

ESTTA Tracking number: **ESTTA1041405**

Filing date: **03/11/2020**

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

Proceeding	91242648
Party	Plaintiff Sleep Number Corporation, f/k/a Select Comfort Corporation
Correspondence Address	BARBARA J GRAHN FOX ROTHSCHILD LLP 222 SOUTH NINTH ST SUITE 2000 MINNEAPOLIS, MN 55402 UNITED STATES bgrahn@foxrothschild.com, epatton@foxrothschild.com, ipdock- et@foxrothschild.com, drodrigue@foxrothschild.com 612-607-7325
Submission	Other Motions/Papers
Filer's Name	Elizabeth A. Patton
Filer's email	epatton@foxrothschild.com, dengle@foxrothschild.com
Signature	/Elizabeth A. Patton/
Date	03/11/2020
Attachments	2020-03-11 Status of Related Civil Action 91242648.pdf(844000 bytes)

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

Sleep Number Corporation,)	Opposition No. 91242648
f/k/a Select Comfort Corporation,)	
)	Mark: THE ORIGINAL NUMBER BED BY SUSTENA
Opposer,)	
v.)	Serial No. 87532348
)	
Dires, LLC,)	Filing Date: July 18, 2017
)	
Applicant.)	Publication Date: June 26, 2018
_____)	

STATUS OF RELATED CIVIL ACTION

In response to the Board’s March 3, 2020 request, Sleep Number Corporation f/k/a Select Comfort Corporation (“Sleep Number”) submits to the Board this update regarding the status of the related civil action involving Dires, LLC d/b/a Personal Comfort Bed (“Dires”) that gave rise to the Board’s February 27, 2019 Order staying these proceedings.

The civil action, *Select Comfort Corp., et al. v. Baxter, et al.*, No. 12-cv-2899 DWF-SER (D. Minn. 2012) *on appeal*, *Sleep Number Corporation, et al. v. John Baxter, et al.*, 19-1077 (8th Cir. 2019) (“the Lawsuit”), remains unresolved and is now pending in the Eighth Circuit Court of Appeals. The District Court trial in the Lawsuit concluded in October 2017. Thereafter, the parties filed various post-trial motions, which the District Court issued a ruling on in December 2018. The parties then filed respective appeals in January 2019. In June 2019, the parties completed their rounds of briefing before the Eighth Circuit Court of Appeals, but a hearing has not yet been set. Therefore, there has not been a final determination in the Lawsuit. A copy of the full District of Minnesota docket is attached hereto as Exhibit A and a copy of the full Eighth Circuit Court of Appeals docket is attached hereto as Exhibit B.

Because the Lawsuit is pending and unresolved, this proceeding should remain stayed for all of the reasons identified in the underlying briefing on Sleep Number's motion for suspension.

To the extent the Board seeks additional briefing on the issue, Sleep Number can provide it.

Dated: March 11, 2020

FOX ROTHSCHILD, LLP

By: /Elizabeth A. Patton/
Barbara J. Grahn
Andrew S. Hansen
Elizabeth A. Patton

Campbell Mithun Tower, Suite 2000
222 South Ninth Street
Minneapolis, Minnesota 55402
Telephone: (612) 607-7000
Facsimile: (612) 607-7100
E-Mail: bgrahn@foxrothschild.com
ahansen@foxrothschild.com
epatton@foxrothschild.com

**ATTORNEYS FOR OPPOSER
SLEEP NUMBER CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of March, 2020, I served a true copy of the foregoing *Status of Related Civil Action* on counsel for Applicant by sending the same via e-mail to:

Michael E. Broms, Esq.
Kyle L. Elliott, Esq.
Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203
mbroms@spencerfane.com
kelliott@spencerfane.com
sfaction@spencerfane.com

/Devonia Engle/
Devonia Engle

EXHIBIT A

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:12-cv-02899-DWF-SER**

Select Comfort Corporation v. Baxter et al
Assigned to: Judge Donovan W. Frank
Referred to: Magistrate Judge Steven E. Rau
rel Case: 0:16-cv-03715-DWF-SER

Case in other court: US Court of Appeals 8th Circuit, 19-01077
US Court of Appeals 8th Circuit, 19-01113
US Court of Appeals 8th Circuit, 19-01178

Cause: 15:1114 Trademark Infringement

Date Filed: 11/16/2012
Date Terminated: 12/12/2018
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

Select Comfort Corporation

represented by **Andrew S Hansen**
Fox Rothschild LLP
222 South Ninth Street
Campbell Mithun Tower
Ste 2000
Minneapolis, MN 55402
612-607-7000
Fax: 612-607-7100
Email: ahansen@foxrothschild.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth A Patton
Fox Rothschild LLP
222 South Ninth Street
Suite 2000
Minneapolis, MN 55402
612-607-7202
Email: epatton@foxrothschild.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heidi A O Fisher
Fox Rothschild LLP
Suite 2000
222 South Ninth Street
Minneapolis, MN 554023338
612-607-7450
Fax: 612-607-7100
Email: hfisher@foxrothschild.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cynthia S Topel
Fox Rothschild LLP
222 South Ninth Street
Suite 2000
Minneapolis, MN 55402
612-607-7342
Fax: 612-607-7100
Email: ctopel@foxrothschild.com
TERMINATED: 04/27/2018

Dennis E Hansen
Fox Rothschild LLP
222 South Ninth Street
Suite 2000

Minneapolis, MN 55402
612-607-7000
Fax: 612-607-7100
Email: dhansen@foxrothschild.com
TERMINATED: 04/27/2018

Kathy S Kimmel
Fox Rothschild LLP
222 South Ninth Street
Suite 2000
Minneapolis, MN 55402
612-607-7306
Fax: 612-607-7100
Email: kkimmel@foxrothschild.com
TERMINATED: 10/30/2014

Michelle R Schjodt
Oppenheimer Wolff & Donnelly LLP
222 S 9th St. Ste 2000
INACTIVE
Mpls, MN 55402
612-607-7000
Fax: 612-607-7100
Email: mschjodt@oppenheimer.com
TERMINATED: 01/17/2014

Samuel R Hellfeld
Fox Rothschild LLP
222 South Ninth Street
Suite 2000
Minneapolis, MN 55402
612-607-7000
Fax: 612-607-7100
Email: SHellfeld@foxrothschild.com
TERMINATED: 04/27/2018

Plaintiff

Select Comfort SC Corporation

represented by **Andrew S Hansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth A Patton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heidi A O Fisher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cynthia S Topel
(See above for address)
TERMINATED: 04/27/2018

Dennis E Hansen
(See above for address)
TERMINATED: 04/27/2018

Kathy S Kimmel
(See above for address)
TERMINATED: 10/30/2014

Michelle R Schjodt
(See above for address)
TERMINATED: 01/17/2014

Samuel R Hellfeld
(See above for address)
TERMINATED: 04/27/2018

V.

Defendant

John Baxter

represented by **Barbara P Berens**
Berens & Miller, PA
80 S 8th St Ste 3720
Mpls, MN 55402
612-349-6171
Fax: 612-349-6416
Email: bberens@berensmiller.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carrie L Zochert
Berens & Miller, P.A.
3720 IDS Center
80 South 8th Street
Mpls, MN 55402
612-349-6171
Fax: 612-349-6416
Email: czochert@berensmiller.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cassandra B. Merrick
Madel PA
800 Hennepin Ave.
Ste 800
Minneapolis, MN 55403
612-605-0632
Email: cmerrick@madellaw.com
LEAD ATTORNEY

Erin K Fogarty Lisle
Berens & Miller, PA
80 S 8th St Ste 3720
Mpls, MN 55402
612-349-6171
Email: elisle@berensmiller.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gavin Tudor Elliot
Foreman Friedman
2 South Biscayne Blvd Ste 2500
Miami, FL 33131
305-358-6559
Fax: 305 374 9077
Email: gelliot@fflegal.com
TERMINATED: 10/09/2014
PRO HAC VICE

Justi R Miller
Berens & Miller PA
80 S 8th St Ste 3720
Mpls, MN 55402

612-349-6171
Fax: 612-349-6416
Email: jmiller@berensmiller.com
TERMINATED: 05/12/2015

Nadege J Souvenir
Dorsey & Whitney LLP
50 S 6th St. Ste 1500
INACTIVE
Mpls, MN 55402-1498
612-492-6273
Fax: 612-677-3488
Email: souvenir.nadege@dorsey.com
TERMINATED: 01/03/2014

Terrance C Newby
Maslon LLP
90 S 7th St Ste 3300
Mpls, MN 55402
612-672-8328
Email: terry.newby@maslon.com
TERMINATED: 10/09/2014

Defendant

Dires, LLC
doing business as
Personal Touch Beds and Personal
Comfort Beds

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
Madel PA
800 Hennepin Ave.
Ste 800
Minneapolis, MN 55403
612-605-0630
Email: cmadel@madellaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
Madel PA
800 Hennepin Ave.
Ste 800
Minneapolis, MN 55403
612-605-0630
Fax: 612-326-9990
Email: jrobbins@madellaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
Maslon LLP
90 S 7th St Ste 3300
Mpls, MN 55402
(612) 672-8399
Fax: (612) 642-8399
Email: david.schultz@maslon.com
TERMINATED: 01/25/2017

Dawn C Van Tassel
Van Tassel Law Firm
Minnesota
900 IDS Center
80 South Eighth Street

Minneapolis, MN 55402
612-455-4580
Fax: 612-465-1135
Email: dawn@dawnvantassel.com
TERMINATED: 06/20/2014

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Joseph P Ceronsky
Maslon Edelman Borman & Brand, LLP
90 S 7th St Ste 3300
Mpls, MN 55402
612-672-8302
Fax: 612-642-8302
Email: joseph.ceronsky@maslon.com
TERMINATED: 01/25/2017

Michael C McCarthy
Maslon LLP
90 S 7th St Ste 3300
Mpls, MN 55402
(612) 672-8347
Fax: (612) 642-8347
Email: mike.mccarthy@maslon.com
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
Maslon Edelman Borman & Brand, LLP
90 S 7th St Ste 3300
Mpls, MN 55402
612-672-8357
Fax: 612-642-8357
Email: paul.civello@maslon.com
TERMINATED: 12/10/2014

Defendant

Digi Craft Agency, LLC

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Terrance C Newby

(See above for address)
TERMINATED: 10/09/2014

Defendant

Direct Commerce, LLC
doing business as
Personal Touch Beds

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Terrance C Newby
(See above for address)
TERMINATED: 10/09/2014

Defendant

Scott Stenzel

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
(See above for address)
TERMINATED: 01/25/2017

Dawn C Van Tassel
(See above for address)
TERMINATED: 06/20/2014

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Joseph P Ceronsky
(See above for address)
TERMINATED: 01/25/2017

Michael C McCarthy
(See above for address)
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
(See above for address)
TERMINATED: 12/10/2014

Defendant

Craig Miller

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
(See above for address)
TERMINATED: 01/25/2017

Dawn C Van Tassel
(See above for address)
TERMINATED: 06/20/2014

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Joseph P Ceronsky
(See above for address)
TERMINATED: 01/25/2017

Michael C McCarthy
(See above for address)
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
(See above for address)
TERMINATED: 12/10/2014

Terrance C Newby
(See above for address)
TERMINATED: 10/09/2014

Counter Claimant

Dires, LLC

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
(See above for address)
TERMINATED: 01/25/2017

Dawn C Van Tassel
(See above for address)
TERMINATED: 06/20/2014

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Joseph P Ceronsky
(See above for address)
TERMINATED: 01/25/2017

Michael C McCarthy
(See above for address)
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
(See above for address)
TERMINATED: 12/10/2014

Counter Claimant

John Baxter

represented by **Barbara P Berens**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carrie L Zochert
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cassandra B. Merrick
(See above for address)
LEAD ATTORNEY

Erin K Fogarty Lisle
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Justi R Miller
(See above for address)
TERMINATED: 05/12/2015

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Terrance C Newby
(See above for address)
TERMINATED: 10/09/2014

V.

Counter Defendant

Select Comfort Corporation

represented by **Andrew S Hansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth A Patton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heidi A O Fisher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dennis E Hansen
(See above for address)
TERMINATED: 04/27/2018

Michelle R Schjodt
(See above for address)
TERMINATED: 01/17/2014

Samuel R Hellfeld
(See above for address)
TERMINATED: 04/27/2018

Counter Claimant

Dires, LLC

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
(See above for address)
TERMINATED: 01/25/2017

Dawn C Van Tassel

(See above for address)
TERMINATED: 06/20/2014

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Joseph P Ceronsky
(See above for address)
TERMINATED: 01/25/2017

Michael C McCarthy
(See above for address)
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
(See above for address)
TERMINATED: 12/10/2014

Counter Claimant

Scott Stenzel

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
(See above for address)
TERMINATED: 01/25/2017

Dawn C Van Tassel
(See above for address)
TERMINATED: 06/20/2014

Michael C McCarthy
(See above for address)
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
(See above for address)
TERMINATED: 12/10/2014

Counter Claimant

Craig Miller

represented by **Cassandra B. Merrick**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Christopher W. Madel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer M Robbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T Schultz
(See above for address)
TERMINATED: 01/25/2017

Dawn C Van Tassel
(See above for address)
TERMINATED: 06/20/2014

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Michael C McCarthy
(See above for address)
TERMINATED: 01/25/2017

Nadege J Souvenir
(See above for address)
TERMINATED: 01/03/2014

Paul B Civello
(See above for address)
TERMINATED: 12/10/2014

Counter Claimant

John Baxter

represented by **Barbara P Berens**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carrie L Zochert
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erin K Fogarty Lisle
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gavin Tudor Elliot
(See above for address)
TERMINATED: 10/09/2014
PRO HAC VICE

Justi R Miller
(See above for address)
TERMINATED: 05/12/2015

Nadege J Souvenir
(See above for address)

TERMINATED: 01/03/2014

Terrance C Newby
(See above for address)
TERMINATED: 10/09/2014

V.

Counter Defendant

Select Comfort Corporation

represented by **Andrew S Hansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth A Patton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heidi A O Fisher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dennis E Hansen
(See above for address)
TERMINATED: 04/27/2018

Michelle R Schjodt
(See above for address)
TERMINATED: 01/17/2014

Samuel R Hellfeld
(See above for address)
TERMINATED: 04/27/2018

Counter Defendant

Select Comfort SC Corporation

represented by **Andrew S Hansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth A Patton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heidi A O Fisher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dennis E Hansen
(See above for address)
TERMINATED: 04/27/2018

Michelle R Schjodt
(See above for address)
TERMINATED: 01/17/2014

Samuel R Hellfeld
(See above for address)
TERMINATED: 04/27/2018

Date Filed	#	Docket Text
11/16/2012	<u>1</u>	COMPLAINT against John Baxter, Dires, LLC (Filing fee \$ 350 receipt number 69287.) assigned to Judge Donovan W. Frank per Master List referred to Magistrate Judge Steven E. Rau. Filed by Select Comfort Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet) (MMP) (Entered: 11/16/2012)
11/16/2012		Summons Issued as to John Baxter, Dires, LLC. (MMP) (Entered: 11/16/2012)
11/16/2012	<u>2</u>	RULE 7.1 DISCLOSURE STATEMENT. There is no parent corporation, publicly held corporation or wholly-owned subsidiary to report for Plaintiff Select Comfort Corporation. (Hansen, Dennis) (Entered: 11/16/2012)
12/05/2012	<u>3</u>	SUMMONS Returned Executed by Select Comfort Corporation. John Baxter served on 11/21/2012, answer due 12/12/2012. (Schjodt, Michelle) (Entered: 12/05/2012)
12/05/2012	<u>4</u>	SUMMONS Returned Executed by Select Comfort Corporation. Dires, LLC served on 11/26/2012, answer due 12/17/2012. (Schjodt, Michelle) (Entered: 12/05/2012)
12/19/2012	<u>5</u>	NOTICE of Appearance by Nadege J Souvenir on behalf of All Defendants. (Souvenir, Nadege) (Entered: 12/19/2012)
12/19/2012	<u>6</u>	NOTICE of Appearance by David T Schultz on behalf of All Defendants. (Schultz, David) (Entered: 12/19/2012)
12/19/2012	<u>7</u>	STIPULATION TO EXTEND TIME TO ANSWER COMPLAINT by John Baxter, Dires, LLC, Select Comfort Corporation. (Schultz, David) (Entered: 12/19/2012)
12/19/2012	<u>8</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter, Dires, LLC re <u>7</u> Stipulation To Extend Time to Answer Complaint (Schultz, David) (Entered: 12/19/2012)
12/20/2012	<u>9</u>	ORDER that Defendants' time to answer Plaintiff's Complaint in this matter shall be extended to January 14, 2013. Signed by Magistrate Judge Steven E. Rau on 12/20/12. (kt) (Entered: 12/20/2012)
01/11/2013	<u>10</u>	AMENDED COMPLAINT against All Defendants. Filed by Select Comfort Corporation. No summons requested. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C) (Hansen, Dennis) (Entered: 01/11/2013)
01/25/2013	<u>11</u>	ANSWER to Amended Complaint <i>and</i> , COUNTERCLAIM against Select Comfort Corporation. by Dires, LLC, John Baxter. (Schultz, David) (Entered: 01/25/2013)
01/25/2013	<u>12</u>	RULE 7.1 DISCLOSURE STATEMENT. Sizewise Rentals, LLC is a corporate parent of Defendant Dires, LLC, Counter Claimant Dires, LLC. (Schultz, David) (Entered: 01/25/2013)
02/15/2013	<u>13</u>	MOTION to Dismiss/General <i>Defendants' Answer to First Amended Complaint and Counterclaims</i> by Select Comfort Corporation. (Hansen, Dennis) (Entered: 02/15/2013)
02/15/2013	<u>14</u>	NOTICE OF HEARING ON MOTION <u>13</u> MOTION to Dismiss/General <i>Defendants' Answer to First Amended Complaint and Counterclaims</i> : Motion Hearing set for 5/24/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Hansen, Dennis) (Entered: 02/15/2013)
02/15/2013	<u>15</u>	MEET and CONFER STATEMENT re <u>13</u> Motion to Dismiss/General filed by Select Comfort Corporation. (Hansen, Dennis) (Entered: 02/15/2013)
04/12/2013	<u>16</u>	MEMORANDUM in Support re <u>13</u> MOTION to Dismiss/General <i>Defendants' Answer to First Amended Complaint and Counterclaims</i> filed by Select Comfort Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schjodt, Michelle) (Entered: 04/12/2013)
04/12/2013	<u>17</u>	AFFIDAVIT of Michelle R. Schjodt in SUPPORT OF <u>13</u> MOTION to Dismiss/General <i>Defendants' Answer to First Amended Complaint and Counterclaims</i> filed by Select Comfort Corporation. (Attachments: # <u>1</u> Exhibit(s) Exhibit A)(Schjodt, Michelle) (Entered: 04/12/2013)

04/12/2013	<u>18</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation re <u>13</u> MOTION to Dismiss/ <i>General Defendants' Answer to First Amended Complaint and Counterclaims</i> (Schjodt, Michelle) (Entered: 04/12/2013)
05/03/2013	<u>19</u>	STIPULATION <i>to Amend Answer and Counterclaim</i> by John Baxter, Dires, LLC, Select Comfort Corporation. (Attachments: # <u>1</u> Exhibit(s) A)(Souvenir, Nadege) (Entered: 05/03/2013)
05/03/2013	<u>20</u>	MEMORANDUM in Opposition re <u>13</u> MOTION to Dismiss/ <i>General Defendants' Answer to First Amended Complaint and Counterclaims</i> filed by All Defendants. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Souvenir, Nadege) (Entered: 05/03/2013)
05/03/2013	<u>21</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter, Dires, LLC re <u>19</u> Stipulation (Souvenir, Nadege) (Entered: 05/03/2013)
05/03/2013	<u>22</u>	NOTICE by Select Comfort Corporation re <u>13</u> MOTION to Dismiss/ <i>General Defendants' Answer to First Amended Complaint and Counterclaims Notice of Withdrawal of Plaintiff's Motion to Dismiss Defendants' Answer to First Amended Complaint and Counterclaims</i> (Schjodt, Michelle) (Entered: 05/03/2013)
05/07/2013	<u>23</u>	NOTICE of Appearance by Joseph P Ceronsky on behalf of All Defendants. (Ceronsky, Joseph) (Entered: 05/07/2013)
05/08/2013	<u>24</u>	ORDER that 1. That Defendants shall be permitted to file an Amended Answer and Amended Counterclaim, in the form attached to the Stipulation as Exhibit A, on or before May 3, 2013.2. Plaintiff shall be permitted to answer or otherwise respond to the Amended Counterclaim on or before May 24, 2012. Signed by Magistrate Judge Steven E. Rau on 5/8/13. (kt) (Entered: 05/08/2013)
05/09/2013	<u>25</u>	AMENDED ANSWER to <i>First 10</i> Amended Complaint <i>and</i> , Amended COUNTERCLAIM against All Plaintiffs. by Dires, LLC, John Baxter. (Souvenir, Nadege) (Entered: 05/09/2013)
05/24/2013	<u>26</u>	<i>Plaintiff's Answer to Defendants' Amended Counterclaims</i> REPLY to Counterclaim by Select Comfort Corporation. (Hansen, Dennis) (Entered: 05/24/2013)
06/13/2013	<u>27</u>	NOTICE OF PRETRIAL SCHEDULING CONFERENCE: Pretrial Conference set for 6/26/2013 10:00 AM in Judge's Chambers, Suite 334 (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 06/13/2013. (Attachments: # <u>1</u> Consent Form)(las) (Entered: 06/13/2013)
06/19/2013	<u>28</u>	REPORT of Rule 26(f) Planning Meeting by John Baxter, Dires, LLC, Select Comfort Corporation.(Hansen, Dennis) (Entered: 06/19/2013)
06/26/2013	<u>29</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Initial Pretrial Conference held on 6/26/2013. Pretrial Scheduling Order will be issued. (jam) (Entered: 06/27/2013)
07/05/2013	<u>30</u>	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 11/1/2013. Discovery due by 1/31/2014. Motions (non-disp) due 4/30/2014. Motions (disp) due by 6/30/2014. Ready for trial due by 11/30/2014. Signed by Magistrate Judge Steven E. Rau on 07/05/2013. (lmb) (Entered: 07/05/2013)
07/31/2013	<u>31</u>	STIPULATION <i>Stipulated Confidentiality Agreement and Protective Order</i> by John Baxter, Dires, LLC, Select Comfort Corporation. (Hansen, Dennis) (Entered: 07/31/2013)
08/27/2013	<u>32</u>	STIPULATION <i>Amended Stipulated Confidentiality Agreement and Protective Order</i> by John Baxter, Dires, LLC, Select Comfort Corporation. (Hansen, Dennis) (Entered: 08/27/2013)
08/27/2013	<u>33</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation re <u>32</u> Stipulation (Hansen, Dennis) (Entered: 08/27/2013)
08/28/2013	<u>34</u>	PROTECTIVE ORDER. Signed by Magistrate Judge Steven E. Rau on 08/28/2013. (las) (Entered: 08/28/2013)

10/10/2013	<u>35</u>	MOTION to Compel <i>Discovery</i> by Select Comfort Corporation. (Hansen, Dennis) (Entered: 10/10/2013)
10/10/2013	<u>36</u>	NOTICE OF HEARING ON MOTION <u>35</u> MOTION to Compel <i>Discovery</i> : Motion Hearing set for 10/24/2013 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Hansen, Dennis) (Entered: 10/10/2013)
10/10/2013	<u>37</u>	MEMORANDUM in Support re <u>35</u> MOTION to Compel <i>Discovery</i> – REDACTED filed by Select Comfort Corporation. (Attachments: # <u>1</u> Placeholder for Unredacted Version of Memorandum of Law, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 10/15/13 LGL Modified on 10/10/2013 (LGL). (Entered: 10/10/2013)
10/10/2013	<u>38</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>35</u> MOTION to Compel <i>Discovery</i> filed by Select Comfort Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Placeholder for Exhibits 3–6, 8 and 9, # <u>4</u> Exhibit(s) 7, # <u>5</u> Exhibit(s) 10, # <u>6</u> Exhibit(s) 11, # <u>7</u> Exhibit(s) 12, # <u>8</u> Exhibit(s) 13, # <u>9</u> Exhibit(s) 14, # <u>10</u> Exhibit(s) 15, # <u>11</u> Exhibit(s) 16, # <u>12</u> Exhibit(s) 17)(Hansen, Dennis)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 10/10/13 LGL Modified on 10/15/2013 (LGL). (Entered: 10/10/2013)
10/10/2013	<u>39</u>	MEET and CONFER STATEMENT re <u>35</u> Motion to Compel filed by Select Comfort Corporation. (Hansen, Dennis) (Entered: 10/10/2013)
10/10/2013	<u>40</u>	CERTIFICATE OF SERVICE by Select Comfort Corporation re <u>35</u> MOTION to Compel <i>Discovery</i> (Hansen, Dennis) (Entered: 10/10/2013)
10/17/2013	<u>41</u>	MEMORANDUM in Opposition re <u>35</u> MOTION to Compel <i>Discovery</i> filed by All Defendants. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Souvenir, Nadege) (Entered: 10/17/2013)
10/17/2013	<u>42</u>	DECLARATION of Scott Stenzel in Opposition to <u>35</u> MOTION to Compel <i>Discovery</i> filed by All Defendants. (Souvenir, Nadege) (Entered: 10/17/2013)
10/17/2013	<u>43</u>	DECLARATION of Nadege J. Souvenir in Opposition to <u>35</u> MOTION to Compel <i>Discovery</i> filed by All Defendants. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Placeholder for Exhibits 4 and 8, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7)(Souvenir, Nadege)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 10/17/13 Modified on 10/18/2013 (LGL). (Entered: 10/17/2013)
10/17/2013	<u>44</u>	CERTIFICATE OF SERVICE by John Baxter, Dires, LLC re <u>43</u> Declaration in Opposition, <i>for Documents filed under seal</i> (Souvenir, Nadege) (Entered: 10/17/2013)
10/22/2013	<u>45</u>	REPLY re <u>35</u> MOTION to Compel <i>Discovery</i> filed by Select Comfort Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis) (Entered: 10/22/2013)
10/22/2013	<u>46</u>	Supplemental AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>35</u> MOTION to Compel <i>Discovery</i> filed by Select Comfort Corporation. (Hansen, Dennis) (Entered: 10/22/2013)
10/24/2013	<u>47</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Motion Hearing held on 10/24/2013 re <u>35</u> MOTION to Compel <i>Discovery</i> filed by Select Comfort Corporation. (kt) (Entered: 10/24/2013)
10/24/2013	<u>48</u>	TEXT-ONLY ORDER by Magistrate Judge Steven E. Rau denying as moot <u>35</u> Motion to Compel. (kt) (Entered: 10/24/2013)
10/29/2013	<u>49</u>	NOTICE of Appearance by Dawn C Van Tassel on behalf of John Baxter, Dires, LLC. (Van Tassel, Dawn) (Entered: 10/29/2013)
10/31/2013	<u>50</u>	STIPULATION <i>for Plaintiff to File Second Amended Complaint</i> by Select Comfort Corporation. (Attachments: # <u>1</u> Exhibit(s) A)(Hansen, Dennis) (Entered: 10/31/2013)
10/31/2013	<u>51</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation re <u>50</u> Stipulation (Hansen, Dennis) (Entered: 10/31/2013)
11/08/2013	<u>52</u>	ORDER that 1. The parties' Stipulation for Plaintiff to File a Second Amended Complaint is GRANTED.2. Plaintiff may file the Second Amended Complaint consistent with the parties' stipulation. Signed by Magistrate Judge Steven E. Rau on

		11/7/13. (kt) (Entered: 11/08/2013)
11/08/2013	<u>53</u>	AMENDED COMPLAINT <i>Second Amended Complaint</i> against All Defendants. Filed by Select Comfort Corporation. Filer requests summons issued. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E) (Hansen, Dennis) (Entered: 11/08/2013)
11/12/2013	<u>54</u>	Summons Issued as to John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Craig Miller, Scott Stenzel. (MMP) (Entered: 11/12/2013)
11/13/2013	<u>55</u>	Summons Reissued as to John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Craig Miller, Scott Stenzel. (akl) (Entered: 11/13/2013)
11/15/2013	<u>56</u>	SUMMONS Returned Executed by Select Comfort Corporation. Direct Commerce, LLC served on 11/14/2013, answer due 12/5/2013. (Hansen, Dennis) (Entered: 11/15/2013)
11/20/2013	<u>57</u>	SUMMONS Returned Executed by Select Comfort Corporation, Select Comfort SC Corporation. Craig Miller served on 11/13/2013, answer due 12/4/2013. (Hansen, Dennis) (Entered: 11/20/2013)
11/20/2013	<u>58</u>	SUMMONS Returned Executed by Select Comfort Corporation, Select Comfort SC Corporation. Scott Stenzel served on 11/13/2013, answer due 12/4/2013. (Hansen, Dennis) (Entered: 11/20/2013)
11/22/2013	<u>59</u>	SUMMONS Returned Executed by Select Comfort Corporation, Select Comfort SC Corporation. Digi Craft Agency, LLC served on 11/18/2013, answer due 12/9/2013. (Hansen, Dennis) (Entered: 11/22/2013)
11/22/2013	<u>60</u>	ANSWER to Amended Complaint (<i>Second</i>), Amended COUNTERCLAIM against Select Comfort Corporation, Select Comfort SC Corporation. by Dires, LLC, Scott Stenzel, Craig Miller, John Baxter. (Souvenir, Nadege) (Entered: 11/22/2013)
11/22/2013	<u>61</u>	SUMMONS Returned Executed by Select Comfort Corporation, Select Comfort SC Corporation. Direct Commerce, LLC served on 11/18/2013, answer due 12/9/2013. (Hansen, Dennis) (Entered: 11/22/2013)
12/06/2013	<u>62</u>	REPLY to Counterclaim by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Certificate of Service) (Hansen, Dennis) (Entered: 12/06/2013)
12/12/2013	<u>63</u>	MOTION to Compel <i>Discovery</i> by Dires, LLC, Craig Miller, Scott Stenzel. (Van Tassel, Dawn) (Entered: 12/12/2013)
12/12/2013	<u>64</u>	NOTICE OF HEARING ON MOTION <u>63</u> MOTION to Compel <i>Discovery</i> : Motion Hearing set for 1/29/2014 10:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Van Tassel, Dawn) (Entered: 12/12/2013)
12/12/2013	<u>65</u>	MEMORANDUM in Support re <u>63</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Van Tassel, Dawn) (Entered: 12/12/2013)
12/12/2013	<u>66</u>	AFFIDAVIT of Dawn C. Van Tassel in SUPPORT OF <u>63</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) A-E)(Van Tassel, Dawn) (Entered: 12/12/2013)
12/12/2013	<u>67</u>	MEET and CONFER STATEMENT re <u>63</u> Motion to Compel filed by Dires, LLC, Craig Miller, Scott Stenzel. (Van Tassel, Dawn) (Entered: 12/12/2013)
12/12/2013	<u>68</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dires, LLC, Craig Miller, Scott Stenzel re <u>63</u> MOTION to Compel <i>Discovery</i> (Van Tassel, Dawn) (Entered: 12/12/2013)
12/19/2013	<u>69</u>	MEMORANDUM in Opposition re <u>63</u> MOTION to Compel <i>Discovery</i> – <i>Redacted Version</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Placeholder for Unredacted Version, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 12/20/13 LGL Modified on 12/20/2013 (LGL). (Entered: 12/19/2013)

12/19/2013	<u>70</u>	AFFIDAVIT of Dennis E. Hansen in OPPOSITION TO <u>63</u> MOTION to Compel <i>Discovery</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1-2, 5-7, 11-12, 14-20, 24-25, 29-32, # <u>2</u> Placeholder for Exhibits 3-4, 8-10, 13, 21-23, 26-28)(Hansen, Dennis)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 12/20/13 LGL Modified on 12/20/2013 (LGL). (Entered: 12/19/2013)
12/19/2013	<u>71</u>	AFFIDAVIT of Heather M. Somers in OPPOSITION TO <u>63</u> MOTION to Compel <i>Discovery</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 12/19/2013)
12/19/2013	<u>72</u>	CERTIFICATE OF SERVICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>71</u> Affidavit in Opposition to Motion, <u>69</u> Memorandum in Opposition to Motion, <u>70</u> Affidavit in Opposition to Motion, (Hansen, Dennis) (Entered: 12/19/2013)
12/30/2013	<u>73</u>	MOTION for Admission Pro Hac Vice for Attorney Gavin Tudor Elliot. Filing fee \$ 100, receipt number 0864-3815738 by John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Craig Miller, Scott Stenzel. (Newby, Terrance) (Entered: 12/30/2013)
12/31/2013	<u>74</u>	TEXT ONLY ENTRY: ORDER granting <u>73</u> Motion for Admission Pro Hac Vice of Attorney Gavin Tudor Elliot for John Baxter,Digi Craft Agency, LLC,Direct Commerce, LLC, Dires, LLC,Craig Miller,Scott Stenzel. Approved by Magistrate Judge Steven E. Rau on 12/31/2013. (MAP) (Entered: 12/31/2013)
01/02/2014	<u>75</u>	DOCUMENT FILED IN ERROR – already granted #73 – MOTION for Admission Pro Hac Vice for Attorney Gavin Tudor Elliot. Filing fee \$ 100, receipt number 0864-3817413 by John Baxter. (Newby, Terrance) Modified text on 1/3/2014 (MGV). (Entered: 01/02/2014)
01/02/2014	<u>76</u>	NOTICE of Withdrawal as Attorney <i>and Substitution of Counsel</i> (Souvenir, Nadege) (Entered: 01/02/2014)
01/02/2014	<u>77</u>	STIPULATION <i>to Amend the Pretrial Scheduling Order</i> by Select Comfort Corporation, Select Comfort SC Corporation. Jointly Signed by Dires, LLC, Scott Stenzel, Craig Miller, and John Baxter. (Hansen, Dennis) (Entered: 01/02/2014)
01/02/2014	<u>78</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>77</u> Stipulation <i>to Amend the Pretrial Scheduling Order</i> (Hansen, Dennis) (Entered: 01/02/2014)
01/03/2014	<u>79</u>	ORDER GRANTING JOINT STIPULATION TO AMEND THE PRETRIAL SCHEDULING ORDER: Discovery due by 4/30/2014. Motions (non-disp) due 7/31/2014. Motions (disp) due by 9/30/2014. Ready for trial due by 2/27/2015. Signed by Magistrate Judge Steven E. Rau on 1/3/14. (kt) (Entered: 01/03/2014)
01/16/2014	<u>80</u>	APPLICATION FOR ENTRY OF DEFAULT <i>Against Digi Craft Agency, LLC and Direct Commerce, LLC d/b/a Personal Touch Beds.</i> (Hansen, Dennis) (Entered: 01/16/2014)
01/16/2014	<u>81</u>	DECLARATION of Dennis E. Hansen re <u>80</u> Application for Entry of Default by Select Comfort Corporation, Select Comfort SC Corporation <i>Against Digi Craft Agency, LLC and Direct Commerce, LLC d/b/a Personal Touch Beds.</i> (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E)(Hansen, Dennis) (Entered: 01/16/2014)
01/17/2014	<u>82</u>	Clerk's ENTRY OF DEFAULT as to Digi Craft Agency, LLC, Direct Commerce, LLC. (jam) (Entered: 01/17/2014)
01/17/2014	<u>83</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 01/17/2014)
01/27/2014	<u>84</u>	REPLY re <u>63</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Van Tassel, Dawn) (Entered: 01/27/2014)
01/27/2014	<u>85</u>	Second AFFIDAVIT of Dawn C. Van Tassel in SUPPORT OF <u>63</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u>

		Exhibit(s) F)(Van Tassel, Dawn) (Entered: 01/27/2014)
01/29/2014	<u>86</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Motion Hearing held on 1/29/2014 re <u>63</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Scott Stenzel, Craig Miller. Motion taken under advisement. (kt) (Entered: 01/30/2014)
01/30/2014	<u>87</u>	ORDER that the parties are to submit a joint status report as detailed in this Order by Friday February 7, 2014, at 5:00 p.m. via CM/ECF. The Motion will be taken under advisement on Friday February 7, 2014.. Signed by Magistrate Judge Steven E. Rau on 1/30/14. (kt) (Entered: 01/30/2014)
02/07/2014	<u>88</u>	LETTER TO MAGISTRATE JUDGE by Select Comfort Corporation, Select Comfort SC Corporation <i>Joint Status Report</i> . (Patton, Elizabeth) Modified on 2/10/2014 (jam). (Entered: 02/07/2014)
02/10/2014	<u>89</u>	ORDER granting in part and denying in part <u>63</u> Motion to Compel. Signed by Magistrate Judge Steven E. Rau on 2/10/14. (kt) (Entered: 02/10/2014)
02/24/2014	<u>90</u>	NOTICE by John Baxter re <u>76</u> Notice of Withdrawal as Attorney <i>and Amended Substitution of Counsel</i> (Newby, Terrance) (Entered: 02/24/2014)
04/02/2014	<u>91</u>	NOTICE of Withdrawal as Attorney (Newby, Terrance) (Entered: 04/02/2014)
04/02/2014	<u>92</u>	NOTICE of Appearance by Terrance C Newby on behalf of John Baxter. (Newby, Terrance) (Entered: 04/02/2014)
04/09/2014	<u>93</u>	MOTION to Amend the Scheduling Order to Stay the Current Deadlines by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 04/09/2014)
04/09/2014	<u>94</u>	NOTICE OF HEARING ON MOTION <u>93</u> MOTION to Amend the Scheduling Order to Stay the Current Deadlines : Motion Hearing set for 4/23/2014 10:30 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Patton, Elizabeth) (Entered: 04/09/2014)
04/09/2014	<u>95</u>	MEMORANDUM in Support re <u>93</u> MOTION to Amend the Scheduling Order to Stay the Current Deadlines filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/09/2014)
04/09/2014	<u>96</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>93</u> MOTION to Amend the Scheduling Order to Stay the Current Deadlines filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1-11)(Patton, Elizabeth) (Entered: 04/09/2014)
04/09/2014	<u>97</u>	MEET and CONFER STATEMENT re <u>93</u> Motion for Miscellaneous Relief filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 04/09/2014)
04/09/2014	<u>98</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>93</u> MOTION to Amend the Scheduling Order to Stay the Current Deadlines (Patton, Elizabeth) (Entered: 04/09/2014)
04/16/2014	<u>99</u>	MEMORANDUM by Dires, LLC, Craig Miller, Scott Stenzel re <u>93</u> MOTION to Amend the Scheduling Order to Stay the Current Deadlines filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 04/16/2014)
04/16/2014	<u>100</u>	AFFIDAVIT of David T. Schultz re <u>99</u> Memorandum, <i>in Response to Plaintiffs' Motion to Amend the Scheduling Order to Stay the Current Deadlines</i> by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) A)(Schultz, David) (Entered: 04/16/2014)
04/17/2014	101	TEXT ONLY ENTRY: The Hearing on the Motion to Amend the Scheduling Order to Stay the Current Deadlines set for 4/23/2014 10:30 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau is CANCELLED. The Court will consider the motion on the papers.(EKP) (Entered: 04/17/2014)

04/17/2014	<u>102</u>	NOTICE of Appearance by Kathy S Kimmel on behalf of All Plaintiffs. (Kimmel, Kathy) (Entered: 04/17/2014)
04/18/2014	<u>103</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Kimmel, Kathy) (Entered: 04/18/2014)
04/18/2014	<u>104</u>	NOTICE of Appearance by Paul B Civello on behalf of Dires, LLC, Craig Miller, Scott Stenzel. (Civello, Paul) (Entered: 04/18/2014)
04/18/2014	<u>105</u>	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel . (Civello, Paul) (Entered: 04/18/2014)
04/21/2014	<u>106</u>	REPLY re <u>93</u> MOTION to Amend the Scheduling Order to Stay the Current Deadlines filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/21/2014)
04/22/2014	<u>107</u>	TEXT ONLY ORDER. In response to the parties' April 18, 2014 letters regarding a motion to disqualify, the Court agrees to the following: (1) the briefing schedule agreed to by the parties is acceptable; thus, Plaintiffs shall file their memorandum in support of their motion by April 25, and Defendant shall file its response by May 14; (2) Plaintiffs are permitted to file a reply memorandum, not to exceed 5 pages in length by May 23; (3) per the agreement of the parties, the parties may file their potentially privileged communications so that access is limited to Maslon, the Court and Plaintiffs only via an in camera review, and may also file these disclosures under seal so that they are incorporated into the record of this case, but those filings may only be viewed by Maslon, the Court and Plaintiffs; and (4) the Court will allow the parties to seek leave of Court for additional discovery and to modify the agreed-briefing schedule should it become necessary over the course of the parties' briefing of this disqualification issue. Signed by Judge Donovan W. Frank on 4/22/2014. (BJS) (Entered: 04/22/2014)
04/25/2014	<u>108</u>	MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> by Select Comfort SC Corporation. (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>109</u>	NOTICE OF HEARING ON MOTION <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> : at date and time to be determined. (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>110</u>	MEMORANDUM in Support re <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS [REDACTED]</i> filed by Select Comfort SC Corporation. (Attachments: # <u>1</u> Placeholder for PLAINTIFF SELECT COMFORT SC CORPORATIONS [UNREDACTED] MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS [FILED UNDER SEAL], # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kimmel, Kathy) Sealed document received on 4/28/2014 (JGK). (Entered: 04/25/2014)
04/25/2014	<u>111</u>	AFFIDAVIT of DENNIS E. HANSEN in SUPPORT OF <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u> Exhibit(s) 8, # <u>9</u> Exhibit(s) 9, # <u>10</u> Exhibit(s) 10, # <u>11</u> Placeholder for CONFIDENTIAL EXHIBITS 11, AND 14-18 [FILED UNDER SEAL], # <u>12</u> Exhibit(s) 12, # <u>13</u> Exhibit(s) 13, # <u>14</u> Exhibit(s) 19, # <u>15</u> Exhibit(s) 20, # <u>16</u> Exhibit(s) 21, # <u>17</u> Exhibit(s) 22, # <u>18</u> Exhibit(s) 23, # <u>19</u> Exhibit(s) 24, # <u>20</u> Exhibit(s) 25, # <u>21</u> Exhibit(s) 26, # <u>22</u> Exhibit(s) 27)(Kimmel, Kathy) Sealed document received on 4/28/2014 (JGK). (Entered: 04/25/2014)

04/25/2014	<u>112</u>	AFFIDAVIT of ANDREW S. HANSEN in SUPPORT OF <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>113</u>	Declaration of DAVID KARR in Support of <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>114</u>	AFFIDAVIT of ERIC T. COOPERSTEIN in SUPPORT OF <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>115</u>	MEET and CONFER STATEMENT re <u>108</u> Motion to Disqualify Counsel filed by Select Comfort SC Corporation. (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>116</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort SC Corporation re <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> (Kimmel, Kathy) (Entered: 04/25/2014)
04/25/2014	<u>117</u>	CERTIFICATE OF SERVICE by Select Comfort SC Corporation re <u>111</u> Affidavit in Support of Motion,,, <u>110</u> Memorandum in Support of Motion,, <i>CERTIFICATE OF SERVICE OF CONVENTIONALLY FILED/SEALED DOCUMENTS</i> (Kimmel, Kathy) (Entered: 04/25/2014)
04/28/2014	<u>118</u>	ORDER that Plaintiffs' Motion to Amend the Scheduling Order to Stay the Current Deadlines [Doc. No. <u>93</u>] is GRANTED as follows: (See text Order for Details) Signed by Magistrate Judge Steven E. Rau on 04/28/2014. (JZ) (Entered: 04/28/2014)
05/02/2014	<u>119</u>	LETTER TO DISTRICT JUDGE by Select Comfort SC Corporation . (Kimmel, Kathy) (Entered: 05/02/2014)
05/02/2014	<u>120</u>	NOTICE of Withdrawal as Attorney (Attachments: # <u>1</u> Affidavit of Service)(Souvenir, Nadege) (Entered: 05/02/2014)
05/06/2014	<u>121</u>	TEXT ONLY ENTRY: NOTICE to Attorneys: The Court has reviewed Plaintiffs' letter filed at Docket No. <u>119</u> . The Court approves the request to file a replacement memorandum and the new briefing schedule as outlined in the letter. (BJS) (Entered: 05/06/2014)
05/06/2014	<u>122</u>	NOTICE OF HEARING ON MOTION <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> : Amended Motion Hearing set for 7/1/2014 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Kimmel, Kathy) (Entered: 05/06/2014)
05/06/2014	<u>123</u>	MEMORANDUM in Support re <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS Replacement</i> filed by Select Comfort SC Corporation. (Attachments: # <u>1</u> Placeholder for Unredacted Replacement Memorandum of Law, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kimmel, Kathy) Sealed document received on 5/7/2014 (JGK). (Entered: 05/06/2014)
05/06/2014	<u>124</u>	CERTIFICATE OF SERVICE by Select Comfort SC Corporation re <u>123</u> Memorandum in Support of Motion, <i>Conventionally Filed/Sealed Documents</i> (Kimmel, Kathy) (Entered: 05/06/2014)
05/21/2014	<u>125</u>	MEMORANDUM in Opposition re <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES</i>

		<i>DEFENDANTS</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Placeholder for Unredacted Memorandum, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Civello, Paul)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 5/22/14LGL Modified on 5/22/2014 (LGL). (Entered: 05/21/2014)
05/21/2014	<u>126</u>	AFFIDAVIT of David T. Schultz in OPPOSITION TO <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Civello, Paul)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 5/22/14LGL Modified on 5/22/2014 (LGL). (Entered: 05/21/2014)
05/21/2014	<u>127</u>	AFFIDAVIT of Maureen Engelstad in OPPOSITION TO <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Exhibit(s) F, # <u>7</u> Exhibit(s) G)(Civello, Paul) (Entered: 05/21/2014)
05/21/2014	<u>128</u>	CERTIFICATE OF SERVICE by Dires, LLC, Craig Miller, Scott Stenzel re <u>125</u> Memorandum in Opposition to Motion, <u>126</u> Affidavit in Opposition to Motion, of <i>Sealed Documents</i> (Civello, Paul) (Entered: 05/21/2014)
05/30/2014	<u>129</u>	Reply to Response to Motion re <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS REDACTED Select Comfort SC Corporations Reply Memorandum of Law in Support of its Motion to Disqualify Maslon Edelman Borman & Brand, LLP from Representing Dires Defendants</i> filed by Select Comfort SC Corporation. (Attachments: # <u>1</u> Placeholder for UNREDACTED SELECT COMFORT SC CORPORATIONS REPLY MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate PAGE COUNT REGARDING PLAINTIFF SELECT COMFORT SC CORPORATIONS REPLY MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS)(Kimmel, Kathy) SEALED DOCS RECEIVED IN CLERKS OFFICE on 5/30/2014 (LPH). (Entered: 05/30/2014)
05/30/2014	<u>130</u>	Second AFFIDAVIT of DENNIS E. HANSEN in SUPPORT OF <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 28, 29, 30, 31, 33, # <u>2</u> Placeholder for CONFIDENTIAL EXHIBIT 32 TO SECOND AFFIDAVIT OF DENNIS E. HANSEN IN SUPPORT OF PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS)(Kimmel, Kathy) SEALED DOCS RECEIVED IN CLERKS OFFICE on 5/30/2014 (LPH). (Entered: 05/30/2014)
05/30/2014	<u>131</u>	Declaration of DOUGLAS W. KIM in Support of <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Kimmel, Kathy) SEALED DOCS RECEIVED IN CLERKS OFFICE on 5/30/2014 (LPH). (Entered: 05/30/2014)
05/30/2014	<u>132</u>	CERTIFICATE OF SERVICE by Select Comfort SC Corporation re <u>130</u> Affidavit in Support of Motion,, <u>131</u> Declaration in Support, <u>129</u> Reply to Response to Motion,, <i>CERTIFICATE OF SERVICE OF CONVENTIONALLY</i> (Kimmel, Kathy) (Entered: 05/30/2014)

06/06/2014	<u>133</u>	STIPULATION of Dismissal <i>Partial with Prejudice</i> by Dires, LLC, Scott Stenzel, Craig Miller. Jointly Signed by Select Comfort Corporation, Select Comfort SC Corporation, John Baxter. (Schultz, David) Modified text on 6/6/2014 (lmb). (Entered: 06/06/2014)
06/06/2014	<u>134</u>	CERTIFICATE OF SERVICE of PROPOSED ORDER by Dires, LLC (Schultz, David) Modified on 6/6/2014 (JAM). (Entered: 06/06/2014)
06/09/2014	<u>135</u>	ORDER FOR PARTIAL DISMISSAL WITH PREJUDICE. Signed by Judge Donovan W. Frank on 6/9/2014. (BJS) Modified text on 6/9/2014 (AKL). (Entered: 06/09/2014)
06/19/2014	<u>136</u>	NOTICE of Withdrawal as Attorney for <i>Defendants Dires, LLC, Stenzel and Miller</i> (Van Tassel, Dawn) (Entered: 06/19/2014)
06/30/2014	<u>137</u>	LETTER TO DISTRICT JUDGE by John Baxter . (Elliot, Gavin) (Entered: 06/30/2014)
07/01/2014	<u>138</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 7/1/2014 re <u>108</u> MOTION to Disqualify Counsel <i>PLAINTIFF SELECT COMFORT SC CORPORATIONS MOTION TO DISQUALIFY MASLON EDELMAN BORMAN & BRAND, LLP FROM REPRESENTING DIRES DEFENDANTS</i> filed by Select Comfort SC Corporation. (Court Reporter Jeanne Anderson) (RLB) (Entered: 07/01/2014)
08/04/2014	<u>139</u>	ORDER. 1. Select Comfort SC Corporation's Motion to Disqualify Maslon Edelman Borman & Brand, LLP from Representing Dires Defendants (Doc. No. <u>108</u>) is DENIED.Signed by Judge Donovan W. Frank on 8/4/2014. (BJS) (Entered: 08/04/2014)
08/21/2014	<u>140</u>	NOTICE of Appearance by Michael C McCarthy on behalf of Dires, LLC, Craig Miller, Scott Stenzel. (McCarthy, Michael) (Entered: 08/21/2014)
10/03/2014	<u>141</u>	MEMORANDUM OPINION AND ORDER. Select Comfort SC Corporations Motion to Disqualify Maslon Edelman Borman & Brand, LLP from Representing Dires Defendants (Doc. No. <u>108</u>) is DENIED. Signed by Judge Donovan W. Frank on 10/3/2014. Modified on 10/10/2014 (JAM). (Entered: 10/03/2014)
10/08/2014	<u>142</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for John Baxter. (Berens, Barbara) (Entered: 10/08/2014)
10/27/2014	<u>143</u>	ORDER: Status Conference set for 12/8/2014 03:00 PM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 10/24/14. (kt) (Entered: 10/27/2014)
10/27/2014	<u>144</u>	LETTER TO MAGISTRATE JUDGE by John Baxter . (Berens, Barbara) (Entered: 10/27/2014)
10/30/2014	<u>145</u>	NOTICE of Withdrawal as Attorney of <i>Kathy S. Kimmel</i> (Patton, Elizabeth) (Entered: 10/30/2014)
11/03/2014	146	TEXT ONLY ENTRY: NOTICE of Resetting of Hearing: <u>143</u> ORDER: Status Conference set for 12/8/2014 has been RESCHEDULED to 12/18/2014 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (MME) (Entered: 11/03/2014)
11/06/2014	<u>147</u>	LETTER TO MAGISTRATE JUDGE by Dires, LLC, Craig Miller, Scott Stenzel . (McCarthy, Michael) (Entered: 11/06/2014)
11/06/2014	<u>148</u>	LETTER TO MAGISTRATE JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 11/06/2014)
11/06/2014	<u>149</u>	LETTER TO MAGISTRATE JUDGE by John Baxter . (Attachments: # <u>1</u> Exhibit(s) A)(Berens, Barbara) (Entered: 11/06/2014)
11/13/2014	150	TEXT ONLY ENTRY: NOTICE to Attorneys: The parties are required to submit a joint status report on CM/ECF by December 11, 2014, in preparation for the status conference scheduled for December 18, 2014. (EMA) (Entered: 11/13/2014)

12/09/2014	<u>151</u>	NOTICE of Withdrawal as Attorney (Civello, Paul) (Entered: 12/09/2014)
12/11/2014	<u>152</u>	STATUS REPORT <i>Joint Status Report</i> by John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 12/11/2014)
12/18/2014	<u>153</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Status Conference held on 12/18/2014. (kt) (Entered: 12/18/2014)
12/18/2014	<u>154</u>	AMENDED PRETRIAL SCHEDULING ORDER: Discovery due by 4/10/2015. Motions (non-disp) due 7/15/2015. Motions (disp) due by 9/15/2015. Ready for trial due by 2/15/2016. Signed by Magistrate Judge Steven E. Rau on 12/18/14. (kt) (Entered: 12/18/2014)
03/06/2015	<u>155</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (CRB) (Entered: 03/06/2015)
03/06/2015	<u>156</u>	DIGITAL AUDIO RECORDING TRANSCRIPT of Status Conference held on December 18, 2014 before Magistrate Judge Steven E. Rau. (20 pages). Transcriber: Carla Bebault (E-mail: Carla_Bebault@mnd.uscourts.gov / Telephone: 651-848-1220). Redaction Request due 3/27/2015. Redacted Transcript Deadline set for 4/6/2015. Release of Transcript Restriction set for 6/4/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (CRB) (Entered: 03/06/2015)
04/07/2015	<u>157</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (CRB) (Entered: 04/07/2015)
04/07/2015	<u>158</u>	TRANSCRIPT of Motions Hearing held on January 29, 2014 before Magistrate Judge Steven E. Rau. (48 pages). Transcriber: Carla Bebault (E-mail: Carla_Bebault@mnd.uscourts.gov / Telephone: 651-848-1220). Redaction Request due 4/28/2015. Redacted Transcript Deadline set for 5/8/2015. Release of Transcript Restriction set for 7/6/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (CRB) (Entered: 04/07/2015)
04/30/2015	<u>159</u>	MOTION to Compel <i>Compliance with Stipulation</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 04/30/2015)
04/30/2015	<u>160</u>	NOTICE OF HEARING ON MOTION <u>159</u> MOTION to Compel <i>Compliance with Stipulation</i> : Motion Hearing set for 5/14/2015 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Patton, Elizabeth) (Entered: 04/30/2015)
04/30/2015	<u>161</u>	MEMORANDUM in Support re <u>159</u> MOTION to Compel <i>Compliance with Stipulation</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/30/2015)
04/30/2015	<u>162</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>159</u> MOTION to Compel <i>Compliance with Stipulation</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4)(Patton, Elizabeth) (Entered: 04/30/2015)
04/30/2015	<u>163</u>	MEET and CONFER STATEMENT re <u>159</u> Motion to Compel filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 04/30/2015)
04/30/2015	<u>164</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>159</u> MOTION to Compel <i>Compliance with Stipulation</i> (Patton, Elizabeth) (Entered: 04/30/2015)
04/30/2015	<u>165</u>	MOTION for Protective Order by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>166</u>	NOTICE OF HEARING ON MOTION <u>165</u> MOTION for Protective Order : Motion Hearing set for 5/14/2015 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>167</u>	MEMORANDUM in Support re <u>165</u> MOTION for Protective Order filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis) (Entered: 04/30/2015)

		04/30/2015)
04/30/2015	<u>168</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>165</u> MOTION for Protective Order filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1-20, # <u>2</u> Exhibit(s) 21-37)(Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>169</u>	MEET and CONFER STATEMENT re <u>165</u> Motion for Protective Order filed by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>170</u>	MOTION for Protective Order by Carmichael Lynch, Inc.. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>171</u>	MOTION for Protective Order by Clear Channel Outdoor, Inc.. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>172</u>	MOTION for Protective Order by Havas Worldwide New York, Inc.. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>173</u>	MOTION for Protective Order by Ogilvy Public Relations Worldwide Inc.. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>174</u>	MOTION for Protective Order by Pilcrow Partners, LLC. (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>175</u>	MOTION for Protective Order by John Baxter. (Berens, Barbara) (Entered: 04/30/2015)
04/30/2015	<u>176</u>	NOTICE OF HEARING ON MOTION <u>175</u> MOTION for Protective Order : Motion Hearing set for 5/14/2015 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Berens, Barbara) (Entered: 04/30/2015)
04/30/2015	<u>177</u>	MEET and CONFER STATEMENT re <u>175</u> Motion for Protective Order filed by John Baxter. (Berens, Barbara) (Entered: 04/30/2015)
04/30/2015	<u>178</u>	MEMORANDUM in Support re <u>175</u> MOTION for Protective Order filed by John Baxter. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 04/30/2015)
04/30/2015	<u>179</u>	AFFIDAVIT of Carrie L. Zochert in SUPPORT OF <u>175</u> MOTION for Protective Order filed by John Baxter. (Attachments: # <u>1</u> Exhibit(s) A-D)(Berens, Barbara) (Entered: 04/30/2015)
04/30/2015	<u>180</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>165</u> MOTION for Protective Order (Hansen, Dennis) (Entered: 04/30/2015)
04/30/2015	<u>181</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter re <u>175</u> MOTION for Protective Order (Berens, Barbara) (Entered: 04/30/2015)
04/30/2015	<u>182</u>	MOTION to Compel <i>Discovery</i> by Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 04/30/2015)
04/30/2015	<u>183</u>	NOTICE OF HEARING ON MOTION <u>182</u> MOTION to Compel <i>Discovery</i> : Motion Hearing set for 5/14/2015 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Schultz, David) (Entered: 04/30/2015)
04/30/2015	<u>184</u>	MEMORANDUM in Support re <u>182</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) DOCUMENTS RECEIVED IN CLERK'S OFFICE on 5/1/2015 (JAM). (Entered: 04/30/2015)
04/30/2015	<u>185</u>	Declaration of David T. Schultz in Support of <u>182</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) A-F, # <u>3</u> Exhibit(s) G-L, # <u>4</u> Exhibit(s) M-S)(Schultz, David) DOCUMENTS RECEIVED IN CLERK'S on 5/1/2015 (JAM). (Entered: 04/30/2015)
04/30/2015	<u>186</u>	Declaration of Michael C. McCarthy in Support of <u>182</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u>

		Exhibit(s) A-F, # <u>2</u> Exhibit(s) G-L, # <u>3</u> Exhibit(s) M-R, # <u>4</u> Exhibit(s) S-Z, # <u>5</u> Exhibit(s) AA-FF, # <u>6</u> Exhibit(s) GG-LL, # <u>7</u> Exhibit(s) MM-SS, # <u>8</u> Exhibit(s) TT-WW)(Schultz, David) DOCUMENTS RECEIVED IN CLERK'S OFFICE on 5/1/2015 (JAM). (Entered: 04/30/2015)
04/30/2015	<u>187</u>	MEET and CONFER STATEMENT re <u>182</u> Motion to Compel filed by Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 04/30/2015)
04/30/2015	<u>188</u>	CERTIFICATE OF SERVICE by Dires, LLC, Craig Miller, Scott Stenzel <i>Re Sealed Documents</i> (Schultz, David) (Entered: 04/30/2015)
04/30/2015	<u>189</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dires, LLC, Craig Miller, Scott Stenzel re <u>182</u> MOTION to Compel <i>Discovery</i> (Schultz, David) (Entered: 04/30/2015)
05/05/2015	<u>190</u>	MEMORANDUM in Support re <u>182</u> MOTION to Compel <i>Discovery (Redacted-Public Version)</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (McCarthy, Michael) (Entered: 05/05/2015)
05/07/2015	<u>191</u>	MEMORANDUM in Opposition re <u>175</u> MOTION for Protective Order filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 05/07/2015)
05/07/2015	<u>192</u>	AFFIDAVIT of Dennis E. Hansen in OPPOSITION TO <u>175</u> MOTION for Protective Order filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u> Exhibit(s) 8)(Patton, Elizabeth) (Entered: 05/07/2015)
05/07/2015	<u>193</u>	MEMORANDUM in Opposition re <u>159</u> MOTION to Compel <i>Compliance with Stipulation</i> filed by John Baxter. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 05/07/2015)
05/07/2015	<u>194</u>	MOTION to Strike Pleading by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 05/07/2015)
05/07/2015	<u>195</u>	NOTICE OF HEARING ON MOTION <u>194</u> MOTION to Strike Pleading : Motion Hearing set for 5/14/2015 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. (Hansen, Dennis) (Entered: 05/07/2015)
05/07/2015	<u>196</u>	MEMORANDUM in Support re <u>194</u> MOTION to Strike Pleading filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis) (Entered: 05/07/2015)
05/07/2015	<u>197</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>194</u> MOTION to Strike Pleading filed by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 05/07/2015)
05/07/2015	<u>198</u>	MEET and CONFER STATEMENT re <u>194</u> Motion to Strike Pleading filed by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 05/07/2015)
05/07/2015	<u>199</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>194</u> MOTION to Strike Pleading (Hansen, Dennis) (Entered: 05/07/2015)
05/07/2015	<u>200</u>	MEMORANDUM in Opposition re <u>172</u> MOTION for Protective Order , <u>173</u> MOTION for Protective Order , <u>174</u> MOTION for Protective Order , <u>165</u> MOTION for Protective Order , <u>171</u> MOTION for Protective Order , <u>170</u> MOTION for Protective Order filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 05/07/2015)
05/07/2015	<u>201</u>	DECLARATION of Maureen Engelstad in Opposition to <u>172</u> MOTION for Protective Order , <u>173</u> MOTION for Protective Order , <u>174</u> MOTION for Protective Order , <u>165</u> MOTION for Protective Order , <u>171</u> MOTION for Protective Order , <u>170</u> MOTION for Protective Order filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: #

		<u>1</u> Exhibit(s) 1)(Schultz, David) (Entered: 05/07/2015)
05/07/2015	<u>202</u>	MEMORANDUM in Opposition re <u>182</u> MOTION to Compel <i>Discovery</i> filed by Carmichael Lynch, Inc., Clear Channel Outdoor, Inc., Havas Worldwide New York, Inc., Ogilvy Public Relations Worldwide Inc., Pilcrow Partners, LLC, Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 05/07/2015)
05/07/2015	<u>203</u>	AFFIDAVIT of Dennis E. Hansen in OPPOSITION TO <u>182</u> MOTION to Compel <i>Discovery</i> filed by Carmichael Lynch, Inc., Clear Channel Outdoor, Inc., Havas Worldwide New York, Inc., Ogilvy Public Relations Worldwide Inc., Pilcrow Partners, LLC, Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u> Exhibit(s) 8, # <u>9</u> Exhibit(s) 9, # <u>10</u> Exhibit(s) 10)(Patton, Elizabeth) (Entered: 05/07/2015)
05/11/2015	<u>204</u>	NOTICE of Withdrawal as Attorney (<i>Justi Rae Miller</i>) (Berens, Barbara) (Entered: 05/11/2015)
05/12/2015	<u>205</u>	MEMORANDUM in Support re <u>175</u> MOTION for Protective Order filed by John Baxter. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate). (Berens, Barbara) Modified text on 5/12/2015 (lmb). (Entered: 05/12/2015)
05/12/2015	<u>206</u>	Second AFFIDAVIT of Carrie L. Zochert in SUPPORT OF <u>175</u> MOTION for Protective Order filed by John Baxter. (Attachments: # <u>1</u> Exhibit(s) A)(Berens, Barbara) (Entered: 05/12/2015)
05/12/2015	<u>207</u>	MEMORANDUM in Opposition re <u>194</u> MOTION to Strike Pleading filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 05/12/2015)
05/12/2015	<u>208</u>	REPLY re <u>172</u> MOTION for Protective Order , <u>173</u> MOTION for Protective Order , <u>174</u> MOTION for Protective Order , <u>165</u> MOTION for Protective Order , <u>171</u> MOTION for Protective Order , <u>170</u> MOTION for Protective Order filed by Carmichael Lynch, Inc., Clear Channel Outdoor, Inc., Havas Worldwide New York, Inc., Ogilvy Public Relations Worldwide Inc., Pilcrow Partners, LLC, Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 05/12/2015)
05/12/2015	<u>209</u>	Supplemental AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>172</u> MOTION for Protective Order , <u>173</u> MOTION for Protective Order , <u>174</u> MOTION for Protective Order , <u>165</u> MOTION for Protective Order , <u>171</u> MOTION for Protective Order , <u>170</u> MOTION for Protective Order filed by Carmichael Lynch, Inc., Clear Channel Outdoor, Inc., Havas Worldwide New York, Inc., Ogilvy Public Relations Worldwide Inc., Pilcrow Partners, LLC, Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 38)(Patton, Elizabeth) (Entered: 05/12/2015)
05/12/2015	<u>210</u>	REPLY re <u>159</u> MOTION to Compel <i>Compliance with Stipulation</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 05/12/2015)
05/12/2015	<u>211</u>	REPLY re <u>182</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 05/12/2015)
05/14/2015	<u>212</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Motion Hearing held on 5/14/2015 re <u>172</u> MOTION for Protective Order filed by Havas Worldwide New York, Inc., <u>175</u> MOTION for Protective Order filed by John Baxter, <u>173</u> MOTION for Protective Order filed by Ogilvy Public Relations Worldwide Inc., <u>174</u> MOTION for Protective Order filed by Pilcrow Partners, LLC, <u>182</u> MOTION to Compel <i>Discovery</i> filed by Dires, LLC, Scott Stenzel, Craig Miller, <u>165</u> MOTION for Protective Order filed by Select Comfort Corporation, Select Comfort SC Corporation, <u>171</u> MOTION for Protective Order filed by Clear Channel Outdoor, Inc., <u>194</u> MOTION to Strike Pleading filed by Select Comfort Corporation, Select Comfort SC Corporation, <u>170</u> MOTION for Protective Order filed by Carmichael Lynch, Inc., <u>159</u>

		MOTION to Compel <i>Compliance with Stipulation</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. Order to issue re Motions 165, 182 & 194. (LPH) (Entered: 05/15/2015)
05/14/2015	<u>213</u>	TEXT ONLY ORDER: The Court heard oral argument on Plaintiffs' Motion to Compel Compliance with Stipulation [Doc. No. 159] and Defendant John Baxter's Motion for Protective Order [Doc. No. 175]. Ruling from the Bench for the reasons stated on the record, the Court GRANTED Plaintiffs' Motion to Compel Compliance with Stipulation [Doc. No. 159] and DENIED Defendant John Baxter's Motion for Protective Order [Doc. No. 175]. No written order will be issued, and the Clerk's Office is directed to enter a TEXT ONLY ENTRY–ORDER with respect to these motions. The Court heard oral argument on Third Party Carmichael Lynch Inc.'s Motion for Protective Order [Doc No. 170], Third Party Clear Channel Outdoor Inc.'s Motion for Protective Order [Doc. No. 171], Third Party Havas Worldwide New York, Inc.'s Motion for Protective Order [Doc. No. 172], Third Party Ogilvy Public Relations Worldwide Inc.'s Motion for Protective Order [Doc. No. 173], and Third Party Pilcrow Partners LLC's Motion for Protective Order [Doc. No. 174]. Ruling from the Bench for the reasons stated on the record, the Court GRANTED the motions with respect to the temporal scope of the subpoenas. The motions are DENIED in all other respects. No written order will be issued, and the Clerk's Office is directed to enter a TEXT ONLY ENTRY–ORDER with respect to these motions. Entered in open court by Magistrate Judge Steven E. Rau on 5/14/15. (LPH) (Entered: 05/15/2015)
05/21/2015	<u>214</u>	LETTER TO MAGISTRATE JUDGE by Select Comfort Corporation, Select Comfort SC Corporation – <i>Joint Status Report</i> . (Patton, Elizabeth) (Entered: 05/21/2015)
06/03/2015	<u>215</u>	NOTICE of Appearance by Cynthia S Topel on behalf of All Plaintiffs. (Topel, Cynthia) (Entered: 06/03/2015)
06/19/2015	<u>216</u>	ORDER granting in part and denying in part <u>165</u> Motion for Protective Order; granting in part and denying in part <u>182</u> Motion to Compel; denying as moot <u>194</u> Motion to Strike Pleading. Signed by Magistrate Judge Steven E. Rau on 6/19/15. (JDF) (Entered: 06/19/2015)
08/06/2015	<u>217</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 08/06/2015)
08/06/2015	<u>218</u>	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel <i>Responding to 217 Plaintiffs' Letter Requesting Permission to Exceed Word Limits</i> . (McCarthy, Michael) Modified link on 8/7/2015 (lmb). (Entered: 08/06/2015)
08/11/2015	219	TEXT ONLY NOTICE to Attorneys: The Court has reviewed the letters filed by the parties (Doc. Nos. <u>217</u> and <u>218</u>). The Court approves Plaintiff for an additional 3,500 words to be split between their opening and reply briefs. (BJS) (Entered: 08/11/2015)
08/21/2015	220	TEXT ONLY NOTICE TO ATTORNEYS: Plaintiff has requested permission to file voluminous exhibits conventionally. Defendant does not object to this request. The Court approves the request to file the exhibits conventionally. (BJS) (Entered: 08/21/2015)
08/21/2015	<u>221</u>	MOTION for Summary Judgment by Dires, LLC, Craig Miller, Scott Stenzel. (McCarthy, Michael) (Entered: 08/21/2015)
08/21/2015	<u>222</u>	NOTICE OF HEARING ON MOTION <u>221</u> MOTION for Summary Judgment : Motion Hearing set for 10/2/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (McCarthy, Michael) (Entered: 08/21/2015)
08/21/2015	<u>223</u>	MEMORANDUM in Support re <u>447</u> MOTION for Summary Judgment filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(McCarthy, Michael) Modified text on 11/1/2016 (JDF). (Entered: 08/21/2015)
08/21/2015	<u>224</u>	Declaration of Michael C. McCarthy in Support of <u>221</u> MOTION for Summary Judgment filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Placeholder for Exhibits A–E) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 8/21/15. (McCarthy, Michael) Modified on 8/24/2015 (AKL). (Entered: 08/21/2015)

08/21/2015	<u>225</u>	Declaration of Joseph P. Ceronky in Support of <u>221</u> MOTION for Summary Judgment filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 1-7, # <u>3</u> Exhibit(s) 8, # <u>4</u> Exhibit(s) 9-17, # <u>5</u> Exhibit(s) 18, # <u>6</u> Exhibit(s) 19-20, # <u>7</u> Exhibit(s) 21-28, # <u>8</u> Exhibit(s) 29-35, # <u>9</u> Exhibit(s) 36, # <u>10</u> Exhibit(s) 37-39, # <u>11</u> Exhibit(s) 40-47)(McCarthy, Michael) (Entered: 08/21/2015)
08/21/2015	<u>226</u>	MOTION for Summary Judgment by John Baxter. (Berens, Barbara) (Entered: 08/21/2015)
08/21/2015	<u>227</u>	NOTICE OF HEARING ON MOTION <u>226</u> MOTION for Summary Judgment : Motion Hearing set for 10/2/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 08/21/2015)
08/21/2015	<u>228</u>	MEMORANDUM in Support re <u>226</u> MOTION for Summary Judgment filed by John Baxter. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 08/21/2015)
08/21/2015	<u>229</u>	CERTIFICATE OF SERVICE by Dires, LLC, Craig Miller, Scott Stenzel <i>Re Sealed Documents-Exhibits A-E to Declaration of Michael C. McCarthy</i> (McCarthy, Michael) (Entered: 08/21/2015)
08/21/2015	<u>230</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dires, LLC, Craig Miller, Scott Stenzel re <u>221</u> MOTION for Summary Judgment (McCarthy, Michael) (Entered: 08/21/2015)
08/21/2015	<u>231</u>	AFFIDAVIT of Carrie L. Zochert in SUPPORT OF <u>226</u> MOTION for Summary Judgment filed by John Baxter. (Attachments: # <u>1</u> Exhibit(s) Nos. 1, 4-6, # <u>2</u> Placeholder for Nos. 2-3, 10-11, 17, 23-24, 29-31, 33, # <u>3</u> Exhibit(s) No. 7 part 1, # <u>4</u> Exhibit(s) No. 7, part 2, # <u>5</u> Exhibit(s) Nos. 8-9, # <u>6</u> Exhibit(s) Nos. 12-13, # <u>7</u> Exhibit(s) No. 14, # <u>8</u> Exhibit(s) Nos. 15-16, 18, # <u>9</u> Exhibit(s) No. 19, # <u>10</u> Exhibit(s) No. 20, # <u>11</u> Exhibit(s) Nos. 21-22, 25, # <u>12</u> Exhibit(s) No. 26 part 1, # <u>13</u> Exhibit(s) No. 26 part 2, # <u>14</u> Exhibit(s) Nos. 27-28, 32) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 8/21/15. (Berens, Barbara) Modified on 8/24/2015 (AKL). (Entered: 08/21/2015)
08/21/2015	<u>232</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter re <u>226</u> MOTION for Summary Judgment (Berens, Barbara) (Entered: 08/21/2015)
08/21/2015	<u>233</u>	MOTION for Partial Summary Judgment by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 08/21/2015)
08/21/2015	<u>234</u>	NOTICE OF HEARING ON MOTION <u>233</u> MOTION for Partial Summary Judgment : Motion Hearing set for 10/2/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Hansen, Dennis) (Entered: 08/21/2015)
08/21/2015	<u>235</u>	MEMORANDUM in Support re <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis) (Entered: 08/21/2015)
08/21/2015	<u>236</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1-10, # <u>2</u> Exhibit(s) 11 - redacted, # <u>3</u> Placeholder for Exhibits 11, 14, 27, 31, 33, 75-78, 113, 115, 118-119, 121, 125-128, 132, 137-138, 140-141, 146-148, # <u>4</u> Exhibit(s) 12-13, # <u>5</u> Exhibit(s) 14 - redacted, # <u>6</u> Exhibit(s) 15-17, # <u>7</u> Exhibit(s) 18-19 - redacted, # <u>8</u> Placeholder for Exhibits 18-19, 22, 28-30, and 129-130, # <u>9</u> Exhibit(s) 20, # <u>10</u> Placeholder for Exhibits 20-21, 26, and 131, # <u>11</u> Exhibit(s) 21, # <u>12</u> Exhibit(s) 22 - redacted, # <u>13</u> Exhibit(s) 23-25, # <u>14</u> Exhibit(s) 26, # <u>15</u> Exhibit(s) 27-31 - redacted, # <u>16</u> Exhibit(s) 32, # <u>17</u> Exhibit(s) 33 - redacted, # <u>18</u> Exhibit(s) 34-40, # <u>19</u> Exhibit(s) 41, # <u>20</u> Placeholder for Attachments A-F, within Exhibit 41, # <u>21</u> Placeholder for Exhibits 42-47 and 108, # <u>22</u> Exhibit(s) 48-54, # <u>23</u> Placeholder for Exhibits 55-56, 107, and 109, # <u>24</u> Exhibit(s) Exhibits 57-74, # <u>25</u> Exhibit(s) 75-78 - redacted, # <u>26</u> Exhibit(s) 79-92, # <u>27</u> Exhibit(s) 93, # <u>28</u> Exhibit(s) 94-106, # <u>29</u> Exhibit(s) 110-112, # <u>30</u> Exhibit(s) 113 - redacted, # <u>31</u> Exhibit(s) 114, # <u>32</u> Exhibit(s) 115 - redacted, # <u>33</u> Exhibit(s) 116-117, # <u>34</u> Exhibit(s) 118-119 - redacted, # <u>35</u> Exhibit(s) 120, # <u>36</u> Exhibit(s) 121 - redacted, # <u>37</u> Exhibit(s) 122-124, # <u>38</u> Exhibit(s) 125-130 - redacted, # <u>39</u>

		Exhibit(s) 131, # <u>40</u> Exhibit(s) 132 – redacted, # <u>41</u> Exhibit(s) 133–136, # <u>42</u> Exhibit(s) 137–138 – redacted, # <u>43</u> Exhibit(s) 139, # <u>44</u> Exhibit(s) 140–141 – redacted, # <u>45</u> Exhibit(s) 142–145, # <u>46</u> Exhibit(s) 146–148 – redacted, # <u>47</u> Exhibit(s) 149–151, # <u>48</u> Exhibit(s) 152, # <u>49</u> Placeholder for Exhibit A to Affidavit of Renee Marino, within Exhibit 152, # <u>50</u> Exhibit(s) 153, # <u>51</u> Placeholder for Appendix E to the Affidavit of Hal Poret, within Exhibit 153, # <u>52</u> Exhibit(s) 154)(Hansen, Dennis) Sealed documents received on 8/24/2015 (JGK). (Entered: 08/21/2015)
08/21/2015	<u>237</u>	AFFIDAVIT of David Karr in SUPPORT OF <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1)(Hansen, Dennis) (Entered: 08/21/2015)
08/21/2015	<u>238</u>	AFFIDAVIT of Holly O'Hanlon in SUPPORT OF <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Dennis) (Entered: 08/21/2015)
08/21/2015	<u>239</u>	AFFIDAVIT of Heather M. Somers in SUPPORT OF <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Placeholder for Exhibit 4, # <u>5</u> Exhibit(s) 5–14)(Hansen, Dennis) Sealed document received on 8/24/2015 (JGK). (Entered: 08/21/2015)
08/21/2015	<u>240</u>	CERTIFICATE OF SERVICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>239</u> Affidavit in Support of Motion, <u>236</u> Affidavit in Support of Motion, <i>of Conventionally Filed/Sealed Documents</i> (Hansen, Dennis) Modified on 8/24/2015 (JAM). (Entered: 08/21/2015)
08/21/2015	<u>241</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>233</u> MOTION for Partial Summary Judgment (Hansen, Dennis) (Entered: 08/21/2015)
09/11/2015	<u>242</u>	MEMORANDUM in Opposition re <u>233</u> MOTION for Partial Summary Judgment filed by John Baxter. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 09/11/2015)
09/11/2015	<u>243</u>	DECLARATION of Peter Kent in Opposition to <u>235</u> Memorandum in Support of Motion filed by John Baxter. (Attachments: # <u>1</u> Exhibit(s) A)(Berens, Barbara) (Entered: 09/11/2015)
09/11/2015	<u>244</u>	DECLARATION of Melissa Snelson in Opposition to <u>235</u> Memorandum in Support of Motion filed by John Baxter. (Attachments: # <u>1</u> Placeholder for Exhibit A) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 9/11/15. (Berens, Barbara) Modified on 9/14/2015 (AKL). (Entered: 09/11/2015)
09/11/2015	<u>245</u>	AFFIDAVIT of Carrie L. Zochert in OPPOSITION TO <u>233</u> MOTION for Partial Summary Judgment <i>Second Affidavit of Carrie L. Zochert</i> filed by John Baxter. (Attachments: # <u>1</u> Placeholder for Exhibits 34, 46, and 48, # <u>2</u> Exhibit(s) 35, # <u>3</u> Exhibit(s) 36–38, # <u>4</u> Exhibit(s) 39–42, # <u>5</u> Exhibit(s) 43, # <u>6</u> Exhibit(s) 44, # <u>7</u> Exhibit(s) 45 part 1, # <u>8</u> Exhibit(s) 45 part 2, # <u>9</u> Exhibit(s) 47 part 1, # <u>10</u> Exhibit(s) 47 part 2, # <u>11</u> Exhibit(s) 49). SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 9/11/15. (Berens, Barbara) Modified text on 9/11/2015 (lmb). Modified on 9/14/2015 (AKL). (Entered: 09/11/2015)
09/11/2015	<u>246</u>	MEMORANDUM in Opposition re <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 09/11/2015)
09/11/2015	<u>247</u>	AFFIDAVIT of Dennis E. Hansen in OPPOSITION TO <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 155–157, # <u>3</u> Exhibit(s) 158–159 – Redacted, # <u>4</u> Placeholder for Exhibits 158, 159, 162–169, 171–178, 195, 196, 204–208, 230, 233, 247–249, 252, and 256–259, # <u>5</u> Exhibit(s) 160, # <u>6</u> Placeholder for Exhibits 160, 198, 201, 203, 216–219, 234, 235, 238, 241, 242, 245, and 246, # <u>7</u> Exhibit(s) 161 – Redacted, # <u>8</u> Placeholder for 161, 197, 199, 200, 202, 224–229, 231, 232, 236, 237, 239, 240, 243, 244, and 253–255, # <u>9</u> Exhibit(s) 162–169 – Redacted, # <u>10</u> Exhibit(s) 170, # <u>11</u>

		Exhibit(s) 171-178 – Redacted, # <u>12</u> Exhibit(s) 179-192, # <u>13</u> Exhibit(s) 193, # <u>14</u> Placeholder for Appendix D of Exhibit A to the Declaration of Hal Poret, contained within Exhibit 193, # <u>15</u> Exhibit(s) 194, # <u>16</u> Placeholder for Attachments to Exhibit A of the Affidavit of Michael Rapoport, contained within Exhibit 194, # <u>17</u> Exhibit(s) 195-196 – Redacted, # <u>18</u> Exhibit(s) 197 – Redacted, # <u>19</u> Exhibit(s) 198, # <u>20</u> Exhibit(s) 199-200 – Redacted, # <u>21</u> Exhibit(s) 201, # <u>22</u> Exhibit(s) 202 – Redacted, # <u>23</u> Exhibit(s) 203, # <u>24</u> Exhibit(s) 204-208 – Redacted, # <u>25</u> Exhibit(s) 209, # <u>26</u> Placeholder for Exhibits 210-212, and 220, # <u>27</u> Exhibit(s) 213-214, # <u>28</u> Placeholder for Exhibits 215, 222, and 273, # <u>29</u> Exhibit(s) 221, # <u>30</u> Exhibit(s) 223, # <u>31</u> Exhibit(s) 224-229 – Redacted, # <u>32</u> Exhibit(s) 230 – Redacted, # <u>33</u> Exhibit(s) 231-232 – Redacted, # <u>34</u> Exhibit(s) 233 – Redacted, # <u>35</u> Exhibit(s) 234-235, # <u>36</u> Exhibit(s) 236-237 – Redacted, # <u>37</u> Exhibit(s) 238, # <u>38</u> Exhibit(s) 239-240 – Redacted, # <u>39</u> Exhibit(s) 241-242, # <u>40</u> Exhibit(s) 243-244 – Redacted, # <u>41</u> Exhibit(s) 245-246, # <u>42</u> Exhibit(s) 247-249 – Redacted, # <u>43</u> Exhibit(s) 250-251, # <u>44</u> Exhibit(s) 252 – Redacted, # <u>45</u> Exhibit(s) 253-255 – Redacted, # <u>46</u> Exhibit(s) 256-259 – Redacted, # <u>47</u> Exhibit(s) 260-272)(Patton, Elizabeth) Modified text on 9/14/2015 (kt). Sealed documents received on 9/14/2015 (JGK). (Entered: 09/11/2015)
09/11/2015	<u>248</u>	AFFIDAVIT of Jennifer L. Curti in OPPOSITION TO <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 1-10, # <u>3</u> Exhibit(s) 11-18)(Patton, Elizabeth) (Entered: 09/11/2015)
09/11/2015	<u>249</u>	AFFIDAVIT of David Karr in OPPOSITION TO <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index)(Patton, Elizabeth) (Entered: 09/11/2015)
09/11/2015	<u>250</u>	AFFIDAVIT of Heather M. Somers in OPPOSITION TO <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 15)(Patton, Elizabeth) (Entered: 09/11/2015)
09/11/2015	<u>251</u>	AFFIDAVIT of Lisa Jones in OPPOSITION TO <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 09/11/2015)
09/11/2015	<u>252</u>	AFFIDAVIT of Sarah Reckard in OPPOSITION TO <u>221</u> MOTION for Summary Judgment , <u>226</u> MOTION for Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Placeholder for Exhibit A)(Patton, Elizabeth) Sealed document received on 9/16/2015 (JGK). (Entered: 09/11/2015)
09/11/2015	<u>253</u>	CERTIFICATE OF SERVICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>252</u> Affidavit in Opposition to Motion, <u>247</u> Affidavit in Opposition to Motion, <i>of Conventionally Filed/Sealed Documents</i> (Patton, Elizabeth) Modified on 9/14/2015 (JAM). (Entered: 09/11/2015)
09/11/2015	<u>254</u>	MEMORANDUM in Opposition re <u>233</u> MOTION for Partial Summary Judgment filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ceronsky, Joseph) (Entered: 09/11/2015)
09/11/2015	<u>255</u>	DECLARATION of Joseph P. Ceronsky in Opposition to <u>233</u> MOTION for Partial Summary Judgment filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 48, # <u>3</u> Exhibit(s) 49-Part 1 of 3, # <u>4</u> Exhibit(s) 49-Part 2 of 3, # <u>5</u> Exhibit(s) 49-Part 3 of 3, # <u>6</u> Exhibit(s) 50-53, # <u>7</u> Exhibit(s) 54, # <u>8</u> Exhibit(s) 55-57, # <u>9</u> Exhibit(s) 58-63, # <u>10</u> Exhibit(s) 64-65 (Under Seal), # <u>11</u> Exhibit(s) 66-73) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 9/14/15. (Ceronsky, Joseph) Modified on 9/14/2015 (AKL). (Entered: 09/11/2015)
09/11/2015	<u>256</u>	DECLARATION of Scott Stenzel in Opposition to <u>233</u> MOTION for Partial Summary Judgment filed by Dires, LLC, Craig Miller, Scott Stenzel. (Ceronsky, Joseph) (Entered: 09/11/2015)
09/11/2015	<u>257</u>	CERTIFICATE OF SERVICE by Dires, LLC, Craig Miller, Scott Stenzel (<i>of Sealed Documents</i>) (Ceronsky, Joseph) (Entered: 09/11/2015)

09/25/2015	<u>258</u>	REPLY re <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 09/25/2015)
09/25/2015	<u>259</u>	Third AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 274, # <u>3</u> Exhibit(s) 275 – Part 1 of 2, # <u>4</u> Exhibit(s) 275 – Part 2 of 2, # <u>5</u> Exhibit(s) 276, # <u>6</u> Exhibit(s) 277 – redacted, # <u>7</u> Placeholder for 277, 279, 281–282, 285–287, 289–294, 296–304, 306, # <u>8</u> Exhibit(s) 278, # <u>9</u> Exhibit(s) 279 – redacted, # <u>10</u> Exhibit(s) 280 – redacted, # <u>11</u> Placeholder for 280, 283, and 284, # <u>12</u> Exhibit(s) 281–282 – redacted, # <u>13</u> Exhibit(s) 283–284 – redacted, # <u>14</u> Exhibit(s) 285–287 – redacted, # <u>15</u> Exhibit(s) 288, # <u>16</u> Exhibit(s) 289–294 – redacted, # <u>17</u> Exhibit(s) 295, # <u>18</u> Exhibit(s) 296–304 – redacted, # <u>19</u> Exhibit(s) 305, # <u>20</u> Exhibit(s) 306 – redacted, # <u>21</u> Exhibit(s) 307)(Patton, Elizabeth) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 9/28/2015 (LPH). (Entered: 09/25/2015)
09/25/2015	<u>260</u>	CERTIFICATE OF SERVICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>259</u> Affidavit in Support of Motion,,, of <i>Conventionally Filed/Sealed Documents</i> (Patton, Elizabeth) (Entered: 09/25/2015)
09/25/2015	<u>261</u>	REPLY re <u>226</u> MOTION for Summary Judgment filed by John Baxter. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 09/25/2015)
09/25/2015	<u>262</u>	REPLY in Support re <u>221</u> MOTION for Summary Judgment filed by Dires, LLC. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) Modified text on 9/28/2015 (kt). (Entered: 09/25/2015)
09/25/2015	<u>263</u>	Declaration of Diane G. Skrivseth in Support of <u>221</u> MOTION for Summary Judgment filed by Dires, LLC. (Schultz, David) (Entered: 09/25/2015)
09/28/2015	<u>264</u>	REPLY re <u>233</u> MOTION for Partial Summary Judgment – <i>Corrected Reply Brief (correction of case law pin cites at fn.1 & pp. 8, 12 in Reply Brief filed at Dkt. 258)</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 09/28/2015)
10/02/2015	<u>265</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 10/2/2015 re <u>221</u> MOTION for Summary Judgment filed by Dires, LLC, Scott Stenzel, Craig Miller, <u>226</u> MOTION for Summary Judgment filed by John Baxter, <u>233</u> MOTION for Partial Summary Judgment filed by Select Comfort Corporation, Select Comfort SC Corporation. Matters taken under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 10/06/2015)
11/02/2015	<u>266</u>	JURY TRIAL NOTICE. Jury Trial set for 2/22/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. See Notice for additional deadlines and details.(BJS) (Entered: 11/02/2015)
11/03/2015	<u>267</u>	NOTICE/ORDER: Settlement Conference set for 1/14/2016 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 11/3/15. (JAM) (Entered: 11/03/2015)
11/09/2015	<u>268</u>	LETTER TO DISTRICT JUDGE by Dires, LLC <i>attaching relevant case law.</i> (Ceronsky, Joseph) (Entered: 11/09/2015)
12/31/2015	<u>269</u>	NOTICE by Select Comfort Corporation, Select Comfort SC Corporation <i>Notice by Counsel for Plaintiffs of Change in Law Firm Affiliation</i> (Patton, Elizabeth) (Entered: 12/31/2015)
01/13/2016	<u>270</u>	MEMORANDUM OPINION AND ORDER. 1. Plaintiffs' Motion for Partial Summary Judgment (Doc. No. <u>233</u>) is GRANTED IN PART and DENIED IN PART as follows: a. Plaintiffs are entitled to summary judgment on Counterclaim II. b. Plaintiffs are entitled to summary judgment on Defendants' unclean hands defense to the extent that it is based on Plaintiffs' alleged purchase of competitor' keywords. c. Plaintiffs' motion is denied in all other respects.2. Dires Defendants Motion for Summary Judgment (Doc. No. <u>221</u>) is GRANTED IN PART and DENIED IN PART as follows: a. Dires Defendants are entitled to summary judgment on Plaintiff's unjust enrichment claim (Count IX). b. Dires Defendants are entitled to summary judgment

		on Plaintiffs' claim of successor liability. c. Dires Defendants' motion is denied in all other respects.3. Baxters Motion for Summary Judgment (Doc. No. <u>226</u>) is GRANTED IN PART and DENIED IN PART as follows: a. Baxter is entitled to summary judgment on Plaintiff's unjust enrichment claim (Count IX). b. Baxter is entitled to summary judgment on Plaintiffs' claim of successor liability. c. Baxter's motion is denied in all other respects. (Written Opinion) Signed by Judge Donovan W. Frank on 1/13/2016. (BJS) (Entered: 01/13/2016)
01/14/2016	<u>271</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Settlement Conference held on 1/14/2016. Continued to 2/4/16. (kt) (Entered: 01/15/2016)
01/21/2016	272	TEXT ONLY ORDER: At the request of the parties, the February 22, 2016, trial date and any associated dates or deadlines are CANCELLED to allow the parties to continue to work towards a potential settlement. Signed by Judge Donovan W. Frank on 1/21/2016. (BJS) (Entered: 01/21/2016)
02/04/2016	<u>273</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Settlement Conference held on 2/4/2016. No settlement reached. (kt) (Entered: 02/04/2016)
02/10/2016	<u>274</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (SAH) (Entered: 02/10/2016)
02/10/2016	<u>275</u>	TRANSCRIPT of Motions Hearing held on 5/14/2015 before Magistrate Judge Steven E. Rau. (71 pages). Transcriber: Staci Heichert (E-mail: Staci_Heichert@mnd.uscourts.gov / Telephone: 612-664-5105). Redaction Request due 3/2/2016. Redacted Transcript Deadline set for 3/14/2016. Release of Transcript Restriction set for 5/10/2016. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (SAH) (Entered: 02/10/2016)
02/24/2016	<u>276</u>	JURY TRIAL NOTICE. Jury Trial set for 6/9/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. Please see the Notice for additional details and deadlines.(BJS) (Entered: 02/24/2016)
04/06/2016	<u>277</u>	MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>278</u>	NOTICE OF HEARING ON MOTION <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> : Motion Hearing set for 5/18/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>279</u>	MEMORANDUM in Support re <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>280</u>	MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>281</u>	NOTICE OF HEARING ON MOTION <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret</i> : Motion Hearing set for 5/18/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>282</u>	MEMORANDUM in Support re <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>283</u>	MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel.

		(Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>284</u>	NOTICE OF HEARING ON MOTION <u>283</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> : Motion Hearing set for 5/18/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>285</u>	MEMORANDUM in Support re <u>283</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>286</u>	AFFIDAVIT of Carrie L. Zochert in SUPPORT OF <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret, 277</i> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler, 283</i> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) A-D)(Berens, Barbara) (Entered: 04/06/2016)
04/06/2016	<u>287</u>	MOTION to Exclude Expert Testimony <i>of Renee Marino</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (McCarthy, Michael) (Entered: 04/06/2016)
04/06/2016	<u>288</u>	NOTICE OF HEARING ON MOTION <u>287</u> MOTION to Exclude Expert Testimony <i>of Renee Marino</i> : Motion Hearing set for 5/18/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (McCarthy, Michael) (Entered: 04/06/2016)
04/06/2016	<u>289</u>	MEMORANDUM in Support re <u>287</u> MOTION to Exclude Expert Testimony <i>of Renee Marino</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(McCarthy, Michael) (Entered: 04/06/2016)
04/06/2016	<u>290</u>	Declaration of Maureen Engelstad in Support of <u>287</u> MOTION to Exclude Expert Testimony <i>of Renee Marino</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) A)(McCarthy, Michael) (Entered: 04/06/2016)
04/06/2016	<u>291</u>	MOTION to Exclude Expert Testimony <i>of Uli Widmaier</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 04/06/2016)
04/06/2016	<u>292</u>	NOTICE OF HEARING ON MOTION <u>291</u> MOTION to Exclude Expert Testimony <i>of Uli Widmaier</i> : Motion Hearing set for 5/18/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 04/06/2016)
04/06/2016	<u>293</u>	MEMORANDUM in Support re <u>291</u> MOTION to Exclude Expert Testimony <i>of Uli Widmaier</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/06/2016)
04/06/2016	<u>294</u>	AFFIDAVIT of Elizabeth A. Patton in SUPPORT OF <u>291</u> MOTION to Exclude Expert Testimony <i>of Uli Widmaier</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2-13)(Patton, Elizabeth) (Entered: 04/06/2016)
04/06/2016	<u>295</u>	MEET and CONFER STATEMENT re <u>291</u> Motion to Exclude Expert Testimony filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 04/06/2016)
04/06/2016	<u>296</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>291</u> MOTION to Exclude Expert Testimony <i>of Uli Widmaier</i> (Patton, Elizabeth) (Entered: 04/06/2016)
04/12/2016	<u>297</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 04/12/2016)

04/12/2016	<u>298</u>	TRANSCRIPT of Cross Motions for Summary Judgment Hearing held on 10/02/2015 before Judge Donovan W. Frank. (92 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/3/2016. Redacted Transcript Deadline set for 5/13/2016. Release of Transcript Restriction set for 7/11/2016. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/12/2016)
04/27/2016	<u>299</u>	MEMORANDUM in Opposition re <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/27/2016)
04/27/2016	<u>300</u>	MEMORANDUM in Opposition re <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/27/2016)
04/27/2016	<u>301</u>	MEMORANDUM in Opposition re <u>287</u> MOTION to Exclude Expert Testimony of <i>Renee Marino – REDACTED</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Placeholder for Unredacted Version, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) Sealed document received on 4/28/2016 (JGK). (Entered: 04/27/2016)
04/27/2016	<u>302</u>	AFFIDAVIT of Jennifer L. Curti in OPPOSITION TO <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 1-10, # <u>3</u> Exhibit(s) 11-18)(Patton, Elizabeth) (Entered: 04/27/2016)
04/27/2016	<u>303</u>	MEMORANDUM in Opposition re <u>291</u> MOTION to Exclude Expert Testimony of <i>Uli Widmaier</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(McCarthy, Michael) (Entered: 04/27/2016)
04/27/2016	<u>304</u>	MEMORANDUM in Opposition re <u>283</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/27/2016)
04/27/2016	<u>305</u>	AFFIDAVIT of Elizabeth A. Patton in OPPOSITION TO <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> , <u>283</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> , <u>287</u> MOTION to Exclude Expert Testimony of <i>Renee Marino</i> , <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 1-2, # <u>3</u> Placeholder for Confidential Exhibit 3, # <u>4</u> Exhibit(s) 4-17, # <u>5</u> Placeholder for Unredacted Exhibits 18-40, 43, and 46-48, # <u>6</u> Exhibit(s) 18-40 – Redacted, # <u>7</u> Exhibit(s) 41-42, # <u>8</u> Exhibit(s) 43 – Redacted, # <u>9</u> Exhibit(s) 44-45, # <u>10</u> Exhibit(s) 46-48 – Redacted)(Patton, Elizabeth) Sealed documents received on 4/28/2016 (JGK). (Entered: 04/27/2016)
04/27/2016	<u>306</u>	CERTIFICATE OF SERVICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>305</u> Affidavit in Opposition to Motion, <u>301</u> Memorandum in Opposition to Motion, of <i>Conventionally Filed/Sealed Documents</i> . (Patton, Elizabeth) (Entered: 04/27/2016)
05/11/2016	<u>307</u>	REPLY re <u>291</u> MOTION to Exclude Expert Testimony of <i>Uli Widmaier</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Hansen, Dennis) (Entered: 05/11/2016)

05/11/2016	<u>308</u>	Second AFFIDAVIT of Elizabeth A. Patton in SUPPORT OF <u>291</u> MOTION to Exclude Expert Testimony of <i>Uli Widmaier</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 14, # <u>3</u> Exhibit(s) 15)(Hansen, Dennis) (Entered: 05/11/2016)
05/11/2016	<u>309</u>	REPLY re <u>283</u> Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) Modified text on 5/12/2016 (kt). (Entered: 05/11/2016)
05/11/2016	<u>310</u>	REPLY re <u>277</u> Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) Modified text on 5/12/2016 (kt). (Entered: 05/11/2016)
05/11/2016	<u>311</u>	Supplemental AFFIDAVIT of Carrie L. Zochert in SUPPORT OF <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler, 283 MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Placeholder for Exhibit No. 1 Placeholder, # <u>2</u> Exhibit(s) No. 2, # <u>3</u> Exhibit(s) No. 3)(Berens, Barbara) Sealed document received on 5/11/2016 (SAE). (Entered: 05/11/2016)</i>
05/11/2016	<u>312</u>	REPLY re <u>280</u> Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) Modified on 5/12/2016 (kt). (Entered: 05/11/2016)
05/11/2016	<u>313</u>	Reply to Response to Motion re <u>287</u> MOTION to Exclude Expert Testimony of <i>Renee Marino</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(McCarthy, Michael) (Entered: 05/11/2016)
05/13/2016	<u>314</u>	NOTICE/ORDER of Settlement Conference: Settlement Conference set for 8/18/2016 09:00 AM in Courtroom 3A (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 5/13/16. (KMM) (Entered: 05/13/2016)
05/16/2016	<u>315</u>	DOCUMENT FILED IN ERROR: DUPLICATE ENTRY. NOTICE/ORDER of Settlement Conference: Settlement Conference set for 8/18/2016 09:00 AM in Courtroom 3A (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 5/13/16. (kt) Modified on 5/16/2016 (kt). (Entered: 05/16/2016)
05/16/2016	316	TEXT ONLY ENTRY: NOTICE of CANCELLATION of Hearing: <u>315</u> NOTICE/ORDER of Settlement Conference: Settlement Conference set for 8/18/2016 09:00 AM in Courtroom 3A (STP) before Magistrate Judge Steven E. Rau is CANCELLED. (MME) (Entered: 05/16/2016)
05/18/2016	317	TEXT ONLY ENTRY: AMENDED NOTICE of Hearing on Motions: <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret, 283 MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis, 287 MOTION to Exclude Expert Testimony of <i>Renee Marino, 277 MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler, 291 MOTION to Exclude Expert Testimony of <i>Uli Widmaier</i>: Motion Hearing now set for 8/19/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 05/18/2016)</i></i></i></i>
05/25/2016	<u>318</u>	AMENDED JURY TRIAL NOTICE. Jury Trial set for 11/29/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. See Notice for additional details and deadlines.(BJS) (Entered: 05/25/2016)
08/17/2016	<u>319</u>	DOCUMENT FILED IN ERROR: WILL REFILE. REQUEST for <i>Permission to file a Motion for Recosideration</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Andrew) Modified on 8/17/2016 (kt). (Entered: 08/17/2016)

08/17/2016	<u>320</u>	LETTER TO DISTRICT JUDGE to Request Permission to File Motion to Reconsider . (Hansen, Andrew) Modified on 8/18/2016 (kt). (Entered: 08/17/2016)
08/18/2016	<u>321</u>	LETTER RESPONSE re <u>320</u> Letter to Request Permission to File Motion to Reconsider. (Berens, Barbara) (Entered: 08/18/2016)
08/19/2016	<u>322</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 8/19/2016 re <u>280</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Hal Poret</i> filed by John Baxter, Dires, LLC, Scott Stenzel, Craig Miller, <u>277</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Sarah Butler</i> filed by John Baxter, Dires, LLC, Scott Stenzel, Craig Miller, <u>291</u> MOTION to Exclude Expert Testimony <i>of Uli Widmaier</i> filed by Select Comfort Corporation, Select Comfort SC Corporation, <u>283</u> MOTION to Exclude Expert Testimony <i>Defendants John Baxter, Dires, LLC, Scott Stenzel & Craig Miller's Daubert Motion to Exclude the Testimony of Plaintiffs' Expert, Theodore Davis</i> filed by John Baxter, Dires, LLC, Scott Stenzel, Craig Miller, <u>287</u> MOTION to Exclude Expert Testimony <i>of Renee Marino</i> filed by John Baxter, Dires, LLC, Scott Stenzel, Craig Miller. Matters taken under advisement; written Order to issue.(Court Reporter Jeanne Anderson) (BJS) (Entered: 08/19/2016)
08/29/2016	<u>323</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 08/29/2016)
08/29/2016	<u>324</u>	TRANSCRIPT of Daubert Motions Hearing held on 08/19/2016 before Judge Donovan W. Frank. (131 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 9/19/2016. Redacted Transcript Deadline set for 9/29/2016. Release of Transcript Restriction set for 11/28/2016. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 08/29/2016)
08/31/2016	<u>325</u>	MOTION to Reconsider <i>the Court's Memorandum Opinion and Order (Dkt. No. 270)</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 08/31/2016)
08/31/2016	<u>326</u>	NOTICE OF HEARING ON MOTION <u>325</u> MOTION to Reconsider <i>the Court's Memorandum Opinion and Order (Dkt. No. 270)</i> : at date and time to be determined. (Patton, Elizabeth) (Entered: 08/31/2016)
08/31/2016	<u>327</u>	MEMORANDUM in Support re <u>325</u> MOTION to Reconsider <i>the Court's Memorandum Opinion and Order (Dkt. No. 270)</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 08/31/2016)
08/31/2016	<u>328</u>	AFFIDAVIT of Dennis E. Hansen in SUPPORT OF <u>325</u> MOTION to Reconsider <i>the Court's Memorandum Opinion and Order (Dkt. No. 270)</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 1-15, # <u>3</u> Exhibit(s) 16-22)(Patton, Elizabeth) (Entered: 08/31/2016)
08/31/2016	<u>329</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>325</u> MOTION to Reconsider <i>the Court's Memorandum Opinion and Order (Dkt. No. 270)</i> (Patton, Elizabeth) (Entered: 08/31/2016)
09/12/2016	<u>330</u>	MEMORANDUM in Opposition re <u>325</u> MOTION to Reconsider <i>the Court's Memorandum Opinion and Order (Dkt. No. 270)</i> filed by Dires, LLC. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Cernovsky, Joseph) (Entered: 09/12/2016)
09/12/2016	<u>331</u>	Declaration of Joseph P. Cernovsky in Opposition re <u>325</u> MOTION to Reconsider the Court's Memorandum Opinion and Order filed by Dires, LLC. (Attachments: # <u>1</u> Exhibit(s) 1 to 3)(Cernovsky, Joseph) Modified on 9/13/2016 (kt). (Entered: 09/12/2016)
10/25/2016	<u>332</u>	MEMORANDUM OPINION AND ORDER. 1. Dires Defendants' Motion to Exclude Testimony of Plaintiffs' Expert, Sarah Butler (Doc. No. <u>277</u>) is DENIED. 2. Dires Defendants' Motion to Exclude in Part Testimony of Plaintiffs' Expert, Hal Poret (Doc.

		No. <u>280</u>) is DENIED. 3. Dires Defendants' Motion to Exclude Testimony of Plaintiffs' Expert, Theodore Davis (Doc. No. <u>283</u>) is GRANTED in light of the Court' dismissal of Defendants' Counterclaim III. 4. Dires Defendants' Motion to Exclude Expert Testimony of Renee Marino (Doc. No. <u>287</u>) is DENIED. 5. Plaintiffs' Motion to Exclude Report and Opinions of Uli Widmaier (Doc. No. <u>291</u>) is GRANTED in light of the Courts dismissal of Defendants Counterclaim III. 6. Plaintiffs' Motion for Reconsideration (Doc. No. <u>325</u>) of the Court's Memorandum Opinion and Order (Doc. No. <u>270</u>) is GRANTED IN PART for the reasons described above insofar as the Court dismisses Counterclaim III.(Written Opinion) Signed by Judge Donovan W. Frank on 10/25/2016. (BJS) (Entered: 10/25/2016)
10/28/2016	<u>333</u>	MOTION to Alter/Amend/Supplement Pleadings by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/28/2016)
10/28/2016	<u>334</u>	LETTER TO DISTRICT JUDGE to Request Permission to File Motion to Reconsider . (Schultz, David) Modified text on 10/31/2016 (kt). (Entered: 10/28/2016)
10/28/2016	<u>335</u>	NOTICE OF HEARING ON MOTION <u>333</u> MOTION to Alter/Amend/Supplement Pleadings : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/28/2016)
10/28/2016	<u>336</u>	MEMORANDUM by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel re <u>333</u> MOTION to Alter/Amend/Supplement Pleadings filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/28/2016)
10/28/2016	<u>337</u>	MEET and CONFER STATEMENT re <u>333</u> Motion to Alter/Amend/Supplement Pleadings filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/28/2016)
10/28/2016	<u>338</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dires, LLC, Craig Miller, Scott Stenzel re <u>333</u> MOTION to Alter/Amend/Supplement Pleadings (Schultz, David) (Entered: 10/28/2016)
10/31/2016	<u>339</u>	MOTION in Limine No. 1 for Instruction Regarding Strenth of Plaintiffs' Marks by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>340</u>	NOTICE OF HEARING ON MOTION <u>339</u> MOTION in Limine No. 1 for Instruction Regarding Strenth of Plaintiffs' Marks : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>341</u>	MEMORANDUM in Support re <u>339</u> MOTION in Limine No. 1 for Instruction Regarding Strenth of Plaintiffs' Marks filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>342</u>	MOTION in Limine No. 2 to Admit Rappeport Survey by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>343</u>	NOTICE OF HEARING ON MOTION <u>342</u> MOTION in Limine No. 2 to Admit Rappeport Survey : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>344</u>	MEMORANDUM in Support re <u>342</u> MOTION in Limine No. 2 to Admit Rappeport Survey filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>345</u>	MOTION in Limine No. 3 to Exclude Documents Containing Defendants' Internal Communications Regarding Conversations with Consumers by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>346</u>	NOTICE OF HEARING ON MOTION <u>345</u> MOTION in Limine No. 3 to Exclude Documents Containing Defendants' Internal Communications Regarding Conversations with Consumers : Motion Hearing set for 11/15/2016 09:00 AM in

		Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>347</u>	MEMORANDUM in Support re <u>345</u> MOTION in <i>Limine No. 3 to Exclude Documents Containing Defendants' Internal Communications Regarding Conversations with Consumers</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>348</u>	MOTION in <i>Limine No. 4 for Instructions Restricting Evidence to Specific Claims</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>349</u>	NOTICE OF HEARING ON MOTION <u>348</u> MOTION in <i>Limine No. 4 for Instructions Restricting Evidence to Specific Claims</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>350</u>	MEMORANDUM in Support re <u>348</u> MOTION in <i>Limine No. 4 for Instructions Restricting Evidence to Specific Claims</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>351</u>	MOTION in <i>Limine No. 5 to Establish the Relevancy of Plaintiffs' Trademark Enforcement Actions</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>352</u>	NOTICE OF HEARING ON MOTION <u>351</u> MOTION in <i>Limine No. 5 to Establish the Relevancy of Plaintiffs' Trademark Enforcement Actions</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>353</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>354</u>	NOTICE OF HEARING ON MOTION <u>353</u> MOTION in <i>Limine Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>355</u>	MEMORANDUM in Support re <u>351</u> MOTION in <i>Limine No. 5 to Establish the Relevancy of Plaintiffs' Trademark Enforcement Actions</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>356</u>	MEMORANDUM in Support re <u>353</u> MOTION in <i>Limine Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>357</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 10 to Exclude Testimony and Evidence Related to Zero Gravity</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>358</u>	MOTION in <i>Limine No. 6 to Bar Plaintiffs' Use of "Incontestable"</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>359</u>	NOTICE OF HEARING ON MOTION <u>357</u> MOTION in <i>Limine Defendants' Motion in Limine No. 10 to Exclude Testimony and Evidence Related to Zero Gravity</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>360</u>	NOTICE OF HEARING ON MOTION <u>358</u> MOTION in <i>Limine No. 6 to Bar Plaintiffs' Use of "Incontestable"</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)

10/31/2016	<u>361</u>	MEMORANDUM in Support re <u>357</u> MOTION in <i>Limine Defendants' Motion in Limine No. 10 to Exclude Testimony and Evidence Related to Zero Gravity</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>362</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>363</u>	MEMORANDUM in Support re <u>358</u> MOTION in <i>Limine No. 6 to Bar Plaintiffs' Use of "Incontestable"</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>364</u>	NOTICE OF HEARING ON MOTION <u>362</u> MOTION in <i>Limine Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>365</u>	MOTION in <i>Limine No. 7 to Admit Defendants' Rule 1006 Charts</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>366</u>	MEMORANDUM in Support re <u>362</u> MOTION in <i>Limine Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>367</u>	NOTICE OF HEARING ON MOTION <u>365</u> MOTION in <i>Limine No. 7 to Admit Defendants' Rule 1006 Charts</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>368</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 12 to Exclude Evidence of Liability Insurance</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>369</u>	NOTICE OF HEARING ON MOTION <u>368</u> MOTION in <i>Limine Defendants' Motion in Limine No. 12 to Exclude Evidence of Liability Insurance</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>370</u>	MEMORANDUM in Support re <u>365</u> MOTION in <i>Limine No. 7 to Admit Defendants' Rule 1006 Charts</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>371</u>	MEMORANDUM in Support re <u>368</u> MOTION in <i>Limine Defendants' Motion in Limine No. 12 to Exclude Evidence of Liability Insurance</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>372</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 13 to Exclude Testimony of Plaintiffs' Secret Shoppers</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>373</u>	MOTION in <i>Limine No. 8 to Exclude Prior Acts of Scott Stenzel</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>374</u>	NOTICE OF HEARING ON MOTION <u>372</u> MOTION in <i>Limine Defendants' Motion in Limine No. 13 to Exclude Testimony of Plaintiffs' Secret Shoppers</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>375</u>	NOTICE OF HEARING ON MOTION <u>373</u> MOTION in <i>Limine No. 8 to Exclude Prior Acts of Scott Stenzel</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Schultz, David) (Entered: 10/31/2016)

10/31/2016	<u>376</u>	MEMORANDUM in Support re <u>372</u> MOTION in <i>Limine Defendants' Motion in Limine No. 13 to Exclude Testimony of Plaintiffs' Secret Shoppers</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>377</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 14 to Exclude Expert's Testimony and Report Regarding Surveys Conducted by Others</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>378</u>	NOTICE OF HEARING ON MOTION <u>377</u> MOTION in <i>Limine Defendants' Motion in Limine No. 14 to Exclude Expert's Testimony and Report Regarding Surveys Conducted by Others</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>379</u>	MEMORANDUM in Support re <u>373</u> MOTION in <i>Limine No. 8 to Exclude Prior Acts of Scott Stenzel</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>380</u>	MEMORANDUM in Support re <u>377</u> MOTION in <i>Limine Defendants' Motion in Limine No. 14 to Exclude Expert's Testimony and Report Regarding Surveys Conducted by Others</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>381</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing and/or False Online Advertisements</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>382</u>	NOTICE OF HEARING ON MOTION <u>381</u> MOTION in <i>Limine Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing and/or False Online Advertisements</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>383</u>	MEMORANDUM in Support re <u>381</u> MOTION in <i>Limine Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing and/or False Online Advertisements</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>384</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>385</u>	NOTICE OF HEARING ON MOTION <u>384</u> MOTION in <i>Limine Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>386</u>	MEMORANDUM in Support re <u>384</u> MOTION in <i>Limine Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>387</u>	MOTION in <i>Limine Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfortaire</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>388</u>	NOTICE OF HEARING ON MOTION <u>387</u> MOTION in <i>Limine Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfortaire</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>389</u>	MEMORANDUM in Support re <u>387</u> MOTION in <i>Limine Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfortaire</i>

		filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>390</u>	MOTION in Limine <i>Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regrding Alleged Confusion Arising from Metatags</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>391</u>	NOTICE OF HEARING ON MOTION <u>390</u> MOTION in Limine <i>Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regrding Alleged Confusion Arising from Metatags</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>392</u>	MEMORANDUM in Support re <u>390</u> MOTION in Limine <i>Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regrding Alleged Confusion Arising from Metatags</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>393</u>	AFFIDAVIT of Carrie L. Zochert in SUPPORT OF <u>384</u> MOTION in Limine <i>Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> , <u>381</u> MOTION in Limine <i>Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing and/or False Online Advertisements</i> , <u>353</u> MOTION in Limine <i>Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> , <u>390</u> MOTION in Limine <i>Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regrding Alleged Confusion Arising from Metatags</i> , <u>362</u> MOTION in Limine <i>Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> , <u>387</u> MOTION in Limine <i>Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfortaire</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s) Nos. 1-7)(Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>394</u>	MOTION in Limine <i>#1 Regarding Exclusion of Evidence of Plaintiffs' Purported Unclean Hands</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>395</u>	NOTICE OF HEARING ON MOTION <u>394</u> MOTION in Limine <i>#1 Regarding Exclusion of Evidence of Plaintiffs' Purported Unclean Hands</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>396</u>	MEMORANDUM in Support re <u>394</u> MOTION in Limine <i>#1 Regarding Exclusion of Evidence of Plaintiffs' Purported Unclean Hands</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>397</u>	MOTION in Limine <i>#2 Regarding Admissibility of Defendants' Consumer Communications and Internal Communications</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>398</u>	NOTICE OF HEARING ON MOTION <u>397</u> MOTION in Limine <i>#2 Regarding Admissibility of Defendants' Consumer Communications and Internal Communications</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>399</u>	MEMORANDUM in Support re <u>397</u> MOTION in Limine <i>#2 Regarding Admissibility of Defendants' Consumer Communications and Internal Communications</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>400</u>	MOTION in Limine <i>#3 Regarding Exclusion of Certain Testimony Related to Comfortaire</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton,

		Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>401</u>	NOTICE OF HEARING ON MOTION <u>400</u> MOTION in Limine #3 Regarding <i>Exclusion of Certain Testimony Related to Comfortaire</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>402</u>	MEMORANDUM in Support re <u>400</u> MOTION in Limine #3 Regarding <i>Exclusion of Certain Testimony Related to Comfortaire</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>403</u>	MOTION in Limine #4 Regarding <i>Defendants' "Tricky Marketing" Emails</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>404</u>	NOTICE OF HEARING ON MOTION <u>403</u> MOTION in Limine #4 Regarding <i>Defendants' "Tricky Marketing" Emails</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>405</u>	MEMORANDUM in Support re <u>403</u> MOTION in Limine #4 Regarding <i>Defendants' "Tricky Marketing" Emails</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>406</u>	MOTION in Limine #5 Regarding <i>Exclusion of Rapoport Expert Report</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>407</u>	NOTICE OF HEARING ON MOTION <u>406</u> MOTION in Limine #5 Regarding <i>Exclusion of Rapoport Expert Report</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>408</u>	MEMORANDUM in Support re <u>406</u> MOTION in Limine #5 Regarding <i>Exclusion of Rapoport Expert Report</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>409</u>	MOTION in Limine #6 Regarding <i>Exclusion of Evidence of Select Comfort's Other Litigations</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>410</u>	NOTICE OF HEARING ON MOTION <u>409</u> MOTION in Limine #6 Regarding <i>Exclusion of Evidence of Select Comfort's Other Litigations</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>411</u>	MEMORANDUM in Support re <u>409</u> MOTION in Limine #6 Regarding <i>Exclusion of Evidence of Select Comfort's Other Litigations</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>412</u>	MOTION in Limine #7 Regarding <i>Defendants' USPTO Trademark Application and Third-Party Trademark Applications</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>413</u>	NOTICE OF HEARING ON MOTION <u>412</u> MOTION in Limine #7 Regarding <i>Defendants' USPTO Trademark Application and Third-Party Trademark Applications</i> : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>414</u>	MEMORANDUM in Support re <u>412</u> MOTION in Limine #7 Regarding <i>Defendants' USPTO Trademark Application and Third-Party Trademark Applications</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)

10/31/2016	<u>415</u>	MOTION in Limine #8 Regarding Exclusion of Mark Kimball as a Trial Witness by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>416</u>	NOTICE OF HEARING ON MOTION <u>415</u> MOTION in Limine #8 Regarding Exclusion of Mark Kimball as a Trial Witness : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>417</u>	MEMORANDUM in Support re <u>415</u> MOTION in Limine #8 Regarding Exclusion of Mark Kimball as a Trial Witness filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>418</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel re <u>365</u> MOTION in Limine No. 7 to Admit Defendants' Rule 1006 Charts, <u>339</u> MOTION in Limine No. 1 for Instruction Regarding Strength of Plaintiffs' Marks, <u>373</u> MOTION in Limine No. 8 to Exclude Prior Acts of Scott Stenzel, <u>351</u> MOTION in Limine No. 5 to Establish the Relevancy of Plaintiffs' Trademark Enforcement Actions, <u>342</u> MOTION in Limine No. 2 to Admit Rapoport Survey, <u>358</u> MOTION in Limine No. 6 to Bar Plaintiffs' Use of "Incontestable", <u>348</u> MOTION in Limine No. 4 for Instructions Restricting Evidence to Specific Claims, <u>345</u> MOTION in Limine No. 3 to Exclude Documents Containing Defendants' Internal Communications Regarding Conversations with Consumers (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>419</u>	MOTION in Limine #9 Regarding Exclusion of Certain Testimony of Peter Kent by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>420</u>	NOTICE OF HEARING ON MOTION <u>419</u> MOTION in Limine #9 Regarding Exclusion of Certain Testimony of Peter Kent : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>421</u>	MEMORANDUM in Support re <u>419</u> MOTION in Limine #9 Regarding Exclusion of Certain Testimony of Peter Kent filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>422</u>	DOCUMENT FILED IN ERROR//WILL BE RE-FILED/MOTION in Limine #10 Regarding Exclusion of Testimony or Argument of Purported Genericness by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) Modified text on 11/1/2016 (JDF). (Entered: 10/31/2016)
10/31/2016	<u>423</u>	NOTICE OF HEARING ON MOTION <u>447</u> MOTION in Limine #10 Regarding Exclusion of Testimony or Argument of Purported Genericness : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) Modified on 11/1/2016 (las). Modified on 11/1/2016 (kt). (Entered: 10/31/2016)
10/31/2016	<u>424</u>	MEMORANDUM in Support re <u>447</u> MOTION in Limine #10 Regarding Exclusion of Testimony or Argument of Purported Genericness filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) Modified text and link on 11/1/2016 (JDF). (Entered: 10/31/2016)
10/31/2016	<u>425</u>	MOTION in Limine #11 Regarding Exclusion of Unproduced Documents by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>426</u>	NOTICE OF HEARING ON MOTION <u>425</u> MOTION in Limine #11 Regarding Exclusion of Unproduced Documents : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>427</u>	MEMORANDUM in Support re <u>425</u> MOTION in Limine #11 Regarding Exclusion of Unproduced Documents filed by Select Comfort Corporation, Select Comfort SC

		Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>428</u>	MOTION in Limine #12 Regarding Exclusion of Defendants' Exhibit Nos. 221, 430, and 431 by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>429</u>	NOTICE OF HEARING ON MOTION <u>428</u> MOTION in Limine #12 Regarding Exclusion of Defendants' Exhibit Nos. 221, 430, and 431 : Motion Hearing set for 11/15/2016 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>430</u>	MEMORANDUM in Support re <u>428</u> MOTION in Limine #12 Regarding Exclusion of Defendants' Exhibit Nos. 221, 430, and 431 filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>431</u>	STATEMENT OF CASE as to John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>432</u>	AFFIDAVIT of Elizabeth A. Patton in SUPPORT OF <u>406</u> MOTION in Limine #5 Regarding Exclusion of Rapoport Expert Report, <u>400</u> MOTION in Limine #3 Regarding Exclusion of Certain Testimony Related to Comfortaire, <u>428</u> MOTION in Limine #12 Regarding Exclusion of Defendants' Exhibit Nos. 221, 430, and 431, <u>415</u> MOTION in Limine #8 Regarding Exclusion of Mark Kimball as a Trial Witness, <u>409</u> MOTION in Limine #6 Regarding Exclusion of Evidence of Select Comfort's Other Litigations, <u>394</u> MOTION in Limine #1 Regarding Exclusion of Evidence of Plaintiffs' Purported Unclean Hands, <u>425</u> MOTION in Limine #11 Regarding Exclusion of Unproduced Documents, <u>397</u> MOTION in Limine #2 Regarding Admissibility of Defendants' Consumer Communications and Internal Communications, <u>419</u> MOTION in Limine #9 Regarding Exclusion of Certain Testimony of Peter Kent, <u>403</u> MOTION in Limine #4 Regarding Defendants' "Tricky Marketing" Emails, <u>422</u> MOTION in Limine #10 Regarding Exclusion of Testimony or Argument of Purported Genericness, <u>412</u> MOTION in Limine #7 Regarding Defendants' USPTO Trademark Application and Third-Party Trademark Applications filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B-P)(Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>433</u>	Proposed Witness List by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>434</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Select Comfort Corporation, Select Comfort SC Corporation re <u>394</u> MOTION in Limine #1 Regarding Exclusion of Evidence of Plaintiffs' Purported Unclean Hands, <u>406</u> MOTION in Limine #5 Regarding Exclusion of Rapoport Expert Report, <u>425</u> MOTION in Limine #11 Regarding Exclusion of Unproduced Documents, <u>419</u> MOTION in Limine #9 Regarding Exclusion of Certain Testimony of Peter Kent, <u>397</u> MOTION in Limine #2 Regarding Admissibility of Defendants' Consumer Communications and Internal Communications, <u>400</u> MOTION in Limine #3 Regarding Exclusion of Certain Testimony Related to Comfortaire, <u>403</u> MOTION in Limine #4 Regarding Defendants' "Tricky Marketing" Emails, <u>428</u> MOTION in Limine #12 Regarding Exclusion of Defendants' Exhibit Nos. 221, 430, and 431, <u>415</u> MOTION in Limine #8 Regarding Exclusion of Mark Kimball as a Trial Witness, <u>409</u> MOTION in Limine #6 Regarding Exclusion of Evidence of Select Comfort's Other Litigations, <u>422</u> MOTION in Limine #10 Regarding Exclusion of Testimony or Argument of Purported Genericness, <u>412</u> MOTION in Limine #7 Regarding Defendants' USPTO Trademark Application and Third-Party Trademark Applications (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>435</u>	List of Deposition Testimony submitted by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>436</u>	Proposed Voir Dire by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>437</u>	STATEMENT OF CASE as to Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)

10/31/2016	<u>438</u>	Exhibit List by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>439</u>	Proposed Special Verdict Form by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 10/31/2016)
10/31/2016	<u>440</u>	Witness List by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>441</u>	List of Deposition Testimony submitted by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>442</u>	Joint STATEMENT OF CASE as to John Baxter, Dires, LLC, Craig Miller, Select Comfort Corporation, Select Comfort SC Corporation, Scott Stenzel. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>443</u>	Proposed Voir Dire by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>444</u>	Proposed Special Verdict Form by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 10/31/2016)
10/31/2016	<u>445</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel re <u>377</u> MOTION in <i>Limine Defendants' Motion in Limine No. 14 to Exclude Expert's Testimony and Report Regarding Surveys Conducted by Others</i> , <u>372</u> MOTION in <i>Limine Defendants' Motion in Limine No. 13 to Exclude Testimony of Plaintiffs' Secret Shoppers</i> , <u>384</u> MOTION in <i>Limine Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> , <u>381</u> MOTION in <i>Limine Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing and/or False Online Advertisements</i> , <u>368</u> MOTION in <i>Limine Defendants' Motion in Limine No. 12 to Exclude Evidence of Liability Insurance</i> , <u>353</u> MOTION in <i>Limine Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> , <u>390</u> MOTION in <i>Limine Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regarding Alleged Confusion Arising from Metatags</i> , <u>362</u> MOTION in <i>Limine Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> , <u>357</u> MOTION in <i>Limine Defendants' Motion in Limine No. 10 to Exclude Testimony and Evidence Related to Zero Gravity</i> , <u>387</u> MOTION in <i>Limine Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfortaire</i> (Berens, Barbara) (Entered: 10/31/2016)
10/31/2016	<u>446</u>	PROPOSED EXHIBIT LIST by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel.. (Schultz, David) (Entered: 10/31/2016)
11/01/2016	<u>447</u>	MOTION in <i>Limine #10 Regarding Exclusion of Testimony or Argument of Purported Genericness</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 11/01/2016)
11/01/2016	<u>448</u>	Proposed Jury Instructions submitted by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 11/01/2016)
11/01/2016	<u>449</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 11/01/2016)
11/01/2016	<u>450</u>	MOTION for Continuance of <i>Trial Date</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 11/01/2016)
11/01/2016	<u>451</u>	NOTICE OF HEARING ON MOTION <u>450</u> MOTION for Continuance of <i>Trial Date</i> : at date and time to be determined. (Schultz, David) (Entered: 11/01/2016)
11/01/2016	<u>452</u>	MEMORANDUM in Support re <u>450</u> MOTION for Continuance of <i>Trial Date</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 11/01/2016)
11/01/2016	<u>453</u>	MEET and CONFER STATEMENT re <u>450</u> Motion for Continuance filed by Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 11/01/2016)

11/01/2016	<u>454</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dires, LLC, Craig Miller, Scott Stenzel re <u>450</u> MOTION for Continuance of <i>Trial Date</i> (Schultz, David) (Entered: 11/01/2016)
11/02/2016	<u>455</u>	ORDER FOR REASSIGNMENT OF RELATED CASES – IT IS HEREBY ORDERED that Case No. 16–CV–3715 (SRN/KMM) be assigned to Judge Donovan W. Frank and Magistrate Judge Steven E. Rau. Signed by Judge Donovan W. Frank and Judge Susan Richard Nelson on 11/2/2016. (las) (Entered: 11/02/2016)
11/04/2016	<u>456</u>	List of Deposition Testimony – <i>Plaintiffs' Amended List of Video Deposition Testimony</i> submitted by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 11/04/2016)
11/04/2016	<u>457</u>	MEMORANDUM in Opposition re <u>333</u> MOTION to Alter/Amend/Supplement Pleadings filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/04/2016)
11/04/2016	<u>458</u>	AFFIDAVIT of Elizabeth A. Patton in OPPOSITION TO <u>333</u> MOTION to Alter/Amend/Supplement Pleadings filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 1–12, # <u>3</u> Exhibit(s) 13–24)(Patton, Elizabeth) (Entered: 11/04/2016)
11/04/2016	<u>459</u>	Joint MOTION to Consolidate Cases by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 11/04/2016)
11/04/2016	<u>460</u>	NOTICE OF HEARING ON MOTION <u>459</u> Joint MOTION to Consolidate Cases : <i>By Dires, LLC, Scott Stenzel, Craig Miller, and John Baxter</i> at date and time to be determined. (Schultz, David) (Entered: 11/04/2016)
11/04/2016	<u>461</u>	MEMORANDUM in Support re <u>459</u> Joint MOTION to Consolidate Cases filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 11/04/2016)
11/04/2016	<u>462</u>	MEET and CONFER STATEMENT re <u>459</u> Motion to Consolidate Cases filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 11/04/2016)
11/04/2016	<u>463</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel re <u>459</u> Joint MOTION to Consolidate Cases (Schultz, David) (Entered: 11/04/2016)
11/07/2016	<u>464</u>	Plaintiffs' Objections to Defendants' Deposition Designations submitted by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) Modified text on 11/7/2016 (kt). (Entered: 11/07/2016)
11/07/2016	<u>465</u>	MEMORANDUM in Opposition re <u>415</u> MOTION in Limine #8 <i>Regarding Exclusion of Mark Kimball as a Trial Witness</i> filed by John Baxter, Dires, LLC; Scott Stenzel; and Craig Miller. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) Modified on 11/7/2016 (kt). (Entered: 11/07/2016)
11/07/2016	<u>466</u>	MEMORANDUM in Opposition re <u>412</u> MOTION in Limine #7 <i>Regarding Defendants' USPTO Trademark Application and Third–Party Trademark Applications</i> filed by John Baxter, Dires, LLC; Scott Stenzel; and Craig Miller. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) Modified fileres on 11/8/2016 (kt). (Entered: 11/07/2016)
11/07/2016	<u>467</u>	MEMORANDUM in Opposition re <u>447</u> MOTION in Limine #10 <i>Regarding Exclusion of Testimony or Argument of Purported Genericness</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 11/07/2016)
11/07/2016	<u>468</u>	MEMORANDUM in Opposition re <u>406</u> MOTION in Limine #5 <i>Regarding Exclusion of Rappeport Expert Report</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 11/07/2016)
11/07/2016	<u>469</u>	Objections to Plaintiff's Deposition Testimony submitted by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) Modified text on 11/8/2016 (kt).

		(Entered: 11/07/2016)
11/07/2016	<u>470</u>	MEMORANDUM in Opposition re <u>348</u> MOTION in Limine <i>No. 4 for Instructions Restricting Evidence to Specific Claims</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>471</u>	MEMORANDUM in Opposition re <u>365</u> MOTION in Limine <i>No. 7 to Admit Defendants' Rule 1006 Charts</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>472</u>	MEMORANDUM in Opposition re <u>373</u> MOTION in Limine <i>No. 8 to Exclude Prior Acts of Scott Stenzel</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>473</u>	MEMORANDUM in Opposition re <u>353</u> MOTION in Limine <i>Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>474</u>	MEMORANDUM in Opposition re <u>357</u> MOTION in Limine <i>Defendants' Motion in Limine No. 10 to Exclude Testimony and Evidence Related to Zero Gravity</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>475</u>	MEMORANDUM in Opposition re <u>362</u> MOTION in Limine <i>Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>476</u>	MEMORANDUM in Opposition re <u>403</u> MOTION in Limine <i>#4 Regarding Defendants' "Tricky Marketing" Emails</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 11/07/2016)
11/07/2016	<u>477</u>	MEMORANDUM in Opposition re <u>368</u> MOTION in Limine <i>Defendants' Motion in Limine No. 12 to Exclude Evidence of Liability Insurance</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>478</u>	MEMORANDUM in Opposition re <u>400</u> MOTION in Limine <i>#3 Regarding Exclusion of Certain Testimony Related to Comfortaire</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 11/07/2016)
11/07/2016	<u>479</u>	MEMORANDUM in Opposition re <u>394</u> MOTION in Limine <i>#1 Regarding Exclusion of Evidence of Plaintiffs' Purported Unclean Hands</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 11/07/2016)
11/07/2016	<u>480</u>	MEMORANDUM in Opposition re <u>372</u> MOTION in Limine <i>Defendants' Motion in Limine No. 13 to Exclude Testimony of Plaintiffs' Secret Shoppers</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>481</u>	MEMORANDUM in Opposition re <u>419</u> MOTION in Limine <i>#9 Regarding Exclusion of Certain Testimony of Peter Kent</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 11/07/2016)
11/07/2016	<u>482</u>	MEMORANDUM in Opposition re <u>381</u> MOTION in Limine <i>Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing</i>

		<i>and/or False Online Advertisements</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>483</u>	MEMORANDUM in Opposition re <u>384</u> MOTION in Limine <i>Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>484</u>	MEMORANDUM in Opposition re <u>409</u> MOTION in Limine #6 <i>Regarding Exclusion of Evidence of Select Comfort's Other Litigations</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 11/07/2016)
11/07/2016	<u>485</u>	MEMORANDUM in Opposition re <u>387</u> MOTION in Limine <i>Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfортаire</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>486</u>	MEMORANDUM in Opposition re <u>390</u> MOTION in Limine <i>Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regrding Alleged Confusion Arising from Metatags</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>487</u>	MEMORANDUM in Opposition re <u>345</u> MOTION in Limine <i>No. 3 to Exclude Documents Containing Defendants' Internal Communications Regarding Conversations with Consumers</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>488</u>	MEMORANDUM in Opposition re <u>351</u> MOTION in Limine <i>No. 5 to Establish the Relevancy of Plaintiffs' Trademark Enforcement Actions</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>489</u>	MEMORANDUM in Opposition re <u>358</u> MOTION in Limine <i>No. 6 to Bar Plaintiffs' Use of "Incontestable"</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>490</u>	MEMORANDUM in Opposition re <u>397</u> MOTION in Limine #2 <i>Regarding Admissibility of Defendants' Consumer Communications and Internal Communications</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 11/07/2016)
11/07/2016	<u>491</u>	MEMORANDUM in Opposition re <u>339</u> MOTION in Limine <i>No. 1 for Instruction Regarding Strenth of Plaintiffs' Marks</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>492</u>	MEMORANDUM in Opposition re <u>377</u> MOTION in Limine <i>Defendants' Motion in Limine No. 14 to Exclude Expert's Testimony and Report Regarding Surveys Conducted by Others</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>493</u>	MEMORANDUM in Opposition re <u>428</u> MOTION in Limine #12 <i>Regarding Exclusion of Defendants' Exhibit Nos. 221, 430, and 431</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Schultz, David) (Entered: 11/07/2016)
11/07/2016	<u>494</u>	MEMORANDUM in Opposition re <u>342</u> MOTION in Limine <i>No. 2 to Admit Rapoport Survey</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance

		Certificate)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>495</u>	AFFIDAVIT of Dennis E. Hansen in OPPOSITION TO <u>377</u> MOTION in Limine <i>Defendants' Motion in Limine No. 14 to Exclude Expert's Testimony and Report Regarding Surveys Conducted by Others</i> , <u>372</u> MOTION in Limine <i>Defendants' Motion in Limine No. 13 to Exclude Testimony of Plaintiffs' Secret Shoppers</i> , <u>365</u> MOTION in Limine <i>No. 7 to Admit Defendants' Rule 1006 Charts</i> , <u>368</u> MOTION in Limine <i>Defendants' Motion in Limine No. 12 to Exclude Evidence of Liability Insurance</i> , <u>353</u> MOTION in Limine <i>Defendants' Motion in Limine No. 9 to Exclude Testimony and Evidence Related to Mattressquote or Mattressquote.com</i> , <u>390</u> MOTION in Limine <i>Defendants' Motion in Limine No. 18 to Exclude Evidence of Initial Interest Confusion and Evidence Regarding Alleged Confusion Arising from Metatags</i> , <u>362</u> MOTION in Limine <i>Defendants' Motion in Limine No. 11 to Exclude or Limit Reference to Defendants' Use of Pseudonyms</i> , <u>358</u> MOTION in Limine <i>No. 6 to Bar Plaintiffs' Use of "Incontestable"</i> , <u>357</u> MOTION in Limine <i>Defendants' Motion in Limine No. 10 to Exclude Testimony and Evidence Related to Zero Gravity</i> , <u>345</u> MOTION in Limine <i>No. 3 to Exclude Documents Containing Defendants' Internal Communications Regarding Conversations with Consumers</i> , <u>384</u> MOTION in Limine <i>Defendants' Motion in Limine No. 16 to Exclude Testimony and Evidence Related to Defendants That Have Defaulted</i> , <u>381</u> MOTION in Limine <i>Defendants' Motion in Limine No. 15 to Exclude Spreadsheets Identifying Defendants' Allegedly Infringing and/or False Online Advertisements</i> , <u>339</u> MOTION in Limine <i>No. 1 for Instruction Regarding Strength of Plaintiffs' Marks</i> , <u>373</u> MOTION in Limine <i>No. 8 to Exclude Prior Acts of Scott Stenzel</i> , <u>342</u> MOTION in Limine <i>No. 2 to Admit Rapoport Survey</i> , <u>351</u> MOTION in Limine <i>No. 5 to Establish the Relevancy of Plaintiffs' Trademark Enforcement Actions</i> , <u>387</u> MOTION in Limine <i>Defendants' Motion in Limine No. 17 Regarding the Prior Lawsuit Between Select Comfort and Comfortaire</i> , <u>348</u> MOTION in Limine <i>No. 4 for Instructions Restricting Evidence to Specific Claims</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) A-Z)(Patton, Elizabeth) (Entered: 11/07/2016)
11/07/2016	<u>496</u>	MEMORANDUM in Opposition re <u>425</u> MOTION in Limine <i>#11 Regarding Exclusion of Unproduced Documents</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Berens, Barbara) (Entered: 11/07/2016)
11/07/2016	<u>497</u>	Declaration of Joseph P. Cerny in Opposition re <u>409</u> MOTION in Limine <i>#6 Regarding Exclusion of Evidence of Select Comfort's Other Litigations</i> filed by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibits 1-3)(Schultz, David) Modified text and link on 11/8/2016 (kt). (Entered: 11/07/2016)
11/08/2016	<u>498</u>	NOTICE of Appearance by Heidi A O Fisher on behalf of Select Comfort Corporation, Select Comfort SC Corporation. (Fisher, Heidi) (Entered: 11/08/2016)
11/08/2016	<u>499</u>	MEMORANDUM in Opposition re <u>450</u> MOTION for Continuance of <i>Trial Date</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/08/2016)
11/08/2016	<u>500</u>	AFFIDAVIT of Elizabeth A. Patton in OPPOSITION TO <u>450</u> MOTION for Continuance of <i>Trial Date</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 11/08/2016)
11/14/2016	<u>501</u>	Exhibit List – <i>Plaintiffs' Supplemental Exhibit List</i> by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 11/14/2016)
11/14/2016	<u>502</u>	MEMORANDUM in Opposition re <u>459</u> Joint MOTION to Consolidate Cases filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 11/14/2016)
11/14/2016	<u>503</u>	Exhibit List <i>Supplement to Defendants' Trial Exhibit List</i> by John Baxter, Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 11/14/2016)
11/15/2016	<u>504</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Pretrial Conference held on 11/15/2016. Pretrial Conference continued to 11/16/2016 at 12:30 PM. (Court Reporter Jeanne Anderson) (BJS) (Entered: 11/17/2016)

11/16/2016	<u>505</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Final Pretrial Conference held on 11/16/2016. (Court Reporter Jeanne Anderson) (BJS) (Entered: 11/17/2016)
12/05/2016	506	FILED IN ERROR, HAS BEEN RE-FILED, SEE DOCUMENT NUMBER <u>507</u> . NOTICE of Filing of Official Transcript. This filing has 2 transcript(s) associated with it. (JMA) Modified text on 12/5/2016 (LEG). (Entered: 12/05/2016)
12/05/2016	<u>507</u>	NOTICE of Filing of Official Transcript. This filing has 2 transcript(s) associated with it. (JMA) (Entered: 12/05/2016)
12/05/2016	<u>508</u>	TRANSCRIPT of Pretrial Conference – Day 1, held on 11/15/2016 before Judge Donovan W. Frank. (251 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 12/27/2016. Redacted Transcript Deadline set for 1/5/2017. Release of Transcript Restriction set for 3/6/2017. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 12/05/2016)
12/05/2016	<u>509</u>	TRANSCRIPT of Pretrial Conference – Day 2, held on 11/16/2016 before Judge Donovan W. Frank. (89 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 12/27/2016. Redacted Transcript Deadline set for 1/5/2017. Release of Transcript Restriction set for 3/6/2017. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 12/05/2016)
12/05/2016	<u>510</u>	MEMORANDUM OPINION AND ORDER. 1. Defendants' Request for Leave to File a Motion for Reconsideration (Doc. No. <u>334</u>) is DENIED. 2. Defendants' Motion for Leave to Amend (Doc. No. <u>333</u>) is DENIED. Defendants' motion is untimely, prejudicial to Plaintiff, and not based on good cause for the relief requested. 3. Defendants' Motion to Continue Trial Date (Doc. No. <u>450</u>) is MOOT. 4. Defendants' Joint Motion to Consolidate Actions (Doc. No. <u>459</u>) is DENIED. However, in the event that the parties waive a jury trial in this action and, instead, opt for a court trial, the Court is willing to receive evidence that would bear on both this action and the related declaratory judgment action. (See Order for rulings on Motions in Limine.)(Written Opinion) Signed by Judge Donovan W. Frank on 12/5/2016. (BJS) (Entered: 12/05/2016)
12/19/2016	<u>511</u>	LETTER TO MAGISTRATE JUDGE by John Baxter . (Berens, Barbara) (Entered: 12/19/2016)
12/20/2016	<u>512</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 1/10/2017 09:00 AM in Courtroom 3C (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 12/20/2016. (ACH) (Entered: 12/20/2016)
12/28/2016	513	TEXT ONLY ORDER: The request for Mr. Baxter to appear via telephone for the 1/10/2017 settlement conference is GRANTED. Mr. Baxter is ORDERED to be available via telephone as needed throughout the day. Entered by Magistrate Judge Steven E. Rau on 12/28/2016. (MME) (Entered: 12/28/2016)
01/10/2017	<u>514</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Settlement Conference held on 1/10/2017. No settlement reached. (kt) (Entered: 01/10/2017)
01/25/2017	<u>515</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Dires, LLC, Craig Miller, Scott Stenzel. (Schultz, David) (Entered: 01/25/2017)
01/25/2017	<u>516</u>	JURY TRIAL NOTICE. Jury Trial set for 6/5/2017 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 01/25/2017)
01/26/2017	<u>517</u>	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel <i>regarding trial date</i> . (Madel, Christopher) (Entered: 01/26/2017)
01/31/2017	<u>518</u>	SECOND AMENDED JURY TRIAL NOTICE. Jury Trial set for 6/26/2017 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (RLB) (Entered: 01/31/2017)
02/06/2017	<u>519</u>	THIRD AMENDED JURY TRIAL NOTICE. Jury Trial set for 7/17/2017 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. See Notice for additional information.(BJS) (Entered: 02/06/2017)

03/06/2017	<u>520</u>	NOTICE of Change of Address by Jennifer M Robbins (Robbins, Jennifer) (Entered: 03/06/2017)
05/26/2017	<u>521</u>	FOURTH AMENDED JURY TRIAL NOTICE. Jury Trial set for 9/22/2017 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. See Notice for additional information. (BJS) (Entered: 05/26/2017)
08/16/2017	<u>522</u>	NOTICE of Appearance by Cassandra B. Merrick on behalf of Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) (Entered: 08/16/2017)
08/18/2017	<u>523</u>	ORDER/NOTICE of Settlement Conference: Settlement Conference set for 9/13/2017 10:30 AM in Courtroom 3A (STP) before Magistrate Judge Steven E. Rau. Signed by Magistrate Judge Steven E. Rau on 8/17/17. (kt) (Entered: 08/18/2017)
08/18/2017	<u>524</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 08/18/2017)
08/21/2017	<u>525</u>	LETTER TO DISTRICT JUDGE by Dires, LLC . (Madel, Christopher) (Entered: 08/21/2017)
08/21/2017	<u>526</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 08/21/2017)
08/23/2017	527	TEXT ONLY ORDER: The Court has reviewed the parties' submissions regarding Plaintiffs' request to file a motion in limine to preclude Defendants from calling Select Comfort's Chief Executive Officer ("CEO"), Shelly Ibach, as a witness at trial. The Court will allow Plaintiffs to file the motion. Briefing on each side will be limited to five (5) pages total on the issue. The Court will address the motion at a final pre-trial hearing that will be scheduled to occur after the parties' settlement conference in September. No other additional pre-trial motions will be permitted without express permission of the Court. Signed by Judge Donovan W. Frank on 8/23/2017. (BJS) (Entered: 08/23/2017)
09/07/2017	528	TEXT ONLY NOTICE to Attorneys: The final pre-trial hearing referenced in the Text Only Order at Doc. No. 527 has been scheduled for Wednesday, 9/20/2017, at 9:00 AM in Courtroom 7C, St. Paul, before Judge Donovan W. Frank. (BJS) (Entered: 09/07/2017)
09/07/2017	<u>529</u>	MOTION in Limine <i>to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 09/07/2017)
09/07/2017	<u>530</u>	NOTICE OF HEARING ON MOTION <u>529</u> MOTION in Limine <i>to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena</i> : Motion Hearing set for 9/20/2017 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 09/07/2017)
09/07/2017	<u>531</u>	MEMORANDUM in Support re <u>529</u> MOTION in Limine <i>to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 09/07/2017)
09/07/2017	<u>532</u>	AFFIDAVIT of Elizabeth A. Patton in SUPPORT OF <u>529</u> MOTION in Limine <i>to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) 1-10)(Patton, Elizabeth) (Entered: 09/07/2017)
09/07/2017	<u>533</u>	MEET and CONFER STATEMENT re <u>529</u> Motion in Limine filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 09/07/2017)
09/07/2017	<u>534</u>	PROPOSED ORDER TO JUDGE re <u>529</u> MOTION in Limine <i>to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena</i> filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 09/07/2017)
09/12/2017	<u>535</u>	RESPONSE in Opposition re <u>529</u> MOTION in Limine <i>to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Madel, Christopher) (Entered: 09/12/2017)

09/12/2017	<u>536</u>	AFFIDAVIT of Cassandra Merrick in OPPOSITION TO <u>529</u> MOTION in Limine to Exclude Shelly Ibach as a Trial Witness and to Quash Trial Subpoena filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s), # <u>4</u> Exhibit(s))(Madel, Christopher) (Entered: 09/12/2017)
09/13/2017	<u>537</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Settlement Conference held on 9/13/2017. No settlement reached. (kt) Modified file date on 9/18/2017 (kt). (Entered: 09/15/2017)
09/18/2017	<u>539</u>	EXPEDITED DAILY TRANSCRIPT SERVICES REQUEST by Dires, LLC to Court Reporter Lori Simpson. (Madel, Christopher) (Entered: 09/18/2017)
09/18/2017	<u>540</u>	EXPEDITED DAILY TRANSCRIPT SERVICES REQUEST by Select Comfort Corporation, Select Comfort SC Corporation to Court Reporter Lori Simpson. (Patton, Elizabeth) (Entered: 09/18/2017)
09/19/2017	<u>541</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Ex Parte Telephone Conference held on 9/19/2017 with counsel. (kt) (Entered: 09/19/2017)
09/20/2017	<u>545</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status and Final Pretrial Conference held on 9/20/2017. (Court Reporter Carla Bebault) (BJS) (Entered: 09/22/2017)
09/21/2017	<u>542</u>	ORDER denying <u>529</u> Motion in Limine (See Order for details.) Signed by Judge Donovan W. Frank on 09/21/2017. (RLB) (Entered: 09/21/2017)
09/21/2017	<u>543</u>	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel <i>Regarding Order</i> . (Merrick, Cassandra) (Entered: 09/21/2017)
09/21/2017	<u>544</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation <i>Regarding Order</i> . (Hansen, Andrew) (Entered: 09/21/2017)
09/22/2017	<u>546</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Selection held on 9/22/2017. Trial to continue on 9/25/2016. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 09/26/2017)
09/25/2017	<u>547</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial begun on 9/25/2017. Opening statements; Plaintiffs witnesses: Lisa Bailey, Holly OHanlon. Trial continued on 9/26/2017. (Court Reporter Carla Bebault/Debra Beauvais) (BJS) (Entered: 09/27/2017)
09/26/2017	<u>548</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 9/26/2017. Plaintiffs witnesses: Holly OHanlon, Jen Curti, Heather Somers. Trial continued to 9/27/2017. (Court Reporter Carla Bebault/Debra Beauvais) (BJS) (Entered: 09/27/2017)
09/27/2017	<u>549</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 9/27/2017. Plaintiff's witnesses: Heather Somers, John Baxter. Trial continued to 9/28/2017. (Court Reporter Carla Bebault/Debra Beauvais) (BJS) (Entered: 09/28/2017)
09/28/2017	<u>550</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 9/28/2017. Plaintiff's witnesses: John Baxter, David Karr. Trial continued to 9/29/2017. (Court Reporter Carla Bebault/Kristine Mousseau) (BJS) (Entered: 09/28/2017)
09/29/2017	<u>551</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 9/29/2017. Plaintiff's witnesses: David Karr, Craig Miller, Jr. Trial continued to 10/2/2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/02/2017)
10/02/2017	<u>552</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/2/2017. Plaintiff witness Craig Miller, Jr. Trial continued to 10/3/2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/03/2017)
10/03/2017	<u>553</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/3/2017. Plaintiff witnesses: Craig Miller, Jr., James Gated, Sarah Davis. Trial continued to Wednesday, October 4, 2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/04/2017)

10/04/2017	<u>554</u>	DOCUMENT FILED IN ERROR//WILL BE RE-FILED//ORDER. 1. Absent stipulation of the parties, the Court makes the rulings as listed on Exhibit A, attached hereto, with respect to the positions of the parties with respect to the Deposition of Eleni Ireland on February 25, 2015. Signed by Judge Donovan W. Frank on 10/4/2017. (BJS) Modified text on 10/4/2017 (JDF). (Entered: 10/04/2017)
10/04/2017	<u>555</u>	ORDER. 1. Absent stipulation of the parties, the Court makes the rulings as listed on Exhibit A, attached hereto, with respect to the positions of the parties with respect to the Deposition of Eleni Ireland on February 25, 2015. Signed by Judge Donovan W. Frank on 10/4/2017. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 10/04/2017)
10/04/2017	<u>556</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/4/2017. Plaintiff witnesses: Marc Barriger, Hal Poret, Video Deposition of Eleni Ireland. Trial continued to October 5, 2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/05/2017)
10/05/2017	<u>557</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/5/2017. Plaintiff witnesses: Jeffrey Teh-Chih Fong, Andy Carlin, Scott Stenzel. Trial continued to October 9, 2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/05/2017)
10/09/2017	<u>558</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/9/2017. Plaintiff witnesses: Scott Stenzel, Sarah Butler, Mark Sponsler, Sarah Reckard, Video Deposition of Brittany Dukes. Trial to resume on October 10, 2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/10/2017)
10/10/2017	<u>559</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/10/2017. Plaintiff witness: Renee Marino. Trial continued to October 11, 2017. (Court Reporter Carla Bebault/Debra Beauvais) (BJS) (Entered: 10/11/2017)
10/11/2017	<u>560</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/11/2017. Defendants witness: Mark Kimball. Plaintiff and Defendant rest. Charge Conference set for 9:00 AM October 12, 2017. (Court Reporter Carla Bebault) (BJS) (Entered: 10/11/2017)
10/11/2017	<u>561</u>	BRIEF <i>with Proffer of Evidence</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Merrick, Cassandra) (Entered: 10/11/2017)
10/12/2017	<u>562</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/12/2017. Motions/charge conference held. Trial continued to October 13, 2017. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/12/2017)
10/12/2017	<u>563</u>	MOTION for Judgment as a Matter of Law filed by Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) (Entered: 10/12/2017)
10/12/2017	<u>564</u>	MEMORANDUM in Support re <u>563</u> MOTION for Judgment as a Matter of Law filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Merrick, Cassandra) (Entered: 10/12/2017)
10/13/2017	<u>565</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/13/2017. Closing arguments; jury instructed. Jury to return on 10/16/2017 to resume deliberations. (Court Reporter Carla Bebault/Lori Simpson) (BJS) (Entered: 10/13/2017)
10/13/2017	<u>566</u>	Court Final Exhibit List (Plaintiff). (BJS) (Entered: 10/13/2017)
10/13/2017	<u>567</u>	Court Final Exhibit List (Defendants). (BJS) (Entered: 10/13/2017)
10/13/2017	<u>568</u>	Jury Instructions. (BJS) (Entered: 10/13/2017)
10/16/2017	<u>569</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/16/2017. Jury to resume deliberations on October 17, 2017. (Court Reporter Carla Bebault) (BJS) (Entered: 10/16/2017)
10/16/2017	<u>570</u>	Amended Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/16/2017. Jury to resume deliberations on October 17, 2017. (Court Reporter Carla Bebault) (RLB) (Entered: 10/19/2017)

10/17/2017	<u>571</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial continued on 10/17/2017. Jury to resume deliberations on October 18, 2017. (RLB) (Entered: 10/19/2017)
10/18/2017	<u>572</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial completed on 10/18/2017. (Court Reporter Carla Bebault/Lori Simpson) (RLB) (Entered: 10/19/2017)
10/18/2017	<u>598</u>	Amended Minute Entry for proceedings held before Judge Donovan W. Frank: Jury Trial completed on 10/18/2017. (Court Reporter Carla Bebault/Lori Simpson) (RLB) (Entered: 10/24/2017)
10/23/2017	<u>573</u>	REDACTED JURY QUESTION(s) No. 1. Pursuant to Fed. R. Civ. P. 5.2, unredacted version of this document is filed under seal. (Attachments: # <u>1</u> SEALED Original Jury Question(s))(kt) Document QC'd by JGK. Modified text on 12/14/2017 (JGK). (Entered: 10/23/2017)
10/23/2017	<u>574</u>	REDACTED JURY QUESTION(s) No. 2. Pursuant to Fed. R. Civ. P. 5.2, unredacted version of this document is filed under seal. (Attachments: # <u>1</u> SEALED Original Jury Question(s))(kt) Document QC'd by JGK. Modified text on 12/14/2017 (JGK). (Entered: 10/23/2017)
10/23/2017	<u>575</u>	REDACTED JURY VERDICT. Pursuant to Fed. R. Civ. P. 5.2, unredacted version of this document is filed under seal. (Attachments: # <u>1</u> SEALED Original Jury Verdict)(kt) Document QC'd by JGK. Modified text on 12/14/2017 (JGK). (Entered: 10/23/2017)
10/23/2017	<u>576</u>	ANSWER OF THE COURT TO JURY QUESTION #1. (kt) Document QC'd by JGK. Modified text on 12/14/2017 (JGK). (Entered: 10/23/2017)
10/23/2017	<u>577</u>	ANSWER OF THE COURT TO JURY QUESTION #2. (kt) Document QC'd by JGK. Modified text on 12/14/2017 (JGK). (Entered: 10/23/2017)
10/24/2017	<u>578</u>	NOTICE of Filing of Official Transcript. This filing has 19 transcript(s) associated with it. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>579</u>	TRANSCRIPT of Pretrial Conference and Motions Hearing held on 09/20/2017 before Judge Donovan W. Frank. (93 pages). Court Reporter: Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>580</u>	TRANSCRIPT of Jury Voir Dire Proceedings held on 09/22/2017 before Judge Donovan W. Frank. (192 pages). Court Reporter: Lori Simpson and Carla Bebault For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . (LAS) (Entered: 10/24/2017)
10/24/2017	<u>581</u>	TRANSCRIPT of Trial (Volume I) held on 09/22/2017 before Judge Donovan W. Frank. (36 pages). Court Reporter: Lori Simpson and Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>582</u>	TRANSCRIPT of Trial (Volume II) held on 09/25/2017 before Judge Donovan W. Frank. (257 pages). Court Reporter: Carla Bebault and Debra Beauvais. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>583</u>	TRANSCRIPT of Trial (Volume III) held on 09/26/2017 before Judge Donovan W. Frank. (240 pages). Court Reporter: Carla Bebault and Debra Beauvais. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> .

		For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	584	TRANSCRIPT of Trial (Volume IV) held on 09/27/2017 before Judge Donovan W. Frank. (236 pages). Court Reporter: Carla Beault and Debra Beauvais. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	585	TRANSCRIPT of Trial (Volume V) held on 09/28/2017 before Judge Donovan W. Frank. (235 pages). Court Reporter: Carla Beault and Kristine Mousseau. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	586	TRANSCRIPT of Trial (Volume VI) held on 09/29/2017 before Judge Donovan W. Frank. (234 pages). Court Reporter: Lori Simpson and Carla Beault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	587	TRANSCRIPT of Trial (Volume VII) held on 10/02/2017 before Judge Donovan W. Frank. (280 pages). Court Reporter: Lori Simpson and Carla Beault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	588	TRANSCRIPT of Trial (Volume VIII) held on 10/03/2017 before Judge Donovan W. Frank. (282 pages). Court Reporter: Lori Simpson and Carla Beault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	589	TRANSCRIPT of Trial (Volume IX) held on 10/04/2017 before Judge Donovan W. Frank. (191 pages). Court Reporter: Lori Simpson and Carla Beault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	590	TRANSCRIPT of Trial (Volume X) held on 10/05/2017 before Judge Donovan W. Frank. (245 pages). Court Reporter: Lori Simpson and Carla Beault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	591	TRANSCRIPT of Trial (Volume XI) held on 10/09/2017 before Judge Donovan W. Frank. (259 pages). Court Reporter: Lori Simpson and Carla Beault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review Local Rule 5.5 . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of

		Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>592</u>	TRANSCRIPT of Trial (Volume XII) held on 10/10/2017 before Judge Donovan W. Frank. (226 pages). Court Reporter: Carla Bebault and Debra Beauvais. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>593</u>	TRANSCRIPT of Trial (Volume XIII) held on 10/11/2017 before Judge Donovan W. Frank. (66 pages). Court Reporter: Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>594</u>	TRANSCRIPT of Trial (Volume XIV) held on 10/12/2017 before Judge Donovan W. Frank. (217 pages). Court Reporter: Lori Simpson and Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>595</u>	TRANSCRIPT of Trial (Volume XV) held on 10/13/2017 before Judge Donovan W. Frank. (227 pages). Court Reporter: Lori Simpson and Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>596</u>	TRANSCRIPT of Trial (VOLUME XVI) held on 10/16/2017 before Judge Donovan W. Frank. (16 pages). Court Reporter: Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
10/24/2017	<u>597</u>	TRANSCRIPT of Trial (Volume XVII) held on 10/18/2017 before Judge Donovan W. Frank. (34 pages). Court Reporter: Lori Simpson and Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 11/14/2017. Redacted Transcript Deadline set for 11/27/2017. Release of Transcript Restriction set for 1/22/2018. (LAS) (Entered: 10/24/2017)
11/07/2017	<u>599</u>	VACATED PER ORDER <u>605</u> . JUDGMENT in favor of Dires, LLC against Select Comfort Corporation, Select Comfort SC Corporation; in favor of Direct Commerce, LLC against Select Comfort Corporation, Select Comfort SC Corporation. Signed by Judge Donovan W. Frank on 11/7/17. (Attachments: # <u>1</u> Civil Notice – appeal)(kt) Modified text on 11/30/2017 (ACH). (Entered: 11/07/2017)
11/08/2017	<u>600</u>	NOTICE of Change of Address by Christopher W. Madel (Madel, Christopher) (Entered: 11/08/2017)
11/13/2017	<u>601</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Telephone Status Conference held on 11/13/2017. (Court Reporter Carla Bebault) (BJS) (Entered: 11/20/2017)
11/21/2017	<u>602</u>	Joint MOTION for Attorney Fees filed by John Baxter, Dires, LLC, Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) Modified text on 11/22/2017 (ACH). (Entered: 11/21/2017)

11/21/2017	<u>603</u>	MOTION for Attorney Fees – <i>Motion for Determination of Entitlement to Attorneys Fees and Non–Taxable Expenses</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 11/21/2017)
11/21/2017	<u>604</u>	NOTICE OF HEARING ON MOTION <u>603</u> MOTION for Attorney Fees – <i>Motion for Determination of Entitlement to Attorneys Fees and Non–Taxable Expenses</i> : at date and time to be determined. (Patton, Elizabeth) (Entered: 11/21/2017)
11/29/2017	<u>605</u>	ORDER. The Judgment (Doc. No. <u>599</u>) in this action is hereby VACATED until further order of the Court. Signed by Judge Donovan W. Frank on 11/29/2017. (BJS) (Entered: 11/29/2017)
12/01/2017	<u>606</u>	Minute Entry for proceedings held before Magistrate Judge Steven E. Rau: Settlement Conference held and continued on 12/1/2017. (kt) (Entered: 12/01/2017)
04/19/2018	<u>607</u>	WITHDRAWN PER <u>642</u> //MOTION to Alter/Amend/Correct Judgment , MOTION for Judgment as a Matter of Law , MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) Modified text on 6/8/2018 (ACH). (Entered: 04/19/2018)
04/19/2018	<u>608</u>	NOTICE OF HEARING ON MOTION <u>607</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial : at date and time to be determined. (Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>609</u>	MEMORANDUM in Support re <u>607</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>610</u>	MEET and CONFER STATEMENT re <u>607</u> Motion to Alter/Amend/Correct Judgment, Motion for Judgment as a Matter of Law, Motion for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>611</u>	PROPOSED ORDER TO JUDGE re <u>607</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>612</u>	WITHDRAWN PER <u>642</u> // MOTION to <i>Increase the Damages Award</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) Modified text on 6/8/2018 (ACH). (Entered: 04/19/2018)
04/19/2018	<u>613</u>	NOTICE OF HEARING ON MOTION <u>612</u> MOTION to <i>Increase the Damages Award</i> : at date and time to be determined. (Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>614</u>	MEMORANDUM in Support re <u>612</u> MOTION to <i>Increase the Damages Award</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>615</u>	MEET and CONFER STATEMENT re <u>612</u> Motion for Miscellaneous Relief filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>616</u>	PROPOSED ORDER TO JUDGE re <u>612</u> MOTION to <i>Increase the Damages Award</i> filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 04/19/2018)
04/19/2018	<u>617</u>	MOTION for Judgment as a Matter of Law <i>and for a New Trial</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Robbins, Jennifer) (Entered: 04/19/2018)
04/19/2018	<u>618</u>	MEET and CONFER STATEMENT re <u>617</u> Motion for Judgment as a Matter of Law filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 04/19/2018)
04/19/2018	<u>619</u>	NOTICE OF HEARING ON MOTION <u>617</u> MOTION for Judgment as a Matter of Law <i>and for a New Trial</i> : at date and time to be determined. (Robbins, Jennifer)

		(Entered: 04/19/2018)
04/20/2018	<u>620</u>	BILL OF COSTS by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Affidavit of Elizabeth A. Patton in Support of Plaintiffs' Bill of Costs, with Exhibits 1-3)(Patton, Elizabeth) (Entered: 04/20/2018)
04/27/2018	<u>621</u>	NOTICE of Withdrawal as Attorney <i>for Plaintiffs</i> (Patton, Elizabeth) (Entered: 04/27/2018)
04/27/2018	<u>622</u>	MEET and CONFER STATEMENT re <u>607</u> Motion to Alter/Amend/Correct Judgment, Motion for Judgment as a Matter of Law, Motion for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 04/27/2018)
04/27/2018	<u>623</u>	AMENDED MEET and CONFER STATEMENT re <u>612</u> Motion for Miscellaneous Relief filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) Modified text on 5/1/2018 (ACH). (Entered: 04/27/2018)
04/30/2018	<u>624</u>	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel <i>Regarding Meet and Confer Obligations.</i> (Merrick, Cassandra) (Entered: 04/30/2018)
05/01/2018	<u>625</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation <i>in Response to Dires Defendants' April 30, 2018 Letter.</i> (Hansen, Andrew) (Entered: 05/01/2018)
05/01/2018	<u>626</u>	NOTICE OF HEARING ON MOTION <u>607</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Hansen, Andrew) (Entered: 05/01/2018)
05/01/2018	<u>627</u>	NOTICE OF HEARING ON MOTION <u>612</u> MOTION <i>to Increase the Damages Award</i> : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Hansen, Andrew) (Entered: 05/01/2018)
05/03/2018	628	(Text-only) NOTICE of Setting Hearing: Telephone Status Conference set for 5/7/2018 at 11:00 AM before Judge Donovan W. Frank. The call in instructions have been emailed to counsel.(las) (Entered: 05/03/2018)
05/03/2018	629	(Text-only) AMENDED NOTICE OF CONFERENCE CALL: Telephone Status Conference is NOW set for 5/8/2018 at 03:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. The call in instructions have been emailed to counsel.(las) (Entered: 05/03/2018)
05/04/2018	<u>630</u>	OBJECTION to Bill of Costs re <u>620</u> Bill of Costs by Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) (Entered: 05/04/2018)
05/07/2018	<u>631</u>	Letter re: withdrawal of motion re <u>602</u> Joint MOTION for Attorney Fees . (Merrick, Cassandra) (Entered: 05/07/2018)
05/07/2018	<u>632</u>	Joint MOTION for Attorney Fees filed by Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) (Entered: 05/07/2018)
05/08/2018	<u>633</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Telephone Status Conference held on 5/8/2018. (Court Reporter Lynne Krenz) (las) (Entered: 05/09/2018)
05/09/2018	<u>634</u>	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel <i>Regarding Post-Trial Briefing Schedule.</i> (Merrick, Cassandra) (Entered: 05/09/2018)
05/09/2018	<u>635</u>	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation <i>Regarding Post-Trial Briefing Schedule.</i> (Patton, Elizabeth) (Entered: 05/09/2018)
05/09/2018	<u>636</u>	JUDGMENT IN A CIVIL CASE. Signed by Judge Donovan W. Frank on 5/9/2018. (Attachments: # <u>1</u> Civil Notice – appeal)(las) (Entered: 05/09/2018)
05/10/2018	<u>637</u>	ORDER re: post-trial briefing schedule. Signed by Judge Donovan W. Frank on 5/10/2018. (las) (Entered: 05/10/2018)

05/11/2018	<u>638</u>	NOTICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>620</u> Bill of Costs – <i>Notice of Withdrawal of Plaintiffs' Bill of Costs</i> (Patton, Elizabeth) (Entered: 05/11/2018)
05/23/2018	<u>639</u>	NOTICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>603</u> MOTION for Attorney Fees – <i>Motion for Determination of Entitlement to Attorneys Fees and Non-Taxable Expenses – Notice of Withdrawal of Docket No. 603</i> (Hansen, Andrew) (Entered: 05/23/2018)
05/23/2018	<u>640</u>	MOTION <i>for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Hansen, Andrew) (Entered: 05/23/2018)
05/23/2018	<u>641</u>	NOTICE OF HEARING ON MOTION <u>640</u> MOTION <i>for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses</i> : hearing set for 6/25/18 at 9:30 a.m. in Courtroom 7C in St. Paul before Judge Donovan W. Frank. (Hansen, Andrew) Modified text on 5/24/2018 (kt). (Entered: 05/23/2018)
06/06/2018	<u>642</u>	NOTICE by Select Comfort Corporation, Select Comfort SC Corporation re <u>612</u> MOTION <i>to Increase the Damages Award</i> , <u>607</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial – <i>Notice of Withdrawal of Docket Nos. 607 and 612</i> (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>643</u>	MOTION to Alter/Amend/Correct Judgment , MOTION for Judgment as a Matter of Law , MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>644</u>	MOTION for Judgment as a Matter of Law <i>and For New Trial</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>645</u>	NOTICE OF HEARING ON MOTION <u>643</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>646</u>	MEMORANDUM in Support re <u>644</u> MOTION for Judgment as a Matter of Law <i>and For New Trial</i> filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>647</u>	LR7.1/LR72.2 WORD COUNT COMPLIANCE CERTIFICATE by Dires, LLC, Craig Miller, Scott Stenzel re <u>646</u> Memorandum in Support of Motion filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>648</u>	MEET and CONFER STATEMENT re <u>644</u> Motion for Judgment as a Matter of Law filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>649</u>	MEMORANDUM in Support re <u>643</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>650</u>	MEET and CONFER STATEMENT re <u>643</u> Motion to Alter/Amend/Correct Judgment, Motion for Judgment as a Matter of Law, Motion for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>651</u>	NOTICE OF HEARING ON MOTION <u>644</u> MOTION for Judgment as a Matter of Law <i>and For New Trial</i> : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>652</u>	PROPOSED ORDER TO JUDGE re <u>643</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)

06/06/2018	<u>653</u>	PROPOSED ORDER TO JUDGE re <u>644</u> MOTION for Judgment as a Matter of Law <i>and For New Trial</i> filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>654</u>	MOTION <i>to Increase the Damages Award</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>655</u>	MOTION for Attorney Fees <i>and Costs</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>656</u>	NOTICE OF HEARING ON MOTION <u>654</u> MOTION <i>to Increase the Damages Award</i> : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>657</u>	MEMORANDUM in Support re <u>654</u> MOTION <i>to Increase the Damages Award</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>658</u>	MEET and CONFER STATEMENT re <u>654</u> Motion for Miscellaneous Relief filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>659</u>	MEMORANDUM in Support re <u>655</u> MOTION for Attorney Fees <i>and Costs</i> filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>660</u>	AFFIDAVIT of Craig Miller in Support of <u>655</u> MOTION for Attorney Fees <i>and Costs</i> filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) Modified text on 6/7/2018 (kt). (Entered: 06/06/2018)
06/06/2018	<u>661</u>	PROPOSED ORDER TO JUDGE re <u>654</u> MOTION <i>to Increase the Damages Award</i> filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>662</u>	MEET and CONFER STATEMENT re <u>655</u> Motion for Attorney Fees filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>663</u>	NOTICE OF HEARING ON MOTION <u>655</u> MOTION for Attorney Fees <i>and Costs</i> : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>664</u>	PROPOSED ORDER TO JUDGE re <u>655</u> MOTION for Attorney Fees <i>and Costs</i> filed by Dires, LLC, Craig Miller, Scott Stenzel.(Robbins, Jennifer) (Entered: 06/06/2018)
06/06/2018	<u>665</u>	MEMORANDUM in Support re <u>640</u> MOTION <i>for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses</i> filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>666</u>	MEET and CONFER STATEMENT re <u>640</u> Motion for Miscellaneous Relief filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>667</u>	PROPOSED ORDER TO JUDGE re <u>640</u> MOTION <i>for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses</i> filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>668</u>	MOTION for Permanent Injunction filed by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>669</u>	NOTICE OF HEARING ON MOTION <u>668</u> MOTION for Permanent Injunction : Motion Hearing set for 6/25/2018 at 09:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>670</u>	MEMORANDUM in Support re <u>668</u> MOTION for Permanent Injunction filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/06/2018)

06/06/2018	<u>671</u>	MEET and CONFER STATEMENT re <u>668</u> Motion for Permanent Injunction filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/06/2018	<u>672</u>	PROPOSED ORDER TO JUDGE re <u>668</u> MOTION for Permanent Injunction filed by Select Comfort Corporation, Select Comfort SC Corporation.(Patton, Elizabeth) (Entered: 06/06/2018)
06/08/2018	<u>673</u>	BILL OF COSTS by John Baxter. (Attachments: # <u>1</u> Exhibit – Declaration of Carrie L. Zochert in Support of Defendant John Baxter's Bill of Costs, # <u>2</u> Exhibit 1 – Declaration of Carrie L. Zochert in Support of Defendant John Baxter's Bill of Costs, # <u>3</u> Exhibit 2 – Declaration of Carrie L. Zochert in Support of Defendant John Baxter's Bill of Costs, # <u>4</u> Exhibit 3 – Declaration of Carrie L. Zochert in Support of Defendant John Baxter's Bill of Costs)(Berens, Barbara) Modified text on 6/13/2018 (MMP). (Entered: 06/08/2018)
06/08/2018	<u>674</u>	BILL OF COSTS by Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) (Entered: 06/08/2018)
06/08/2018	<u>675</u>	AFFIDAVIT in Support re <u>674</u> Bill of Costs . (Attachments: # <u>1</u> Exhibits 1 – 3 to the Affidavit of Cassandra Merrick)(Merrick, Cassandra) Modified text on 6/11/2018 (MMP). (Entered: 06/08/2018)
06/08/2018	<u>676</u>	BILL OF COSTS by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> Exhibit(s) Affidavit of Elizabeth A. Patton in Support of Plaintiffs' Bill of Costs, with Exhibits 1–3)(Patton, Elizabeth) (Entered: 06/08/2018)
06/15/2018	<u>677</u>	MEMORANDUM in Opposition re <u>654</u> MOTION to Increase the Damages Award filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Robbins, Jennifer) Modified on 6/19/2018 (kt). (Entered: 06/15/2018)
06/15/2018	<u>678</u>	MEMORANDUM in Opposition re <u>643</u> MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Robbins, Jennifer) Modified on 6/19/2018 (kt). (Entered: 06/15/2018)
06/15/2018	<u>679</u>	MEMORANDUM in Opposition re <u>668</u> MOTION for Permanent Injunction filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR 7.1 Word Count Certificate)(Robbins, Jennifer) Modified text on 6/19/2018 (kt). (Entered: 06/15/2018)
06/15/2018	<u>680</u>	MEMORANDUM in Opposition re <u>640</u> MOTION for Determination of Entitlement to Attorneys' Fees and Non–Taxable Expenses filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Robbins, Jennifer) Modified on 6/19/2018 (kt). (Entered: 06/15/2018)
06/15/2018	<u>681</u>	MEMORANDUM in Opposition re <u>644</u> MOTION for Judgment as a Matter of Law and For New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/15/2018)
06/15/2018	<u>682</u>	MEMORANDUM in Opposition re <u>655</u> MOTION for Attorney Fees and Costs filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/15/2018)
06/21/2018	<u>683</u>	Reply to Response to Motion re <u>644</u> MOTION for Judgment as a Matter of Law and For New Trial filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Robbins, Jennifer) Modified text on 6/22/2018 (kt). (Entered: 06/21/2018)
06/21/2018	<u>684</u>	Reply to Response to Motion re <u>655</u> MOTION for Attorney Fees and Costs filed by Dires, LLC, Craig Miller, Scott Stenzel. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Robbins, Jennifer) Modified text on 6/22/2018 (kt). (Entered: 06/21/2018)

06/21/2018	685	REPLY re 643 MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # 1 LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/21/2018)
06/21/2018	686	REPLY re 654 MOTION to Increase the Damages Award filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # 1 LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/21/2018)
06/21/2018	687	REPLY re 640 MOTION for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # 1 LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/21/2018)
06/21/2018	688	REPLY re 668 MOTION for Permanent Injunction filed by Select Comfort Corporation, Select Comfort SC Corporation. (Attachments: # 1 LR7.1/LR72.2 Word Count Compliance Certificate)(Patton, Elizabeth) (Entered: 06/21/2018)
06/22/2018	689	OBJECTION to Bill of Costs re 676 Bill of Costs by Dires, LLC, Craig Miller, Scott Stenzel. (Merrick, Cassandra) (Entered: 06/22/2018)
06/22/2018	690	OBJECTION to Bill of Costs re 674 Bill of Costs, 673 Bill of Costs,, by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 06/22/2018)
06/25/2018	691	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 6/25/2018 re 643 MOTION to Alter/Amend/Correct Judgment MOTION for Judgment as a Matter of Law MOTION for New Trial filed by Select Comfort Corporation, Select Comfort SC Corporation, 654 MOTION to Increase the Damages Award filed by Select Comfort Corporation, Select Comfort SC Corporation, 632 Joint MOTION for Attorney Fees filed by Dires, LLC, Scott Stenzel, Craig Miller, 655 MOTION for Attorney Fees and Costs filed by Dires, LLC, Scott Stenzel, Craig Miller, 668 MOTION for Permanent Injunction filed by Select Comfort Corporation, Select Comfort SC Corporation, 644 MOTION for Judgment as a Matter of Law and For New Trial filed by Dires, LLC, Scott Stenzel, Craig Miller, 617 MOTION for Judgment as a Matter of Law and for a New Trial filed by Dires, LLC, Scott Stenzel, Craig Miller, 640 MOTION for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses filed by Select Comfort Corporation, Select Comfort SC Corporation. Matter submitted. Written Order to issue. (Court Reporter Lynne Krenz) (las) (Entered: 06/25/2018)
06/29/2018	692	Response to Objection to Bill of Costss re 690 Objection to Bill of Costs by Dires, LLC, Craig Miller, Scott Stenzel. (Robbins, Jennifer) (Entered: 06/29/2018)
06/29/2018	693	TRANSCRIPT REQUEST by Dires, LLC, Craig Miller, Scott Stenzel for a COPY OF TRANSCRIPT 691 Motion Hearing,,,,, to Court Reporter Lynne Krenz. (Robbins, Jennifer) (Entered: 06/29/2018)
06/29/2018	694	Response to Objection to Bill of Costss re 689 Objection to Bill of Costs by Select Comfort Corporation, Select Comfort SC Corporation. (Patton, Elizabeth) (Entered: 06/29/2018)
07/02/2018	695	TRANSCRIPT REQUEST by Select Comfort Corporation, Select Comfort SC Corporation for a COPY OF TRANSCRIPT 691 Motion Hearing,,,,, to Court Reporter Lynne Krenz. (Patton, Elizabeth) (Entered: 07/02/2018)
07/03/2018	696	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel . (Merrick, Cassandra) (Entered: 07/03/2018)
07/06/2018	697	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 07/06/2018)
07/24/2018	698	LETTER TO DISTRICT JUDGE by Select Comfort Corporation, Select Comfort SC Corporation . (Hansen, Andrew) (Entered: 07/24/2018)
07/24/2018	699	LETTER TO DISTRICT JUDGE by Dires, LLC, Craig Miller, Scott Stenzel . (Madel, Christopher) (Entered: 07/24/2018)

08/02/2018	<u>700</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (LMK) (Entered: 08/02/2018)
08/02/2018	<u>701</u>	TRANSCRIPT of Motions Hearing held on 06/25/2018 before Judge Donovan W. Frank. (126 pages). Court Reporter: Lynne Krenz. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 8/23/2018. Redacted Transcript Deadline set for 9/4/2018. Release of Transcript Restriction set for 10/31/2018. (LMK) (Entered: 08/02/2018)
12/12/2018	<u>702</u>	MEMORANDUM OPINION AND ORDER: Defendants' Motion for Judgment as a Matter of Law and for a New Trial (Doc. No. <u>617</u>) is DENIED. Defendants' Joint Motion to Attorney Fees (Doc. No. <u>632</u>) is DENIED. Select Comfort's Motion for Determination of Entitlement to Attorneys' Fees and Non-Taxable Expenses (Doc. No. <u>640</u>) is DENIED. Select Comfort's Motion to Renewed Judgment as a Matter of Law, to Amend the Verdict, and/or for a New Trial (Doc. No. <u>643</u>) is DENIED. Defendants' Motion for Judgment as a Matter of Law and for a New Trial (Doc. No. <u>644</u>) is DENIED. Select Comfort's Motion to Increase Damages Award (Doc. No. <u>654</u>) is DENIED. Defendants' Motion for Entitlement to Attorney Fees and Costs (Doc. No. <u>655</u>) is DENIED. Select Comfort's Motion for Permanent Injunction (Doc. No. <u>668</u>) is DENIED. No costs shall be taxed and each side shall bear their own costs in this case.(Doc. Nos. <u>674</u> , <u>676</u> .) (Written Opinion) Signed by Judge Donovan W. Frank on 12/12/2018. (las) (Entered: 12/12/2018)
12/16/2018	<u>703</u>	JUDGMENT (Attachments: # <u>1</u> Civil Notice – appeal)(lmb) (Entered: 12/16/2018)
01/07/2019	<u>704</u>	NOTICE OF APPEAL TO 8TH CIRCUIT as to <u>703</u> Judgment by Select Comfort Corporation, Select Comfort SC Corporation. Filing fee \$ 505, receipt number AMNDC-6588309. (Attachments: # <u>1</u> Exhibit(s) Form A, # <u>2</u> Certificate of Service)(Patton, Elizabeth) (Entered: 01/07/2019)
01/09/2019	<u>705</u>	TRANSMITTAL OF APPEAL LETTER TO U. S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit, <u>704</u> . (KNK) (Entered: 01/09/2019)
01/10/2019	706	USCA Case Number 19-1077 for <u>704</u> Notice of Appeal to 8th Circuit, filed by Select Comfort Corporation, Select Comfort SC Corporation. (MMG) (Entered: 01/11/2019)
01/14/2019	<u>707</u>	NOTICE OF CROSS APPEAL by Dires, LLC. Filing fee \$ 505, receipt number AMNDC-6605652. (Attachments: # <u>1</u> Civil Notice – appeal, # <u>2</u> Certificate of Service)(Merrick, Cassandra) (Entered: 01/14/2019)
01/15/2019	<u>708</u>	TRANSMITTAL OF APPEAL LETTER TO U. S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Cross Appeal <u>707</u> . (kt) (Entered: 01/15/2019)
01/15/2019	<u>709</u>	TRANSMITTAL OF RECORDS re: Transcripts <u>589</u> , <u>594</u> , <u>298</u> , <u>275</u> , <u>508</u> , <u>595</u> , <u>590</u> , <u>324</u> , <u>582</u> , <u>158</u> , <u>588</u> , <u>509</u> , <u>584</u> , <u>579</u> , <u>586</u> , <u>597</u> , <u>701</u> , <u>592</u> , <u>583</u> , <u>585</u> , <u>587</u> , <u>593</u> , <u>581</u> , <u>580</u> , <u>596</u> , <u>591</u> sent to the USCA. (KNK) (Entered: 01/15/2019)
01/16/2019	710	USCA Case Number 19-1113 for <u>707</u> Notice of Cross Appeal filed by Dires, LLC. (MMG) (Entered: 01/18/2019)
01/18/2019	<u>711</u>	NOTICE OF CROSS APPEAL by John Baxter. Filing fee \$ 505, receipt number AMNDC-6616109. (Attachments: # <u>1</u> Civil Notice – appeal, # <u>2</u> Certificate of Service)(Berens, Barbara) (Entered: 01/18/2019)
01/24/2019	<u>712</u>	TRANSMITTAL OF APPEAL LETTER TO U. S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Cross Appeal <u>711</u> . (kt) (Entered: 01/24/2019)
01/25/2019	713	USCA Case Number 19-1178 for <u>711</u> Notice of Cross Appeal filed by John Baxter. (MMG) (Entered: 01/28/2019)

EXHIBIT B

**General Docket
Eighth Circuit Court of Appeals**

Court of Appeals Docket #: 19-1077		Docketed: 01/10/2019		
Nature of Suit: 3840 Trademark Select Comfort Corporation, et al v. John Baxter, et al				
Appeal From: U.S. District Court for the District of Minnesota				
Fee Status: paid - cs				
Case Type Information:				
1) Civil 2) Private 3) null				
Originating Court Information:				
District: 0864-0 : 0:12-cv-02899-DWF				
Court Reporter: Debra Beauvais				
Court Reporter: Carla R Bebault, Court Reporter				
Court Reporter: Lori Ann Simpson, Court Reporter				
Trial Judge: Donovan W. Frank, U.S. District Judge				
Date Filed: 11/16/2012				
Date Order/Judgment:	Date NOA Filed:	Date Rec'd COA:		
12/16/2018	01/07/2019	01/10/2019		
Prior Cases:				
None				
Current Cases:				
	Lead	Member	Start	End
Cross-appeal				
	19-1077	19-1113	01/16/2019	
	19-1077	19-1178	01/25/2019	

<p>Select Comfort Corporation Plaintiff - Appellant</p>	<p>Heidi A.O. Fisher Direct: 612-607-7450 [NTC Retained] FOX & ROTHSCHILD Firm: 612-607-7000 Campbell Mithun Tower, Suite 2000 222 S. Ninth Street Minneapolis, MN 55402-3338</p> <p>Andrew Scott Hansen Direct: 612-607-7569 [NTC Retained] FOX & ROTHSCHILD Firm: 612-607-7000 Campbell Mithun Tower, Suite 2000 222 S. Ninth Street Minneapolis, MN 55402-3338</p> <p>Elizabeth A. Patton Direct: 612-607-7202 [NTC Retained] FOX & ROTHSCHILD Firm: 612-607-7000 Campbell Mithun Tower, Suite 2000 222 S. Ninth Street Minneapolis, MN 55402-3338</p>
<p>Select Comfort SC Corporation Plaintiff - Appellant</p>	<p>Heidi A.O. Fisher Direct: 612-607-7450 [NTC Retained] (see above)</p> <p>Andrew Scott Hansen Direct: 612-607-7569 [NTC Retained] (see above)</p> <p>Elizabeth A. Patton</p>

v.

John Baxter
Defendant - Appellee

Direct: 612-607-7202
[NTC Retained]
(see above)

Barbara Podlucky Berens
Direct: 612-349-6171
[NTC Retained]
BERENS & MILLER
Suite 3720
80 S. Eighth Street, S.
Minneapolis, MN 55402

Erin K. Fogarty Lisle
Direct: 612-349-6171
[NTC Retained]
BERENS & MILLER
Suite 3720
80 S. Eighth Street, S.
Minneapolis, MN 55402

Cassandra B. Merrick
Direct: 612-605-0632
[NTC Retained]
MADEL PA
Suite 800
800 Hennepin Avenue
Minneapolis, MN 55403

Carrie L. Zochert
Direct: 612-349-6171
[NTC Retained]
BERENS & MILLER
Suite 3720
80 S. Eighth Street, S.
Minneapolis, MN 55402

Dires, LLC, doing business as Personal Touch Beds and Personal
Comfort Beds
Defendant - Appellee

Christopher William Madel
Direct: 612-605-0630
[NTC Retained]
MADEL PA
Firm: 612-605-0630
Suite 800
800 Hennepin Avenue
Minneapolis, MN 55403

Cassandra B. Merrick
Direct: 612-605-0632
[NTC Retained]
(see above)

Jennifer M. Robbins
Direct: 612-605-0630
[NTC Retained]
MADEL PA
800
800 Hennepin Avenue
Minneapolis, MN 55403

Digi Craft Agency, LLC
Defendant - Appellee

Christopher William Madel
Direct: 612-605-0630
[NTC Retained]
(see above)

Cassandra B. Merrick
Direct: 612-605-0632
[NTC Retained]
(see above)

Jennifer M. Robbins
Direct: 612-605-0630

	[NTC Retained] (see above)
Direct Commerce, LLC, doing business as Personal Touch Beds Defendant - Appellee	Christopher William Madel Direct: 612-605-0630 [NTC Retained] (see above) Cassandra B. Merrick Direct: 612-605-0632 [NTC Retained] (see above) Jennifer M. Robbins Direct: 612-605-0630 [NTC Retained] (see above)
Scott Stenzel Defendant - Appellee	Christopher William Madel Direct: 612-605-0630 [NTC Retained] (see above) Cassandra B. Merrick Direct: 612-605-0632 [NTC Retained] (see above) Jennifer M. Robbins Direct: 612-605-0630 [NTC Retained] (see above)
Craig Miller Defendant - Appellee	Christopher William Madel Direct: 612-605-0630 [NTC Retained] (see above) Cassandra B. Merrick Direct: 612-605-0632 [NTC Retained] (see above) Jennifer M. Robbins Direct: 612-605-0630 [NTC Retained] (see above)

Select Comfort Corporation; Select Comfort SC Corporation








Plaintiffs - Appellants

v.


John Baxter; Dires, LLC, doing business as Personal Touch Beds and Personal Comfort Beds; Digi Craft Agency, LLC; Direct Commerce, LLC, doing business as Personal Touch Beds; Scott Stenzel; Craig Miller

Defendants - Appellees

01/10/2019	<input type="checkbox"/>	Civil case docketed. [4744676] [19-1077] (CBO) [Entered: 01/10/2019 03:13 PM] 5 pg, 21.81 KB
01/10/2019	<input type="checkbox"/>	Originating court document filed consisting of notice of appeal filed 1/7/2019, docket entries, memorandum opinion and order filed 12/12/2018, and judgment filed 12/16/2018. [4744699] [19-1077] (CBO) [Entered: 01/10/2019 03:31 PM]
01/10/2019	<input type="checkbox"/>	BRIEFING SCHEDULE SET AS FOLLOWS: Transcript due on or before 02/19/2019. Appendix due 03/01/2019. BRIEF APPELLANT, Select Comfort Corporation and Select Comfort SC Corporation due 03/01/2019 Appellee brief is due 30 days from the date the court issues the Notice of Docket Activity filing the brief of appellant. Appellant reply brief is due 21 days from the date the court issues the Notice of Docket Activity filing the appellee brief. [4744702] [19-1077] (CBO) [Entered: 01/10/2019 03:35 PM]
01/14/2019	<input type="checkbox"/>	APPEARANCE filed by Andrew S. Hansen for Appellants Select Comfort Corporation and Select Comfort SC Corporation w/service 01/14/2019 [4745396] [19-1077] (ASH) [Entered: 01/14/2019 09:35 AM]
01/14/2019	<input type="checkbox"/>	APPEARANCE filed by Heidi A.O. Fisher for Appellants Select Comfort Corporation and Select Comfort SC Corporation w/service 01/14/2019 [4745400] [19-1077] (HAF) [Entered: 01/14/2019 09:38 AM]
01/14/2019	<input type="checkbox"/>	APPEARANCE filed by Elizabeth A. Patton for Appellants Select Comfort Corporation and Select Comfort SC Corporation w/service 01/14/2019 [4745404] [19-1077] (EAP) [Entered: 01/14/2019 09:40 AM]
01/14/2019	<input type="checkbox"/>	CORPORATE disclosure statement filed by Appellants Select Comfort Corporation and Select Comfort SC Corporation. - FOR CAL [4745417] [19-1077] (EAP) [Entered: 01/14/2019 09:46 AM]
01/14/2019	<input type="checkbox"/>	APPEARANCE filed by Christopher W. Madel for Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel w/service 01/14/2019 [4745778] [19-1077] (CWM) [Entered: 01/14/2019 04:41 PM]
01/14/2019	<input type="checkbox"/>	APPEARANCE filed by Jennifer M. Robbins for Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel w/service 01/14/2019 [4745780] [19-1077] (JMR) [Entered: 01/14/2019 04:46 PM]
01/16/2019	<input type="checkbox"/>	CORPORATE disclosure statement filed by Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel. - FOR CAL [4746388] [19-1077] (CWM) [Entered: 01/16/2019 09:43 AM]
01/16/2019	<input type="checkbox"/>	CROSS APPEAL BRIEFING SCHEDULE SET AS FOLLOWS: Transcript due on or before 02/25/2019. Appendix due 03/07/2019. BRIEF APPELLANT, Select Comfort Corporation and Select Comfort SC Corporation due 03/07/2019. Appellee/cross Appellant brief due 30 days from the date the court issues the Notice of Docket Activity filing the appellant's brief. [4746545] [19-1077, 19-1113] (CBO) [Entered: 01/16/2019 12:04 PM]
01/18/2019	<input type="checkbox"/>	APPEARANCE filed by Barbara P. Berens for Appellee Mr. John Baxter w/service 01/18/2019 [4747393] [19-1077] (BPB) [Entered: 01/18/2019 11:26 AM]
01/25/2019	<input type="checkbox"/>	CROSS APPEAL BRIEFING SCHEDULE SET AS FOLLOWS: Transcript due on or before 03/06/2019. Appendix due 03/18/2019. BRIEF APPELLANT, John Baxter due 03/18/2019. Appellee/cross Appellant brief due 30 days from the date the court issues the Notice of Docket Activity filing the appellant's brief. (DOCUMENT LOCKED - filed in error - new cross appeal briefing schedule set) [4749551] [19-1077, 19-1113, 19-1178]-[Edited 01/29/2019 by CYZ] (CBO) [Entered: 01/25/2019 01:13 PM]
01/28/2019	<input type="checkbox"/>	APPEARANCE filed by Cassandra B. Merrick for Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel w/service 01/28/2019 [4749893] [19-1077] (CBM) [Entered: 01/28/2019 09:37 AM]
01/29/2019	<input type="checkbox"/>	**CORRECTED** CROSS APPEAL BRIEFING SCHEDULE SET AS FOLLOWS: Transcript due on or before 03/06/2019. Appendix due 03/18/2019. BRIEF APPELLANT, Select Comfort Corporation and Select Comfort SC Corporation due 03/18/2019. Appellee/cross Appellant brief due 30 days from the date the court issues the Notice of Docket Activity filing the appellant's brief. [4750377] [19-1077, 19-1113, 19-1178] (CBO) [Entered: 01/29/2019 09:38 AM]
02/11/2019	<input type="checkbox"/>	RECORD FILED - HEARING TRANSCRIPT, 2 volumes, Location STL, Comments: Pretrial Motions Hearing - District Court documents #508 and #509 [Copies do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 11/15/2016 - 11/16/2016, No. of Pgs.: 340, Court Reporter: Anderson, Jeanne Marie [4755350] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:02 PM]
02/11/2019	<input type="checkbox"/>	RECORD FILED - HEARING TRANSCRIPT, 1 volumes, Location STL, Comments: Pretrial Conference and Motions Hearing - District Court document #579 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 09/20/2017, No. of Pgs.: 93, Court Reporter: Bebault, Carla R [4755355] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:07 PM]
02/11/2019	<input type="checkbox"/>	RECORD FILED - MOTION TRANSCRIPT, 1 volumes, Location STL, Comments: District Court document #275 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 05/14/2015, No. of Pgs.: 71, Court Reporter: Heichert, Staci [4755364] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:16 PM]

- 02/11/2019 RECORD FILED - MOTION TRANSCRIPT, 1 volumes, Location STL, Comments: District Court document #158 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 01/29/2014, No. of Pgs.: 48, Court Reporter: Bebault, Carla R [4755367] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:19 PM]
- 02/11/2019 RECORD FILED - MOTION TRANSCRIPT, 1 volumes, Location STL, Comments: Daubert Motion Hearing - District Court document #324 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 08/19/2016, No. of Pgs.: 131, Court Reporter: Anderson, Jeanne Marie [4755372] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:25 PM]
- 02/11/2019 RECORD FILED - MOTION TRANSCRIPT, 1 volumes, Location STL, Comments: District Court document #701 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 06/25/2018, No. of Pgs.: 127, Court Reporter: Krenz, Lynne [4755374] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:28 PM]
- 02/11/2019 RECORD FILED - TRIAL TRANSCRIPT, 1 volumes, Location STL, Comments: Voir Dire Proceedings - District Court document #580 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 09/22/2017, No. of Pgs.: 192, Court Reporter: Bebault, Carla R [4755380] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/11/2019 02:34 PM]
- 02/11/2019 RECORD FILED - TRIAL TRANSCRIPT, 17 volumes, Location STL, Comments: Copies do not return to the District Court at end of case, Source Location: USDC / MN, Dt. of Proceeding/Hearing: 09/22/2017 - 10/18/2017 [4755397] [19-1077, 19-1113, 19-1178]--[Edited 02/11/2019 by STL] (STL) [Entered: 02/11/2019 02:55 PM]
- 02/11/2019 RECORD FILED - MOTION TRANSCRIPT, 1 volumes, Location STL, Comments: Cross Motions for Summary Judgment Hearing - District Court document #298 [Copy do not return to the District Court at end of case], Source Location: USDC / MN, Dt. of Proceeding/Hearing: 10/02/2015, No. of Pgs.: 92, Court Reporter: Anderson, Jeanne Marie [4755631] [19-1077, 19-1113, 19-1178] (STL) [Entered: 02/12/2019 10:14 AM]
- 02/12/2019  3 pg, 8 KB Certificate of transcript filed by Appellants Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, Appellees Select Comfort Corporation and Select Comfort SC Corporation in 19-1113, 19-1178. No Transcript[4755974] [19-1077, 19-1113, 19-1178] (EAP) [Entered: 02/12/2019 03:38 PM]
- 02/12/2019  3 pg, 8.93 KB METHOD of appendix preparation filed by Appellants Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, Appellees Select Comfort Corporation and Select Comfort SC Corporation in 19-1113, 19-1178 - Separate Appendix - w/service 02/12/2019 [4755978] [19-1077, 19-1113, 19-1178] (EAP) [Entered: 02/12/2019 03:42 PM]
- 02/12/2019  4 pg, 11.55 KB STATEMENT of issues filed by Appellants Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, Appellees Select Comfort Corporation and Select Comfort SC Corporation in 19-1113, 19-1178 - w/service 02/12/2019. [4755983] [19-1077, 19-1113, 19-1178] (EAP) [Entered: 02/12/2019 03:44 PM]
- 02/22/2019  8 pg, 135.95 KB DESIGNATION of record filed by Appellees Dires, LLC, Mr. Craig Miller, Mr. Scott Stenzel and Mr. John Baxter in 19-1077, Appellants Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Appellant Mr. John Baxter in 19-1178. w/service 02/22/2019 [4759314] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 02/22/2019 04:55 PM]
- 03/18/2019  0 pg, 0 KB APPELLANT brief of Select Comfort Corporation and Select Comfort SC Corporation in 19-1077 submitted for review. The time for filing the subsequent brief (if any) does not begin to run until the brief has been approved and filed. To open/view this brief, you must first login to CM/ECF and then open the document link in your Notice of Docket Activity. Only direct recipients on accounts can open this document. [4767739] [19-1077, 19-1113, 19-1178] (ASH) [Entered: 03/18/2019 01:40 PM]
- 03/18/2019  0 pg, 0 KB Addendum of APPELLANT submitted for review by Select Comfort Corporation and Select Comfort SC Corporation in 19-1077. To open/view this addendum, you must first login to CM/ECF and then open the document link in your Notice of Docket Activity. [4767743] [19-1077, 19-1113, 19-1178] (ASH) [Entered: 03/18/2019 01:42 PM]
- 03/18/2019  7 pg, 19.44 KB MOTION to File Exhibits Under Seal, filed by Ms. Barbara Podlucky Berens for Appellee Mr. John Baxter, Ms. Erin K. Fogarty Lisle for Appellee Mr. John Baxter, Mr. Christopher William Madel for Appellees Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel, Ms. Cassandra B. Merrick for Appellees Mr. John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel, Ms. Jennifer M. Robbins for Appellees Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel, Ms. Carrie L. Zochert for Appellee Mr. John Baxter and Ms. Heidi A.O. Fisher for Appellants Select Comfort Corporation and Select Comfort SC Corporation, Mr. Andrew Scott Hansen for Appellants Select Comfort Corporation and Select Comfort SC Corporation and Ms. Elizabeth A. Patton for Appellants Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, Ms. Heidi A.O. Fisher for Appellees Select Comfort Corporation and Select Comfort SC Corporation, Mr. Andrew Scott Hansen for Appellees Select Comfort Corporation and Select Comfort SC Corporation, Ms. Elizabeth A. Patton for Appellees Select Comfort Corporation and Select Comfort SC Corporation and Mr. Christopher William Madel for Appellants

Dires, LLC, Mr. Scott Stenzel and Mr. Craig Miller, Ms. Cassandra B. Merrick for Appellants Dires, LLC, Mr. Scott Stenzel and Mr. Craig Miller and Ms. Jennifer M. Robbins for Appellants Dires, LLC, Mr. Scott Stenzel and Mr. Craig Miller in 19-1113, Ms. Barbara Podlucky Berens for Appellant Mr. John Baxter, Ms. Erin K. Fogarty Lisle for Appellant Mr. John Baxter, Ms. Cassandra B. Merrick for Appellant Mr. John Baxter, Ms. Carrie L. Zochert for Appellant Mr. John Baxter and Ms. Heidi A.O. Fisher for Appellees Select Comfort Corporation and Select Comfort SC Corporation, Mr. Andrew Scott Hansen for Appellees Select Comfort Corporation and Select Comfort SC Corporation and Ms. Elizabeth A. Patton for Appellees Select Comfort Corporation and Select Comfort SC Corporation in 19-1178 w/service 03/18/2019. [4767748] [19-1077, 19-1113, 19-1178] (ASH) [Entered: 03/18/2019 01:50 PM]


03/19/2019 
2 pg, 9.84 KB

CLERK ORDER: Granting the unopposed motion to seal Trial Exhibit NO. 500 and Trial Exhibit NO. 5. [4767748-2] [4768003] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 03/19/2019 08:48 AM]

03/19/2019 
87 pg, 651.7 KB

BRIEF FILED - APPELLANT/CROSS APPELLEES BRIEF filed by Select Comfort Corporation and Select Comfort SC Corporation in 19-1077. w/service 03/18/2019 , Length: 12,998 words
10 COPIES OF PAPER BRIEFS (WITHOUT THE APPELLATE PDF FOOTER) FROM Select Comfort Corporation and Select Comfort SC Corporation due 03/25/2019 WITH certificate of service for paper briefs

Second brief of aplee/cr. aplnt due on 04/18/2019. [4768023] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 03/19/2019 08:56 AM]

03/19/2019 
107 pg, 14.95 MB

ADDENDUM of APPELLANT/CROSS APPELLEES FILED by Appellants Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, Appellees Select Comfort Corporation and Select Comfort SC Corporation in 19-1113, 19-1178 , w/service 03/18/2019 [4768028] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 03/19/2019 08:58 AM]

03/19/2019


RECORD FILED - APLNT/PET APPENDIX, 10 volumes, Location STL , 3 boxes, Comments: 3 COPIES [4768135] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 03/19/2019 10:54 AM]

03/19/2019

RECORD FILED - EXHIBITS, 106 volumes, Location STL, 11 boxes, Comments: EX. NO. 5 AND EX. NO. 500 UNDER SEAL [4768137] [19-1077, 19-1113, 19-1178]--[Edited 03/19/2019 by JMM] (JMM) [Entered: 03/19/2019 10:55 AM]

03/21/2019

Paper copies Appellant/Petitioner Brief, [4768023-2] filed by Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, 19-1113, 19-1178 10 paper copies received. w/Addendum attached [4769392] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 03/21/2019 01:57 PM]

04/18/2019 
0 pg, 0 KB


APPELLEE brief of Mr. John Baxter, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Dires, LLC, Mr. Craig Miller, Mr. Scott Stenzel and Mr. John Baxter in 19-1113, Mr. John Baxter and Craig Miller, Dires, LLC and Mr. Scott Stenzel in 19-1178 submitted for review. The time for filing the subsequent brief (if any) does not begin to run until the brief has been approved and filed. To open/view this brief, you must first login to CM/ECF and then open the document link in your Notice of Docket Activity. Only direct recipients on accounts can open this document. [4779112] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 04/18/2019 12:35 PM]

04/18/2019 
0 pg, 0 KB

Addendum of APPELLEE submitted for review by Mr. John Baxter, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Mr. John Baxter and Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Mr. John Baxter and Dires, LLC, Craig Miller and Mr. Scott Stenzel in 19-1178. To open/view this addendum, you must first login to CM/ECF and then open the document link in your Notice of Docket Activity. [4779116] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 04/18/2019 12:43 PM]

04/18/2019 
84 pg, 713.37 KB

SECOND BRIEF FILED - BRIEF APPELLEE/CROSS APPELLANT filed by Mr. John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Mr. John Baxter in 19-1178. w/service 04/18/2019 , Length: 14,678 words
10 COPIES OF PAPER BRIEFS (WITHOUT THE APPELLATE PDF FOOTER) FROM John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Craig Miller and Scott Stenzel due 04/23/2019 WITH certificate of service for paper briefs
Third brief of Select Comfort Corporation and Select Comfort SC Corporation brief due on 05/20/2019. [4779204] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 04/18/2019 02:34 PM]

04/18/2019 
17 pg, 2.2 MB









ADDENDUM of APPELLEE/CROSS APPELLANT'S FILED by Appellees Mr. John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Appellants Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Appellant Mr. John Baxter in 19-1178 , w/service 04/18/2019 [4779208] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 04/18/2019 02:36 PM]

04/22/2019

Paper copies Second Brief, [4779204-2] filed by Mr. John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Mr. John Baxter in 19-1178 10 paper copies received. w/Addendum attached [4780036] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 04/22/2019 02:18 PM]

04/22/2019

RECORD FILED - APLEE/RES APPENDIX, 9 volumes, Location STL, Comments: 3 COPIES [4780037] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 04/22/2019 02:20 PM]

- 05/02/2019 Please note that this case has been screened for oral argument. The exact date of your oral argument has not been determined at this time. You will be receiving a calendar approximately 4 weeks before the scheduled argument date. Please review the current and future argument dates immediately to determine if you have any conflicts.
- [Click Here to View Published Argument Calendars and Future Court Session Dates and Locations](#)
- If you do have conflicts with any of the argument dates, please inform this court by sending a letter using the ECF docketing event 'Correspondence to Court', 'Letter filed' regarding availability for oral argument'. Your compliance with this policy will minimize the need for motions to continue or reschedule oral argument. The court also encourages you to notify the clerk if conflicts with these dates develop in the future. The clerk's office takes conflict dates into consideration in scheduling oral arguments but cannot guarantee that every request will be honored. [4783925] [19-1077, 19-1113, 19-1178] (TAB) [Entered: 05/02/2019 02:36 PM]
- 05/06/2019  1 pg, 185.95 KB LETTER from Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Appellants Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Not Party Dires, LLC, Craig Miller and Mr. Scott Stenzel in 19-1178 regarding availability for oral argument. w/service 05/06/2019 [4784522] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 05/06/2019 10:04 AM]
- 05/07/2019  1 pg, 208.44 KB LETTER from Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Appellants Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Not Party Dires, LLC, Craig Miller and Mr. Scott Stenzel in 19-1178 regarding availability for oral argument. w/service 05/07/2019 [4785102] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 05/07/2019 12:15 PM]
- 05/07/2019  1 pg, 32.21 KB LETTER from Appellee Mr. John Baxter in 19-1077 regarding availability for oral argument. w/service 05/07/2019 [4785304] [19-1077, 19-1113, 19-1178] (BPB) [Entered: 05/07/2019 04:35 PM]
- 05/20/2019  0 pg, 0 KB REPLY brief of Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, 19-1113, 19-1178 submitted for review. The time for filing the subsequent brief (if any) does not begin to run until the brief has been approved and filed. To open/view this brief, you must first login to CM/ECF and then open the document link in your Notice of Docket Activity. Only direct recipients on accounts can open this document. [4789462] [19-1077, 19-1113, 19-1178] (ASH) [Entered: 05/20/2019 04:14 PM]
- 05/21/2019  74 pg, 339.06 KB **THIRD BRIEF FILED - REPLY APPELLANT/CROSS APPELLEE** filed by Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, 19-1113, 19-1178, w/service 05/21/2019 , Length: 12,996 words
10 COPIES OF PAPER BRIEFS (WITHOUT THE APPELLATE PDF FOOTER) FROM Select Comfort Corporation and Select Comfort SC Corporation due 05/28/2019 WITH certificate of service for paper briefs
Appellees John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Craig Miller and Scott Stenzel reply fourth brief due on 06/11/2019 [4789616] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 05/21/2019 10:02 AM]
- 05/21/2019 RECORD FILED - CROSS APPELLEES' APPENDIX, 1 volumes, Location STL, Comments: 3 COPIES, CROSS-APPELLEES' APPENDIX [4789915] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 05/21/2019 03:43 PM]
- 05/23/2019 Paper copies Third Brief, [\[4789616-2\]](#) filed by Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, 19-1113, 19-1178 10 paper copies received. [4790735] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 05/23/2019 02:34 PM]
- 06/10/2019  0 pg, 0 KB REPLY brief of Mr. John Baxter, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Mr. John Baxter and Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Mr. John Baxter and Dires, LLC, Craig Miller and Mr. Scott Stenzel in 19-1178 submitted for review. The time for filing the subsequent brief (if any) does not begin to run until the brief has been approved and filed. To open/view this brief, you must first login to CM/ECF and then open the document link in your Notice of Docket Activity. Only direct recipients on accounts can open this document. [4795975] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 06/10/2019 02:51 PM]
- 06/11/2019  24 pg, 252.98 KB **FOURTH BRIEF FILED - REPLY APPELLEE/CR APPELLANT BRIEF** filed by Mr. John Baxter, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, 19-1113, 19-1178 w/service 06/11/2019 , Length: 3,786 words
10 COPIES OF PAPER BRIEFS (WITHOUT THE APPELLATE PDF FOOTER) FROM John Baxter, Dires, LLC, Craig Miller and Scott Stenzel due 06/17/2019 WITH certificate of service for paper briefs
[4796374] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 06/11/2019 01:41 PM]
- 06/14/2019 Paper copies Fourth brief, [\[4796374-2\]](#) filed by Mr. John Baxter, Digi Craft Agency, LLC, Direct Commerce, LLC, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Mr. John Baxter in 19-1178 10 paper copies received. [4798020] [19-1077, 19-1113, 19-1178] (JMM) [Entered: 06/14/2019 02:12 PM]
- 07/16/2019  1 pg, 76.66 KB LETTER from Appellants Select Comfort Corporation and Select Comfort SC Corporation in 19-1077, Appellees Select Comfort Corporation and Select Comfort SC Corporation in 19-1113, 19-1178 regarding

availability for oral argument. w/service 07/16/2019 [4808502] [19-1077, 19-1113, 19-1178] (ASH)
[Entered: 07/16/2019 11:06 AM]

08/20/2019



1 pg, 234.42 KB

LETTER from Appellees Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1077, Appellants Dires, LLC, Mr. Craig Miller and Mr. Scott Stenzel in 19-1113, Not Party Dires, LLC, Craig Miller and Mr. Scott Stenzel in 19-1178 regarding availability for oral argument. w/service 08/20/2019 [4821173] [19-1077, 19-1113, 19-1178] (JMR) [Entered: 08/20/2019 02:23 PM]