (Entered: 06/22/2009)
06/23/2009	65	MINUTE entry before the Honorable Virginia M. Kendall:Plaintiff's unopposed motion for leave to file excess pages 59 is denied in part. Plaintiff's motion is not to exceed 25 pages. Plaintiff's unopposed motion for leave to file supplemental memorandum and declaration in support of plaintiff's motion for preliminary injunction and to extend dates 62 is granted. Kimberly-Clark's deadline to file its opposition to the motion for preliminary injunction is due by 7/13/2009. Georgia-Pacific's reply in support of the motion for summary judgment is due by due by 7/22/2009.Mailed notice (tlp,) (Entered: 06/23/2009)
06/24/2009	66	MEMORANDUM *Redacted Public Version-Supplemental Memorandum in Support of Plaintiff's Motion for Preliminary Injunction* (Leja, John) (Entered: 06/24/2009)
06/24/2009	67	DECLARATION of Lauren Sullins Ralls *in Support of Plaintiff's Supplemental Memorandum-Redacted Public Version* (Leja, John) (Entered: 06/24/2009)
06/25/2009	68	MINUTE entry before the Honorable Virginia M. Kendall:Kimberly Clark is granted leave to file its opposition brief to plaintiff's motion for preliminary injunction in excess of the page limit. Kimberly Clark's brief brief is not to exceed an additional 10 pages.Mailed notice (tlp,) (Entered: 06/25/2009)
06/30/2009	69	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to strike *the Expert Report of David C. Hilliard* (Attachments: # 1 Supplement Memorandum in Support of Plaintiff's Motion to Strike the Expert Report of David C. Hilliard, # 2 Declaration of Lauren Sullins Ralls in Support of Plaintiff's Motion to Strike the Expert Report of David C. Hilliard)(Leung, Gary) (Entered: 06/30/2009)
06/30/2009	70	*Plaintiff's* NOTICE of Motion by Gary Y. Leung for presentment of motion to strike, 69 before Honorable Virginia M. Kendall on 7/7/2009 at 09:00 AM. (Leung, Gary) (Entered: 06/30/2009)
07/06/2009	71	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to strike *Motion to Strike The Survey and Expert Report of Ivan Ross* (Leja, John) (Entered: 07/06/2009)
07/06/2009	72	NOTICE of Motion by John A. Leja for presentment of motion to strike 71 before Honorable Virginia M. Kendall on 7/9/2009 at 09:00 AM. (Leja, John) (Entered: 07/06/2009)

07/06/2009	73	MEMORANDUM by Georgia-Pacific Consumer Products LP in support of motion to strike 71 *Memorandum in Support of Plaintiff's Motion to Strike the Survey and Expert Report of Ivan Ross* (Leja, John) (Entered: 07/06/2009)
07/06/2009	74	DECLARATION regarding motion to strike 71 *Declaration of Lauren Sullins Ralls in Support of Plaintiff's Motion to Strike the Survey and Expert Report of Ivan Ross* (Attachments: # 1 Exhibit A, # 2 Exhibit B - Part 1, # 3 Exhibit B - Part 2, # 4 Exhibit C)(Leja, John) (Entered: 07/06/2009)
07/07/2009	75	MINUTE entry before the Honorable Virginia M. Kendall:Motion hearing held. Plaintiff's motion to strike expert report of David C. Hilliard 69 is taken under advisement. Response is to be filed by 7/13/2009. Reply is to be filed by 7/20/2009. Plaintiff's motion to strike survey and expert report of Ivan Ross 71 is taken under advisement. Response is to be filed by 7/22/2009. Reply is to be filed by 8/5/2009. Preliminary Injunction hearing date of 8/5/2009 is reset for 8/10/2009 at 09:30 AM. The parties are advised that the 8/10/2009 preliminary injunction hearing date may have to be reset after the court has reviewed the pleadings.Advised in open court notice (jms,) (Entered: 07/07/2009)
07/13/2009	76	ANSWER to amended complaint, COUNTERCLAIM filed by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. against Georgia-Pacific, LLC, Georgia-Pacific Consumer Products LP. by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	77	MEMORANDUM by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. in Opposition to motion to strike, 69 (Attachments: # 1 Exhibit A)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	78	MOTION by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. to seal (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	79	SEALED RESPONSE *in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	80	SEALED EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit A-1, # 2 Exhibit A-2, # 3 Exhibit A-3, # 4 Exhibit A-4, # 5 Exhibit A-5)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	81	SEALED EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit B-1(a), # 2 Exhibit B-1(b), # 3 Exhibit B-1(c), # 4 Exhibit B-1(d), # 5 Exhibit B-2)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	82	SEALED EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *filed in Opposition*

		to Georgia-Pacific's Motion for Preliminary Injunction (Attachments: # 1 Exhibit C-1)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	83	SEALED EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit D-1, # 2 Exhibit D-2, # 3 Exhibit D-3, # 4 Exhibit D-4, # 5 Exhibit D-5, # 6 Exhibit D-6, # 7 Exhibit D-7, # 8 Exhibit D-8, # 9 Exhibit D-9, # 10 Exhibit D-10, # 11 Exhibit D-11, # 12 Exhibit D-12, # 13 Exhibit D-13, # 14 Exhibit D-14, # 15 Exhibit D-15, # 16 Exhibit D-16, # 17 Exhibit D-17, # 18 Exhibit D-18, # 19 Exhibit D-19, # 20 Exhibit D-20, # 21 Exhibit D-21, # 22 Exhibit D-22, # 23 Exhibit D-23, # 24 Exhibit D-24)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	84	SEALED EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	85	RESPONSE by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	86	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit A Tarr Affidavit and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit A-1, # 2 Exhibit A-2, # 3 Exhibit A-3, # 4 Exhibit A-4, # 5 Exhibit A-5)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	87	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit B Clement Affidavit and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit B-1(a), # 2 Exhibit B-1(b), # 3 Exhibit B-1(c), # 4 Exhibit B-1(d), # 5 Exhibit B-2) (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	88	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit C Nichols Affidavit and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit C-1)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	89	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit D Michael Declaration and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	90	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit E Theis Declaration and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Attachments: # 1 Exhibit E-1, # 2 Exhibit

		E-2, # 3 Exhibit E-3, # 4 Exhibit E-4, # 5 Exhibit E-5, # 6 Exhibit E-6, # 7 Exhibit E-7, # 8 Exhibit E-8, # 9 Exhibit E-9, # 10 Exhibit E-10, # 11 Exhibit E-11, # 12 Exhibit E-12, # 13 Exhibit E-13, # 14 Exhibit E-14, # 15 Exhibit E-15)(Michael, Howard) (Entered: 07/13/2009)
07/13/2009	91	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit F Giertz Declaration and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	92	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit H Hilliard Expert Report Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	93	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit I Hilliard Declaration Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	94	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit J Cohen Declaration Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	95	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit K Goldstine Declaration Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/13/2009	96	EXHIBIT by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *Exhibit G Ross Declaration and Related Exhibits Filed in Opposition to Georgia-Pacific's Motion for Preliminary Injunction* (Michael, Howard) (Entered: 07/13/2009)
07/20/2009	97	MINUTE entry before the Honorable Virginia M. Kendall:Defendants' unopposed motion to seal 78 is granted. Mailed notice (jms,) (Entered: 07/20/2009)
07/20/2009	98	REPLY by Plaintiff Georgia-Pacific Consumer Products LP to motion to strike, 69 *Reply in Support of Plaintiff's Motion to Strike the Expert Report of David C. Hilliard* (Leja, John) (Entered: 07/20/2009)
07/21/2009	99	MOTION by Plaintiff Georgia-Pacific Consumer Products LP for leave to file excess pages *Georgia-Pacific's Contested Motion to Exceed page Limit* (Leja, John) (Entered: 07/21/2009)
07/21/2009	100	NOTICE of Motion by John A. Leja for presentment of motion for leave to file excess pages 99 before Honorable Virginia M. Kendall on 7/27/2009 at 09:00 AM. (Leja, John) (Entered: 07/21/2009)
07/21/2009	101	DECLARATION of R. Charles Henn Jr. regarding motion for leave to file excess pages 99 (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Leja, John) (Entered: 07/21/2009)

07/22/2009	102	RESPONSE by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.in Opposition to MOTION by Plaintiff Georgia-Pacific Consumer Products LP for leave to file excess pages *Georgia-Pacific's Contested Motion to Exceed page Limit* 99 (Michael, Howard) (Entered: 07/22/2009)
07/22/2009	103	RESPONSE by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. to MOTION by Plaintiff Georgia-Pacific Consumer Products LP to strike *Motion to Strike The Survey and Expert Report of Ivan Ross* 71 (Michael, Howard) (Entered: 07/22/2009)
07/22/2009	104	MINUTE entry before the Honorable Virginia M. Kendall:Plaintiff's motion for leave to file a reply in excess of 15 pages 99 is granted. Plaintiff's reply brief is limited to 25 pages. Mailed notice (jms,) (Entered: 07/22/2009)
07/22/2009	105	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to seal *Plaintiff's Unopposed Motion for Leave to File Under Seal* (Leja, John) (Entered: 07/22/2009)
07/22/2009	106	NOTICE of Motion by John A. Leja for presentment of motion to seal 105 before Honorable Virginia M. Kendall on 7/27/2009 at 09:00 AM. (Leja, John) (Entered: 07/22/2009)
07/22/2009	107	SEALED REPLY by Georgia-Pacific Consumer Products LP to 6 *Reply in Support of Plaintiff's Motion for Preliminary Injunction* (Leja, John) (Entered: 07/22/2009)
07/22/2009	108	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Declaration of Lauren Sullins Ralls in Support of Plaintiff's Reply Memorandum for Motion for Preliminary Injunction* (Attachments: # 1 Exhibit 1 - Under Seal, # 2 Exhibit 2 - Under Seal, # 3 Exhibit 3 - Under Seal, # 4 Exhibit 4 - Under Seal, # 5 Exhibit 5 - Under Seal, # 6 Exhibit 10 - Under Seal, # 7 Exhibit 11 - Under Seal)(Leja, John) (Entered: 07/22/2009)
07/22/2009	109	EXHIBIT by Plaintiff Georgia-Pacific Consumer Products LP *for Declaration of Lauren Sullins Ralls in Support of plaintiff's Reply Memorandum for motion for preliminary Injunction* regarding sealed document, 108 (Attachments: # 1 Exhibit 6, # 2 Exhibit 7, # 3 Exhibit 8, # 4 Exhibit 9, # 5 Exhibit 12, # 6 Exhibit 13)(Leja, John) (Entered: 07/22/2009)
08/05/2009	110	REPLY by Plaintiff Georgia-Pacific Consumer Products LP to answer to amended complaint,, counterclaim, 76 *Reply to Counterclaims* (Leja, John) (Entered: 08/05/2009)
08/05/2009	111	RESPONSE by Georgia-Pacific Consumer Products LPin Support of MOTION by Plaintiff Georgia-Pacific Consumer Products LP to strike *Motion to Strike The Survey and Expert Report of Ivan Ross* 71 *Reply in Support of Plaintiff's Motion to Strike the Survey and Expert Report of Ivan Ross* (Leja, John) (Entered: 08/05/2009)
08/05/2009	112	MOTION by Plaintiff Georgia-Pacific Consumer Products LP, Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. to continue *Joint Motion to Postpone Hearing on*

		Plaintiff's Motion for Preliminary Injunction (Leja, John) (Entered: 08/05/2009)
08/05/2009	113	*Joint* NOTICE of Motion by John A. Leja for presentment of motion to continue, 112 before Honorable Virginia M. Kendall on 8/10/2009 at 09:00 AM. (Leja, John) (Entered: 08/05/2009)
08/06/2009	114	MINUTE entry before the Honorable Virginia M. Kendall:The joint motion to continue the preliminary injunction hearing 112 is granted. Status hearing is set for 9/15/2009 at 09:00 AM for a report on settlement. Preliminary injunction hearing date of 8/10/2009 is stricken.Mailed notice (jms,) (Entered: 08/06/2009)
09/04/2009	115	NOTICE of withdraw of the pending Motion for Preliminary Injunction and for Request for Rule 16(a) Scheduling Conference by Plaintiff Georgia-Pacific Consumer Products LP (Leja, John) (Text Modified by Clerk's Office on 9/8/2009) (hp,) (Entered: 09/04/2009)
09/09/2009	116	MINUTE entry before the Honorable Virginia M. Kendall: Status hearing is set for 9/16/2009 at 09:00 AM.Mailed notice (jms,) (Entered: 09/09/2009)
09/10/2009	117	RESPONSE by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *to Georgia-Pacifics Notice of Withdrawal of Motion for Preliminary Injunction and Request for Rule 16(A) Scheduling Conference* (Michael, Howard) (Entered: 09/10/2009)
09/11/2009	118	MINUTE entry before the Honorable Virginia M. Kendall:At the parties' request, Status hearing date of 9/16/2009 is reset for 9/17/2009 at 09:00 AM.Mailed notice (jms,) (Entered: 09/11/2009)
09/16/2009	119	[Proposed] Schedule by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. (Michael, Howard) (Entered: 09/16/2009)
09/16/2009	120	(Proposed) Schedule by Georgia-Pacific Consumer Products LP (Leja, John) (Entered: 09/16/2009)
09/17/2009	121	MINUTE entry before the Honorable Virginia M. Kendall:Status hearing held and continued to 3/1/2010 at 09:00 AM. Plaintiff withdraws its motion for preliminary injunction. Court adopts defendant's proposed schedule. Discovery is stayed pending disposition of the motions for summary judgment. Dispositive motions with supporting memoranda are to be filed by 10/16/2009. Responses are to be filed by 11/13/2009. Replies are to be filed by 12/1/2009. Court will rule by mail. Advised in open court (jms,) (Entered: 09/17/2009)
10/15/2009	122	MOTION by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. for leave to file excess pages *(AGREED)* (Michael, Howard) (Entered: 10/15/2009)
10/16/2009	123	MINUTE entry before the Honorable Virginia M. Kendall:Defendants' motion for leave to file excess pages 122 is granted. Plaintiff is granted leave to file a 25 page brief. Defendants are advised that compliance with Local Rule 5.3(b) is required.Mailed notice (jms,) (Entered: 10/16/2009)

10/16/2009	124	MOTION by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. for summary judgment (Michael, Howard) (Entered: 10/16/2009)
10/16/2009	125	STATEMENT by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. *of Material Facts as to Which there is no Genuine Issue* (Michael, Howard) (Entered: 10/16/2009)
10/16/2009	126	MOTION by Defendants Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. for summary judgment *(Supporting Memorandum)* (Michael, Howard) (Entered: 10/16/2009)
10/16/2009	127	DECLARATION of Jennifer Theis *in Support of Kimberly-Clarks Motion for Summary Judgment Based on Functionality with Exhibits* (Attachments: # 1 Exhibit A-01, # 2 Exhibit A-02, # 3 Exhibit A-03, # 4 Exhibit A-04, # 5 Exhibit A-05, # 6 Exhibit A-06, # 7 Exhibit A-07, # 8 Exhibit A-08, # 9 Exhibit A-09, # 10 Exhibit A-10, # 11 Exhibit A-11, # 12 Exhibit A-12, # 13 Exhibit A-13, # 14 Exhibit A-14, # 15 Exhibit A-15, # 16 Exhibit A-16A, # 17 Exhibit A-16B, # 18 Exhibit A-17, # 19 Exhibit A-18, # 20 Exhibit A-19, # 21 Exhibit A-20, # 22 Exhibit A-21, # 23 Exhibit A-22, # 24 Exhibit A-23, # 25 Exhibit A-24, # 26 Exhibit A-25, # 27 Exhibit A-26, # 28 Exhibit A-27) (Michael, Howard) (Entered: 10/16/2009)
11/13/2009	128	MOTION by Plaintiff Georgia-Pacific Consumer Products LP for leave to file *Under Seal* (Leja, John) (Entered: 11/13/2009)
11/13/2009	129	NOTICE of Motion by John A. Leja for presentment of motion for leave to file 128 before Honorable Virginia M. Kendall on 11/19/2009 at 09:00 AM. (Leja, John) (Entered: 11/13/2009)
11/13/2009	130	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to continue *pursuant to Fed.R.Civ.P.56(f)* (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Leja, John) (Entered: 11/13/2009)
11/13/2009	131	NOTICE of Motion by John A. Leja for presentment of motion to continue 130 before Honorable Virginia M. Kendall on 11/19/2009 at 09:00 AM. (Leja, John) (Entered: 11/13/2009)
11/13/2009	132	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Memorandum in Support of Plaintiff's Motion for Continuance Pursuant to Fed. R. Civ.P. 56(f)* (Leja, John) (Entered: 11/13/2009)
11/13/2009	133	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Declaration of R. Charles Henn Jr.* (Attachments: # 1 Exhibit 1)(Leja, John) (Entered: 11/13/2009)
11/13/2009	134	MOTION by Plaintiff Georgia-Pacific Consumer Products LP for leave to file *Under Seal* (Leja, John) (Entered: 11/13/2009)
11/13/2009	135	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Memorandum in Opposition to Kimberly-Clark's Motion for Summary Judgment Based on Functionality* (Leja, John) (Entered: 11/13/2009)
11/13/2009	136	DECLARATION of Frank C. Murray, PH.D. regarding sealed document 135

		(Leja, John) (Entered: 11/13/2009)
11/13/2009	137	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Declaration of Emily K. Boss* (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7)(Leja, John) (Entered: 11/13/2009)
11/13/2009	138	DECLARATION of Joseph Miller regarding sealed document 135 (Attachments: # 1 Exhibit 1)(Leja, John) (Entered: 11/13/2009)
11/13/2009	139	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Declaration of Lauren Sullins Ralls* (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23)(Leja, John) (Entered: 11/13/2009)
11/13/2009	140	RESPONSE by Plaintiff Georgia-Pacific Consumer Products LP to sealed document 135 *to Defendants' Statement of Material Facts* (Leja, John) (Entered: 11/13/2009)
11/13/2009	141	SEALED DOCUMENT by Plaintiff Georgia-Pacific Consumer Products LP *Statement of Additional Material Facts in Opposition to Kimberly-Clark's Motion For Summary Judgment on Functionality* (Leja, John) (Entered: 11/13/2009)
11/16/2009	142	MINUTE entry before the Honorable Virginia M. Kendall: Plaintiff's motion for leave of Court to file under seal Plaintiff's memorandum in support of its motion for continuance is granted. Plaintiff's unopposed motion for leave of Court to file under seal Plaintiff's opposition to defendant's motion for summary judgment is granted. Mailed notice (slb,) (Entered: 11/16/2009)
11/18/2009	143	RESPONSE by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.in Opposition to MOTION by Plaintiff Georgia-Pacific Consumer Products LP to continue *pursuant to Fed.R.Civ.P.56(f)* 130 (Michael, Howard) (Entered: 11/18/2009)
11/19/2009	144	MINUTE entry before the Honorable Virginia M. Kendall:Motion hearing held on 11/19/2009 regarding motion to continue 130 . Briefing as to motion by Plaintiff Georgia-Pacific Consumer Products LP to continue pursuant to Fed.R.Civ.P.56(f) 130 is set as follows: Reply due by 11/25/2009. Status hearing set for 12/7/2009 at 9:00 a.m.Mailed notice (tlp,) (Entered: 11/19/2009)
11/25/2009	145	SEALED REPLY by Georgia-Pacific Consumer Products LP to MOTION by Plaintiff Georgia-Pacific Consumer Products LP to continue *pursuant to Fed.R.Civ.P.56(f)* 130 (Leja, John) (Entered: 11/25/2009)
12/03/2009	146	MOTION by Plaintiff Georgia-Pacific Consumer Products LP to reassign case *Based on Relatedness* (Leja, John) (Entered: 12/03/2009)
12/03/2009	147	DECLARATION of R. Charles Henn Jr. regarding motion to reassign case 146 (Attachments: # 1 Exhibit 1)(Leja, John) (Entered: 12/03/2009)

12/03/2009	148	NOTICE of Motion by John A. Leja for presentment of motion to reassign case 146 before Honorable Virginia M. Kendall on 12/8/2009 at 09:00 AM. (Leja, John) (Entered: 12/03/2009)
12/04/2009	149	RESPONSE by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc. to MOTION by Plaintiff Georgia-Pacific Consumer Products LP to reassign case *Based on Relatedness* 146 (Michael, Howard) (Entered: 12/04/2009)
12/07/2009	150	MINUTE entry before the Honorable Virginia M. Kendall: Status hearing held. Motion hearing held and continued to 12/15/2009 at 09:00 AM. regarding plaintiff's motion to reassign case 09 C 7157 (Judge Dow) 146 . Advised in open court (jms,) (Entered: 12/07/2009)
12/14/2009	151	RESPONSE by Kimberly-Clark Corporation, Kimberly-Clark Global Sales, Inc., Kimberly-Clark Worldwide, Inc.in Opposition to MOTION by Plaintiff Georgia-Pacific Consumer Products LP to reassign case *Based on Relatedness* 146 , MOTION by Plaintiff Georgia-Pacific Consumer Products LP to continue *pursuant to Fed.R.Civ.P.56(f)* 130 *Defendants' Position Statement Regarding Plaintiff's Motion for Reassignment and Motion for Additional Discovery* (Michael, Howard) (Entered: 12/14/2009)
12/15/2009	152	MINUTE entry before Honorable Virginia M. Kendall: Motion hearing held. Plaintiff's motion to reassign case *Based on Relatedness* 146 is granted. Defendant shall provide written responses to plaintiff's supplemental discovery requests by 1/11/2010. Documents shall be produced by 2/15/2010. Depositions shall be completed by 3/1/2010. Plaintiff's supplemental brief shall be field by 3/22/2010. Defendant's reply is to be filed by 4/2/2010. All supplemental briefs are limited to 10 pages. Supplemental facts are limited to 12 for each side.Advised in open court (jms,) (Entered: 12/15/2009)
12/15/2009	153	TRANSCRIPT OF PROCEEDINGS held on 9/17/09 before the Honorable Virginia M. Kendall. Status Hearing. **Court Reporter Contact Information: APRIL METZLER, 312-408-5154, April_Metzler@ilnd.uscourts.gov**. IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings. Redaction Request due 1/5/2010. Redacted Transcript Deadline set for 1/15/2010. Release of Transcript Restriction set for 3/15/2010. (Metzler, April) (Entered: 12/15/2009)
12/15/2009	154	TRANSCRIPT OF PROCEEDINGS held on 12/7/09 before the Honorable Virginia M. Kendall. Motion Hearing. **Court Reporter Contact Information: APRIL METZLER, 312-408-5154, April_Metzler@ilnd.uscourts.gov**. IMPORTANT: The transcript may be viewed at the court's public terminal or

		purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings. Redaction Request due 1/5/2010. Redacted Transcript Deadline set for 1/15/2010. Release of Transcript Restriction set for 3/15/2010. (Metzler, April) (Entered: 12/15/2009)

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