

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

DANIEL WALLACE,)	
)	
Plaintiff,)	
)	
v.)	Civil Complaint No.: 1:05-cv-0678-RLY-VSS
)	
INTERNATIONAL BUSINESS)	
MACHINES CORPORATION;)	
RED HAT INC.;)	
NOVELL, INC.,)	
)	
Defendants.)	

**ORDER
ON MOTION TO STAY BRIEFING ON SUMMARY JUDGMENT
AND TO STAY PRETRIAL CONFERENCE**

This matter comes before the Court on the uncontested motion by International Business Machines Corporation (“IBM”) to stay briefing on Plaintiff’s Summary Judgment Motion, and to stay the Pretrial Conference currently set for August 18, 2005, pending the Court’s decision on IBM’s Motion to Dismiss the Amended Complaint. The Court having considered the motion hereby GRANTS the motion.

IT IS ORDERED that Defendants’ brief in response to Plaintiff’s Summary Judgment Motion and any Pretrial Conferences shall be stayed pending the Court’s decision on IBM’s Motion to Dismiss the Amended Complaint.

If any claim survives after the Court’s decision, the parties shall file a Case Management Plan, including a proposed Summary Judgment briefing schedule, no later than fourteen (14) days after the order containing the decision is filed on the court docket.

Date: _____

Judge
U.S. District Court
Southern District of Indiana

Copies to:

Curtis W. McCauley mccauley@icemiller.com

Philip A. Whistler philip.whistler@icemiller.com

Michael Gottschlich mgottsch@btlaw.com

Kendall Millard kmillard@btlaw.com

Daniel Wallace
P. O. Box 572
New Palestine, IN 46163