

ESTTA Tracking number: **ESTTA426165**

Filing date: **08/19/2011**

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

Proceeding.	91194504
Applicant	Plaintiff Sutherland Centennial Lumber Co. LLC, Sutherland Building Materials Centers LP, and Sutherlands West Texas, Inc.
Other Party	Defendant Cimarron Lumber and Supply Company

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 08/19/2011. Sutherland Centennial Lumber Co. LLC, Sutherland Building Materials Centers LP, and Sutherlands West Texas, Inc. requests that such date be extended for 90 days, or until 11/17/2011, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	10/18/2011
Discovery Closes :	11/17/2011
Plaintiff's Pretrial Disclosures :	01/01/2012
Plaintiff's 30-day Trial Period Ends :	02/15/2012
Defendant's Pretrial Disclosures :	03/01/2012
Defendant's 30-day Trial Period Ends :	04/15/2012
Plaintiff's Rebuttal Disclosures :	04/30/2012
Plaintiff's 15-day Rebuttal Period Ends :	05/30/2012

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *Although discovery has commenced, the parties are unable to complete discovery within the 90 days following expiration of the prior suspension. In addition, settlement negotiations are ongoing and the parties wish to have additional time for negotiations as discovery proceeds.*

Sutherland Centennial Lumber Co. LLC, Sutherland Building Materials Centers LP, and Sutherlands West Texas, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Sutherland Centennial Lumber Co. LLC, Sutherland Building Materials Centers LP, and Sutherlands West Texas, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,
/Sean T. Bradley/
Sean T. Bradley
sbradley@kcpatentlaw.com
mwilliamson@polsinelli.com
08/19/2011