

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:11-CV-459-D

PENTAIR WATER POOL AND SPA, INC., )  
and DANFOSS DRIVES A/S, )

Plaintiffs, )

v. )

HAYWARD INDUSTRIES, INC., and )  
HAYWARD POOL PRODUCTS, INC. )

Defendants. )

**ORDER**

Upon consideration of the Joint Motion to Stay '070 Patent and the Remainder of the Case [D.E. 347], and for good cause shown, it is hereby ORDERED as follows:

a. For the purpose of promoting efficiency and judicial economy, all issues directed to the '070 Patent immediately are subsumed within the stay issued pursuant to the Court's Order of January 31, 2013 [D.E. 342];

b. All deadlines in the Scheduling Order filed November 13, 2013 [D.E. 312] are suspended for the duration of the stay;

c. Except as otherwise resolved in this order, all pending discovery motions, requests, responses, disputes, requests for personal and Rule 30(b)(6) depositions, and other pending matters are suspended for the duration of the stay;

d. The parties reserve their rights with respect to all other case-related matters if and when the need arises;


e. Plaintiffs' Motion for a Protective Order Staying All Discovery Pending Resumption of Litigation or, in the Alternative, to Compel Depositions of Defendants and Their Personnel and to Modify Discovery Schedule [D.E. 343] is withdrawn without prejudice;

f. Plaintiffs or defendants may seek to have the stay of these proceedings lifted, in whole or in part at any time, with a resumed schedule including an appropriate period of time to complete outstanding fact discovery, pending further developments in the United States Patent and Trademark Office concerning the patents-in-suit;

g. All other pending motions [D.E. 305, 339, 341] are DENIED without prejudice and may be renewed once the stay is lifted; and

h. The motion to stay [D.E. 317] and the joint motion to stay [D.E. 347] are GRANTED.

SO ORDERED. This 18 day of February 2014.

  
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JAMES C. DEVER III  
Chief United States District Judge