

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

PARKERVISION, INC.,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Case No. 3:11-cv-719-J-37JBT

QUALCOMM INCORPORATED,

Counterclaim Plaintiff,

v.

PARKERVISION, INC., and STERNE,
KESSLER, GOLDSTEIN & FOX PLLC,

Counterclaim Defendants.

ORDER

On December 2, 2011, Defendant and Counterclaim Plaintiff Qualcomm filed and served a First Amended Answer, Counterclaim, and Demand for Jury Trial. (Doc. No. 60). Since an amended pleading supersedes all former pleadings, *see Pintando v. Miami-Dade Housing Agency*, 501 F.3d 1241, 1243 (11th Cir. 2007), the Court finds it prudent to provide the Counterclaim Defendants an opportunity to plead anew in response to Qualcomm's amended affirmative defenses and counterclaims, *see, e.g., Krinsk v. SunTrust Banks, Inc.*, 654 F.3d 1194, 1202 (11th Cir. 2011).

Accordingly, the Court hereby:


1. **DENIES AS MOOT** Counterclaim Defendant, Sterne, Kessler, Goldstein & Fox's, Motion To Dismiss Qualcomm's Counterclaims, Motion For More

Definite Statement, Or, In The Alternative, Motion To Abate Qualcomm's Counterclaims (Doc. No. 34).

2. **DENIES AS MOOT** ParkerVision's Motion And Memorandum To Strike Certain Of Qualcomm's Affirmative Defenses (Doc. No. 35).
3. **DENIES AS MOOT** ParkerVision's Motion And Memorandum To Dismiss Qualcomm's Counterclaims For Inequitable Conduct, Tortious Interference, And Aiding And Abetting Breach of Fiduciary Duty (Doc. No. 36).

The Counterclaim Defendants shall answer or otherwise respond to Qualcomm's First Amended Answer, Counterclaim, and Demand for Jury Trial on or before January 6, 2011.

DONE AND ORDERED in Chambers in Jacksonville, Florida, on December 5, 2011.



ROY B. DALTON JR.
United States District Judge

Copies:

counsel of record