

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

EMERSON ELECTRIC CO., FISHER-  
ROSEMOUNT SYSTEMS, INC., and  
ROSEMOUNT INC.,

Plaintiffs,

v.

SIPCO LLC, and  
IP CO., LLC (d/b/a INTUS IQ)

Defendants.

Civil Action No. 1:13-cv-02528-AT

Declaratory Judgment  
Patent

**PLAINTIFFS' UNOPPOSED MOTION FOR A FOURTH EXTENSION OF  
TIME FOR DEFENDANTS TO RESPOND TO THE COMPLAINT, OR TO  
ADMINISTRATIVELY TERMINATE THE ACTION**

Plaintiffs Emerson Electric Co., Fisher-Rosemount Systems, Inc., and Rosemount Inc. (collectively, "Emerson" or "Plaintiffs") hereby file this fourth motion for a 90-day extension of time for the Defendants to answer or otherwise respond to the complaint. In the alternative, Plaintiffs request that the Court administratively terminate this case. Plaintiffs have conferred with Defendants on this motion, and Defendants do not oppose this motion.

Plaintiffs and Defendants have been and continue to be involved in licensing discussions that, if successful, will settle the present action. (*See* Petite Decl. (Dkt.

No. 22-1), ¶¶2, 4; Groves Decl. (Dkt. No. 22-2), ¶¶2-3). Through their negotiations, the parties narrowed the areas of dispute down to one significant issue involving third parties. Unfortunately, Plaintiffs believe that resolution of this last issue may take a significant amount of time to resolve. Accordingly, Plaintiffs request that the Court extend the due date for the Defendants to answer or otherwise respond to the complaint by an additional 90 days.

Alternatively, Plaintiffs ask the Court to administratively terminate this case pending conclusion of the settlement discussions. If the case is administratively terminated, either party could reopen the case by motion at any time.

Dated: May 5, 2014

By: /s/ **Damon J. Whitaker**

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Attorneys for Plaintiffs

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ROSEMOUNT SYSTEMS, INC. and

ROSEMOUNT, INC.

**Local Rule 7.1(D) Certification of Compliance**

I hereby certify that the foregoing pleading has been prepared with Times New Roman font, 14 point, one of the font and point selections approved by the Court in L.R. 5.1B, N.D. Ga.

**/s/ Damon J. Whitaker**  
Georgia Bar No. 752722

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing **Plaintiffs' Unopposed Motion for a Second Extension of Time for Defendants to Respond to the Complaint** was served on Defendants via U.S. Mail, postage prepaid, addressed as follows:

SIPCO LLC  
c/o Candida Petite, COO  
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This 5th day of May, 2014.

**/s/ Damon J. Whitaker**  
Georgia Bar No. 752722

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