

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

3M Company and
3M Innovative Properties Company,

Plaintiffs,

v.

ORDER

Civil No. 10-2630 (MJD/FLN)

Avery Dennison Corporation,

Defendant.

John C. Adkisson, Ann N. Cathcart Chaplin and Geoff D. Biegler, Fish & Richardson P.C., Kevin H. Rhodes, 3M Innovative Properties Company and M. Sean Royall, Michael L. Raiff, and Daniel M. Flores, Gibson, Dunn & Crutcher, LLP, Counsel for Plaintiffs.

Kurt J. Niederluecke, Lora M. Friedemann and Laura L. Myers, Fredrikson & Byron, P.A. and Charles K. Verhoeven, David Bilsker, Christopher E. Stretch, and James E. Baker, Quinn Emanuel Urquhart & Sullivan, LLP, Counsel for Defendant.

This matter is before the Court on Defendant's appeal of Magistrate Judge Franklin Noel's Order dated October 10, 2012 [Doc. No. 374] granting Plaintiff's motion to strike untimely expert opinion. [Doc. No. 348]

The Court must modify or set aside any portion of the Magistrate Judge's Order found to be clearly erroneous or contrary to law. See 28 U.S.C.

§ 636(b)(1)(A); Fed. R. Civ. P. 72(a); Local Rule 72.2(a). Based on a review of the record and the submissions of the parties, the Court concludes that the Magistrate Judge's Order is neither clearly erroneous or contrary to law.

IT IS HEREBY ORDERED that the Order dated October 10, 2012 [Docket No. 374] is AFFIRMED.

Date: November 29, 2012

s/ Michael J. Davis _____
Michael J. Davis
Chief Judge, U.S. District Court