

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DUHN OIL TOOL, Inc.,
Plaintiff,

v.
COOPER CAMERON CORPORATION,
Defendants.

1:05-cv-01411-OWW-GSA

ORDER RE: MOTION FOR ENTRY OF
JUDGMENT, MOTION FOR JUDGMENT
AS A MATTER OF LAW

ORDER

For the reasons stated in the Memorandum Decision, IT IS
ORDERED:

- 1) As a new trial is required on the defense of anticipation, entry of judgment is not appropriate at this time;
- 2) Plaintiff's motion for judgment as a matter of law on Defendant's claims of obviousness is GRANTED;
- 3) Plaintiff's alternative request for a new trial on the issue of obviousness is conditionally GRANTED pursuant to Rule 50(c);
- 4) This case shall be reset for trial on the defense of anticipation. In the event Defendant prevails, judgment shall be entered against Plaintiff on all Plaintiff's claims and in favor of Defendant. If Plaintiff prevails, judgment in favor

1 of Plaintiff shall in all respects be entered for Plaintiff
2 and against Defendant on liability and damages.

3
4 IT IS SO ORDERED.

5 **Dated: September 30, 2011**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE