

decision will bear directly on this Court's subject matter jurisdiction over Plaintiff's claims in this case. Plaintiff will suffer no prejudice due to a brief stay to allow the Federal Circuit to render its decision in *Stauffer*; the Court is not extending the stay to resolution of the question by the United States Supreme Court. Further, the Court finds that a brief stay to allow the Federal Circuit to render a decision on the law that likely controls this case will serve the goals of judicial economy, as well as conserve the Court's and the parties' resources. Therefore, the Court **GRANTS** the motion to stay (Doc. 28) filed by defendant Syngenta Crop Protection, Inc. and **STAYS** the instant case until the Federal Circuit issues its opinion and mandate in *Stauffer*. The Court **FURTHER ORDERS** the defendant Syngenta Crop Protection, Inc. to file a report on the status of the *Stauffer* appeal during the month of February every year and within 30 days after the Federal Circuit issues the mandate in that case.

IT IS SO ORDERED.

Dated: August 31, 2010

s/ J. Phil Gilbert
Hon. J. Phil Gilbert