

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-cv-416-RJC-DSC**

RUBBERMAID INCORPORATED d/b/a)
RUBBERMAID MEDICAL SOLUTIONS,)
)
Plaintiff,)
)
vs.)
)
ERGOTRON, INC.,)
)
Defendant.)
_____)

ORDER

THIS MATTER comes before the Court on the parties' joint motion for Vacatur of the Court's Claim Construction Order to Facilitate Settlement, (Doc. 43), and memorandum in support, (Doc. 44). In this motion, the parties informed the Court that they had reached an agreement as to all material issues in dispute, and that a settlement had been reached contingent upon the Court's vacating the claim construction order issued on March 11, 2014 (Doc. 42).

Having reviewed the matter, the Court **grants** the parties' motion (Doc. 43), contingent upon the parties filing within fourteen (14) days a stipulation of voluntary dismissal reflecting a complete settlement between the parties. Upon receipt of a joint stipulation of dismissal, the Court will vacate the claim construction order (Doc. 42).

IT IS, THEREFORE, ORDERED that the parties shall file with this Court within fourteen (14) days a stipulation of voluntary dismissal communicating that a final settlement has been reached as to all issues in this case. A failure to file such order within the appropriate time may result in a denial of the motion to vacate.

Signed: June 25, 2014



Robert J. Conrad, Jr.
United States District Judge

