

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

FLOODBREAK, LLC,  
Plaintiff,

v.

ART METAL INDUSTRIES, LLC, et al.,  
Defendants.

No. 3:18-cv-503 (SRU)

**CONFERENCE MEMORANDUM AND ORDER**

On November 25, 2020, I held a conference call on the record with Edmond Bannon, Monte Frank, and Michael Autuoro, attorneys for the plaintiff, FloodBreak, LLC; and Maia Harris, Alexander Andrews, and Sarah Burger, attorneys for the defendants, Art Metal Industries, LLC and Kevin Biebel. The purpose of the call was to discuss the motion to continue the evidentiary hearing on the application for a pre-judgment remedy (doc. no. 263) as well as the logistics of the hearing.

At the start, Attorney Harris asserted that defense counsel and Mr. Biebel wish to participate remotely in light of COVID-19 concerns, and argued that the hearing should be continued because Mr. Biebel would therefore not be able to demonstrate AMI's device in person. In response, I stated that the hearing will go forward as planned and assured the parties that the courthouse is safe. I noted further that if any person still wishes to attend via Zoom, they are welcome to do so. I also proposed that Mr. Biebel have an employee bring the device into the courthouse for the hearing if he wishes to demonstrate the device in person; if that is not possible and Mr. Biebel does not wish to attend the hearing in person, the device will need to be demonstrated via Zoom, whether through a video or otherwise.

I stated that the hearing will start on December 8, 2020, at 2 p.m. I set Tuesday, December 1 as the deadline for the parties to exchange witness and exhibits lists, and Friday, December 4 as the deadline for the parties to submit to the court the list of exhibits that can be admitted by stipulation. In addition, I scheduled a Zoom call for Thursday, December 3, at 3 p.m. to further discuss the logistics of the hearing and to familiarize the parties with the courtroom layout via Zoom. Finally, I advised the parties to provide the necessary exhibits to remote witnesses in advance of the hearing.

So ordered.

Dated at Bridgeport, Connecticut, this 25th day of November 2020.

/s/ STEFAN R. UNDERHILL  
Stefan R. Underhill  
United States District Judge