

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELLANOX TECHNOLOGIES, LTD.,
Plaintiff,
v.
METHODE ELECTRONICS, INC.,
Defendant.

Case No. 15-cv-03730-PJH

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANT'S
MOTION FOR LEAVE TO FILE FIRST
AMENDED ANSWER**

Re: Dkt. No. 57

Defendant Methode Electronics, Inc.'s motion for leave to file a first amended answer came on for hearing before this court on July 20, 2016. Defendant appeared through its counsel, Matthew Blackburn. Plaintiff Mellanox Technologies, Ltd. appeared through its counsel, Timothy Watson. Having read the parties' papers and carefully considered their arguments and the relevant legal authority, the court hereby GRANTS the motion in part and DENIES the motion in part, for the reasons stated at the hearing. The motion for leave to amend is GRANTED with respect to counterclaims three and five, and the associated affirmative defenses. The motion for leave to amend is DENIED with respect to counterclaims four and six and their corresponding affirmative defenses, as "failure to state a claim" is not a proper counterclaim or defense.

IT IS SO ORDERED.

Dated: July 20, 2016



PHYLLIS J. HAMILTON
United States District Judge