

USDC SCAN INDEX SHEET



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3:01-CV-01752 BOSLEY MEDICAL V. KREMER

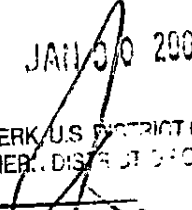
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M.

1 **FOLEY & LARDNER**
ATTORNEYS AT LAW
11250 EL CAMINO REAL, SUITE 200
2 SAN DIEGO, CALIFORNIA 92130
TELEPHONE: (858) 847-6700
3 FACSIMILE: (858) 847-6773

4 G. PETER ALBERT, BAR NO. SBN 211248

5 Attorneys for Plaintiff,,
6 BOSLEY MEDICAL INSTITUTE, INC.

FILED
JAN 30 2004
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY  DEPUTY

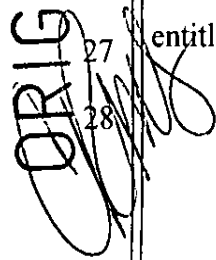
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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

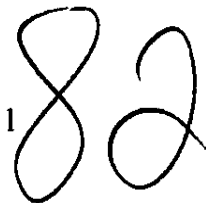
10 BOSLEY MEDICAL INSTITUTE, INC., a) **Case No.: 01-CV-1752 WQH (AJB)**
11 Delaware corporation)
12) **BOSLEY MEDICAL INSTITUTE'S**
Plaintiff,) **NOTICE OF MOTION AND MOTION FOR**
13) **SUMMARY JUDGMENT ON TRADEMARK**
v.) **INFRINGEMENT CLAIMS**
14)
MICHAEL STEVEN KREMER, an individual,) **DATE: APRIL 2, 2004**
15) **TIME: 10:30**
Defendant.) **JUDGE: HON. WILLIAM Q. HAYES**
16)
17)
18)
19)

20 TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

21 PLEASE TAKE NOTICE that on April 2, 2004, at 10:30 a.m., or as soon thereafter as
22 counsel may be heard in the above-entitled court, located at 940 Front Street, San Diego, California
23 92101, plaintiff BOSLEY MEDICAL INSTITUTE ("Bosley Medical") will, and hereby does, move the
24 Court for summary judgment on its trademark infringement claims on the ground that there is no
25 genuine issue as to any material fact related to that adjudication and that the moving party is therefore
26 entitled to judgment as a matter of law for the reason that defendant MICHAEL STEVEN KREMER

27 Plf's Not. Of Mot. For Summary Judgment
28 on Trademark Infringement Claims
01-CV-1752 WQH (AJB)

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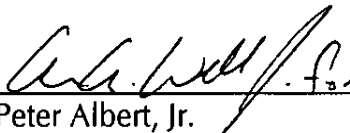
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1 ("Kremer") has failed to demonstrate any triable issue with respect to infringement of the mark
2 BOSLEY MEDICAL.

3 This Motion is based upon this Notice of Motion and Motion, the Memorandum of Points
4 and Authorities filed herewith, the Declaration of Heidi Belongia and the exhibits thereto filed herewith,
5 all pleadings and papers on file in this action, and upon such other matters as may be presented to the
6 court at the time of hearing.

7
8 Pursuant to the schedule established by order of this Court, opposition to this motion is
9 due to be served and filed on or before February 20, 2004, and any reply brief must be served and filed
10 on or before March 12, 2004.

11 Dated: January 30, 2004

12 By: 
13 G. Peter Albert, Jr.
14 FOLEY & LARDNER
15 11250 El Camino Real, Suite 200
16 San Diego, California 92138
17 Tel: (858) 847-6700
18 Fax: (858) 792-6773

19 Attorneys for Plaintiff
20 BOSLEY MEDICAL INSTITUTE, INC.