

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES – GENERAL

Case No. LA CV13-08418 JAK (RZx)

Date March 6, 2017

Title CH2O Inc v. Meras Engineering, Inc.

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**Present: The Honorable JOHN A. KRONSTADT, UNITED STATES DISTRICT JUDGE**

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Andrea Keifer

Alex Joko

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Christopher S. Marchese

Michael K. Friedland

Andrew R. Kopsidas

Paul A. Stewart

Joanna M. Fuller

C. Kevin Speirs

Oliver J. Richards

Kristine E. Johnson

**Proceedings: DEFENDANTS' MOTION FOR JUDGMENT AS A MATTER OF LAW (DKT. 471)****DEFENDANTS' MOTION FOR A NEW TRIAL ON DAMAGES OR REMITTITUR (DKT. 473)****DEFENDANTS' MOTION FOR A NEW TRIAL ON INFRINGEMENT (DKT. 475)****DEFENDANTS' MOTION TO AMEND THE JUDGMENT AND RELIEVE HNL HOLDINGS, LTD. AND HOUWELING'S NURSERIES, LTD. FROM LIABILITY (DKT. 478)****PLAINTIFF'S MOTION FOR PERMANENT INJUNCTION (DKT. 481)****PLAINTIFF'S MOTION FOR ENHANCED DAMAGES (DKT. 482)****PLAINTIFF'S MOTION FOR PREJUDGMENT INTEREST AND SUPPLEMENTAL DAMAGES (DKT. 480)****PLAINTIFF'S MOTION FOR JUDGMENT AS A MATTER OF LAW IN PLAINTIFF'S FAVOR ON DEFENDANTS' DEFENSES OF PATENT INVALIDITY DUE TO ANTICIPATION AND OBVIOUSNESS (DKT. 470)**

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The motion hearing is held. The Court states its tentative views as to Defendants' motions and is inclined to: (i) deny the Motion for Judgment as a Matter of Law; (ii) deny the Motion for a New Trial on Infringement; (iii) grant in part the Motion to Amend the Judgment and Relieve HNL Holdings, Ltd. and Houweling's Nurseries, Ltd. from Liability; and (iv) defer ruling on the motion for a New Trial on Damages or Remittitur until additional argument is presented.

The Court states its tentative views as to Plaintiff's motions and is inclined to: (v) deny the Motion for Enhanced Damages; (vi) grant in part the Motion for Permanent Injunction; (vii) grant the Motion for Judgment as a Matter of Law in Plaintiff's Favor on Defendants' Defenses of Patent Invalidity Due to Anticipation and Obviousness; and (viii) defer ruling on the Motion for Prejudgment Interest and Supplemental Damages until additional argument is presented.

Counsel present oral argument. The foregoing Motions are taken UNDER SUBMISSION and a ruling will be issued.

Counsel report that they have participated in direct settlement discussions. Counsel agree that a further mediation session with a private neutral would be beneficial. Accordingly, the Court directs counsel to confer and file a joint report by March 8, 2017, which shall include whether: (i) all parties agree to a further mediation session; (ii) the name of the agreed upon private neutral or three nominees from each party to include a resume and hourly rate; and (iii) whether a ruling on all or some of the motions would be beneficial before or after the mediation.

**IT IS SO ORDERED.**

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