

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COMERICA BANK,

Plaintiff,

vs.

Case No. 17-11131

ENAGIC CO., LTD., ENAGIC USA, INC.,
JON SWARDSTROM, JOHN SCHEPCOFF,
CLAUDIA RICHARDSON, and JOHN DOE,

HON. AVERN COHN

Defendants.

ORDER
GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO STRIKE
PLAINTIFF'S REQUEST FOR ATTORNEY FEES AND FOR LEAVE TO FILE
SURREPLY BRIEF IN SUPPORT OF OPPOSITION TO MOTION FOR PRELIMINARY
INJUNCTION (Doc. 34)
AND
CHARTING THE COURSE OF THE CASE

This is a trademark case. Before the Court is defendants Enagic Co. Ltd. (Enagic Japan) and Enagic USA, Inc. (Enagic USA) motion to strike plaintiff's request for attorney fees and for leave to file a surreply brief. (Doc. 34) The motion to strike is DENIED. The request to file a surreply brief is GRANTED.

Also pending before the Court are (1) Comerica's motion for a preliminary injunction, (Doc. 7), (2) Enagic Japan's motion to dismiss for lack of personal jurisdiction (Doc. 16) and (3) Enagic USA's motion to dismiss for failure to state a claim (Doc. 21).

Enagic's motions will be decided on the briefs.

As to Comerica's motion, if the case survives, in whole or in part, after resolution

of Enagic's motions, the hearing will be for a permanent injunction given the length of time that has passed since the filing of the complaint. The Court will also consider bifurcating liability and damages at such time.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: August 22, 2017
Detroit, Michigan