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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEVITON MANUFACTURING
CO., INC.,

No. C 10-03961 WHA

Plaintiff,

v.

**NOTICE REGARDING
JOINDER OF MULTIPLE
DEFENDANTS**

FUJIAN HONGAN ELECTRIC
CO., LTD., *et al.*,

Defendants.

Although this action has been stayed until the determination of the ITC investigation becomes final, the Court is concerned that this action presents the same problem that was present in *WiAV Networks, LLC v. 3Com Corp.* concerning misjoinder of parties. *See* Order Dismissing All Remaining Defs. Except Hewlett-Packard Company For Misjoinder Under FRCP 21., Oct. 1, 2010. Counsel should consider whether this is an issue that should be litigated now rather than at the end of the ITC proceedings. At a minimum, when the stay is lifted, the Court will raise this issue on its own under FRCP 21.

IT IS SO NOTICED.

Dated: November 22, 2010.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE