

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

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|--|---|----------------------------------|
| VIVA HEALTHCARE PACKAGING LTD, et. al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | No. 3:13-cv-00569-MOC-DSC |
| CTL PACKAGING USA INC, et. al., |) | |
| |) | |
| Defendants. |) | |

ORDER

THIS MATTER is before the Court on Defendant and Counterclaim Plaintiff’s “Motion to Compel Supplementation of Plaintiff’s Local Patent Rule 3.1 Disclosures ...” (document #70) and the parties’ briefs and exhibits. See documents ## 70-1 through 70-9, and 72-73.

The Court has carefully considered the record, authorities and the parties’ arguments. The Court has not yet entered a scheduling order in this matter. For this reason and the other reasons stated in Plaintiff’s briefs, the Court will exercise its discretion and deny the Motion.

THEREFORE, IT IS ORDERED that:

1. Defendant and Counterclaim Plaintiff’s “Motion to Compel Supplementation of Plaintiff’s Local Patent Rule 3.1 Disclosures ...” (document #70) is **DENIED**.
2. Within fifteen (15) days of the entry of this Order, the parties shall submit an updated certification of initial attorneys conference and discovery plan.
3. The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: March 3, 2014



 David S. Cayer
 United States Magistrate Judge
 