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24 UNITED STATES DISTRICT COURT
25 NORTHERN DISTRICT OF CALIFORNIA
26 SAN FRANCISCO DIVISION

27 Gregory J. Wrenn,

28 Plaintiff,

v.

Boy Scouts of America,

Defendant.

Case No.: C 03-04057 JSW

**PLAINTIFF WRENN'S REQUEST
REGARDING PENDING MOTION
TO LIFT STAY**

Judge: The Honorable Jeffrey S. White

Place: Courtroom 2, 17th Floor

1 Plaintiff Gregory J. Wrenn ("Wrenn"), while extremely mindful of the very busy
2 docket of this Court, respectfully submits to the Court that his Motion to Lift the Stay in this
3 matter has now been fully briefed by the parties, including supplemental briefing, and is
4 ripe for ruling.


5 As noted in Mr. Wrenn's reply on supplemental briefing filed June 28, 2007:

6 The BSA misstates Mr. Wrenn's arguments in support of the Motion
7 to Lift the Stay, a motion that has *not* been made moot by the TTAB's
8 recent ruling. It is enough to say that the arguments are before this Court in
9 the parties' past briefing and oral argument, and the heart of the matter for
10 Mr. Wrenn is that: (1) no one could have anticipated the TTAB would take
11 so many years to rule on the important claims before it; (2) Mr. Wrenn
12 would never have agreed to such extreme delays if he had known it would
13 take this long; (3) the recent action by the TTAB means the parties face at
14 least another *two years* of delay in that forum, and even then the TTAB
15 might avoid reaching the pivotal issue of genericness; (4) the threats,
16 uncertainty and doubt faced by Mr. Wrenn, and other independent groups
17 who wish to promote independent scouting programs in the United States,
18 are harmful and are aggravated by this delay; (5) there are claims before
19 this Court that are not within the jurisdiction of the TTAB, and any appeal
20 from the TTAB will come to this Court, so this case will inevitably come
21 back to this Court, either now, or two years from now; and (6) it has
22 become oppressive and unjust to maintain the stay in this action.

23 (Footnotes omitted.) Mr. Wrenn is willing to stipulate to trial of this matter by a Magistrate
24 Judge. Mr. Wrenn implores this Court to lift the stay in this action so justice is not further
25 delayed and denied.

26 August 24, 2007

27 Respectfully submitted,
28 HELLER EHRMAN LLP

By 
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