

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-cv-00569-MOC-DSC

**VIVA HEALTHCARE PACKAGING USA INC.;** )  
**VIVA HEALTHCARE PACKAGING HK LTD;** )  
**and VIVA HEALTHCARE PACKAGING LTD,** )

Plaintiffs, )

Vs. )

**CTL PACKAGING USA INC. and TUBOPLAST** )  
**HISPANIA,** )

Defendants. )

ORDER

**THIS MATTER** is before the court on the following motions, all of which have been fully briefed and are ripe for review:

1. Defendants CTL Packaging USA, Inc. and Tuboplast Hispania’s (“Defendants”) Motion for Summary Judgment as to Indefiniteness (#178);
2. Defendants’ Motion for Summary Judgment as to Lack of Enablement (#180);
3. Defendants’ Motion for Summary Judgment of No Willful Infringement (#182);
4. Plaintiffs Viva Healthcare Packaging Ltd., Viva Healthcare Packing (HK) Ltd., and Viva Healthcare Packing (USA), Inc.’s (“Plaintiffs”) Motion for Partial Summary Judgment of No Anticipation of United States Patent No. 6,547,094 (#196);
5. Plaintiffs’ Motion for Partial Summary Judgment of No Anticipation Of United States Patent No. 8,518,318 (#198);
6. Plaintiffs’ Objections (#212) to Magistrate Judge Cayer’s February 8, 2016 Order (#176) denying Plaintiffs’ Motion for Relief from Protective Order;
7. Plaintiffs’ Objections (#214) to the Magistrate Judge’s February 9, 2016 Order (#177) denying Plaintiffs’ Motion to Compel Production of Documents;

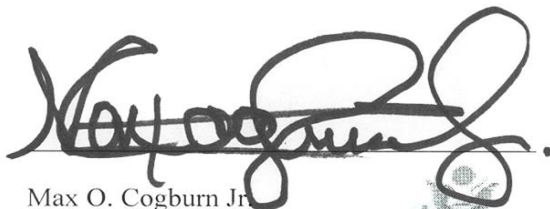
8. Defendants' Motion to Exclude Certain Opinions by Expert Witness Stephen Driscoll (#184);
9. Defendants' Motion to Exclude Certain Testimony of Expert Dr. Michael Rubinstein (#186);
10. Plaintiffs' Motion to Exclude Certain Purported Expert Testimony of Tim Osswald and Mukerrem Cakman (#190);
11. Plaintiffs' Motion to Exclude Purported Expert Testimony of Cynthia Smith (#203);  
and
12. Plaintiffs' Motion to Exclude Purported Expert Testimony of Cynthia Smith and Tim Osswald (#208).

Having considered the above matters and reviewed the pleadings, the court finds that oral arguments would be beneficial to efficient resolution of all motions, and therefore enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the Clerk of Court calendar all of the above motions for oral argument on the next available Charlotte civil motions day, blocking out three hours. Counsel is advised to prepare arguments within the stated time limit, though the court may allow additional time as needed for the parties to fully make their presentations.

Signed: March 25, 2016

  
Max O. Cogburn Jr.  
United States District Judge