

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 14-14706-RWZ

EMSEAL JOINT SYSTEMS, LTD.

v.

MM SYSTEMS CORPORATION

ORDER

August 9, 2017

ZOBEL, S.D.J.

Prior to the Markman hearing on January 12, 2017, plaintiff filed a motion in limine to exclude the testimony and report of Haskell W. Beckham, Ph.D (the “Beckham Report”). The parties presented their arguments on this motion during the hearing, which the court took under advisement. Following the hearing, the parties filed supplemental briefing and defendant attached a copy of the disputed Beckham Report to its supplemental papers, which plaintiff moved to strike.

The court ultimately did not consider the Beckham Report, or any portion of defendant’s submissions that referred to or relied upon it, in construing the claim terms in the court’s Claim Construction Order. See Docket # 109. Accordingly, plaintiff’s outstanding Motion in Limine to Exclude the Testimony and Report of Haskell W. Beckham, Ph.D. (Docket # 98) and Motion to Strike the Report of Haskell W. Beckham, Ph.D. (Docket # 105) are ALLOWED.

August 9, 2017

DATE

/s/Rya W. ZobelRYA W. ZOBEL
SENIOR UNITED STATES DISTRICT JUDGE