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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

CHEMEON SURFACE TECHNOLOGY, LLC,  
Plaintiff,

v.

METALAST INTERNATIONAL, INC., et al.,  
Defendants.

Case No. 3:15-CV-0294-MMD (VPC)

**ORDER**

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AND RELATED CLAIMS.

At the case management conference held on September 22, 2016, this court ordered parties to meet and confer regarding production of metalast.com and chemeon.com emails, disclosure of emails containing the words “Chemetall” or “Metalast,” and to submit an ESI protocol to the court by October 6, 2016. (ECF No. 182 at 2.) At the next case management conference held on October 17, 2016, this court noted that the production of metalast.com and chemeon.com emails was moving forward sufficiently and no issues regarding production were brought up to the court. (See ECF No. 191 at 1-2). On January 6, 2017 the parties participated in a settlement conference, causing many discovery issues to be deferred.

Now before the court is Metalast International, Inc., Metalast, Inc., Sierra Dorado, Inc., and David M. Semas’s (collectively, “Metalast”) motion to compel full compliance with this court’s prior orders regarding production of emails. (ECF No. 223.) Chemeon Surface Technology, LLC, (“Chemeon”) filed their opposition (ECF Nos. 234, 235) and Metalast replied (ECF No. 254).

Chemeon argues that in light of the District Court’s ruling on Metalast’s motion for summary judgment, the emails now have no bearing on Metalast’s counterclaims. (ECF No. 234.)

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The court notes that it issued its order regarding the production of emails in September 2016, while the District Court issued its summary judgment order on March 15, 2017—after the present motion to compel was filed. Chemeon has failed to comply with this court’s order. To the extent Chemeon believes this court’s prior order is moot, the proper procedure is to file a motion for reconsideration.

Metalast’s motion to compel (ECF No. 223) is **GRANTED**. Chemeon is ordered to produce the disputed discovery no later than April 17, 2017.

**IT IS SO ORDERED.**

DATED: April 10, 2017.

  
UNITED STATES MAGISTRATE JUDGE