

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

<p>Grupo Petromex, S.A. DE C.V., DAK Americas LLC,</p> <p style="text-align:center">Plaintiffs,</p> <p>v.</p> <p>Polymatrix AG,</p> <p style="text-align:center">Defendant.</p>	<p style="text-align:right">Case No. 16-cv-2401 (SRN/HB)</p> <p style="text-align:center">ORDER</p>
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Barbara D'Aquila and Margaret Rudolph, Norton Rose Fulbright US LLP, 60 S. 6th St., Ste. 3100, Minneapolis, MN 55402; Eric Schweibenz, J. Derek Mason, John F. Presper, and Alexander Englehart, Oblon, McClelland, Maier & Neustadt, LLP, 1940 Duke St., Alexandria, VA 22314, for Plaintiffs.

Bernard E. Nodzon, Jr., Theodore Budd, Timothy Sullivan, Faegre Drinker Biddle & Reath LLP, 90 S. 7th St., Ste. 2200, Minneapolis, MN 55402; Igor Shoiket, Stephen Youtsey, and Todd Noah, Dergosits & Noah LLP, One Embarcadero Center, Ste. 350, San Francisco, CA 94111, for Defendant.

SUSAN RICHARD NELSON, United States District Judge

This matter is before the Court on Defendant's September 2, 2020 Letter Request [Doc. No. 724] for a stay of portions of the Court's Amended Scheduling Order [Doc. No. 431]. Specifically, Defendant seeks a stay of matters pertaining to claim construction, infringement, and invalidity, until three months after the Court rules on the parties' cross motions for summary judgment/partial summary judgment on the issue of inducement. Defendant asserts that the motions on inducement are case dispositive, and, depending on the

Court's rulings, may obviate the need for the parties to proceed with the issues of claim construction, infringement, and invalidity. (Def.'s Sept. 2, 2020 Letter at 1.)

Plaintiffs oppose the request, arguing that a stay will delay these proceedings and will disadvantage Plaintiffs. (Pls.' Sept. 4, 2020 Letter [Doc. No. 732].) They note that they have spent considerable time preparing claim charts and serving their responses to Defendant's infringement contention interrogatories, consistent with the deadlines in the Amended Scheduling Order. (*Id.* at 1–2.) In addition, Plaintiffs argue that Defendant's summary judgment motion on inducement is not case dispositive. (*Id.* at 2.)

Defendant subsequently filed a letter on September 8, 2020, responding to some of the arguments that Plaintiffs raised in their September 4 letter. (Def.'s Sept. 8, 2020 Letter [Doc. No. 734].)

Having reviewed the parties' letters, the Court will consider Defendant's letter request for a stay at the time it takes under advisement the parties' cross motions for summary judgment/partial summary judgment on the issue of inducement, on November 5, 2020.

SO ORDERED.

Dated: September 15, 2020

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge