

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CSB-SYSTEM INTERNATIONAL INC.,	:	
	:	CIVIL ACTION
Plaintiff/Counterclaim Defendant,	:	
	:	
v.	:	
	:	NO. 10-2156
SAP AMERICA, INC.,	:	
	:	
Defendant/Counterclaim Plaintiff.	:	

ORDER

AND NOW, this 9th day of *May*, 2012, upon consideration of Plaintiff CSB-System International Inc.'s Motion for Summary Judgment of No Inequitable Conduct and No Unclean Hands (Docket No. 87), Defendant SAP America, Inc.'s Response (Docket No. 99), Plaintiff's Combined Motion to Strike and Reply in Support of Motion for Summary Judgment (Docket No. 118), Defendant's Opposition to CSB's Motion to Strike (Docket No. 123), and Plaintiff's Reply in Support of Its Motion to Strike (Docket No. 126), it is hereby **ORDERED** as follows:

1. Plaintiff's Motion for Summary Judgment of No Unclean Hands is **DENIED AS MOOT** in light of Defendant's withdrawal of this defense. Defendant shall be precluded from relying on this defense at trial in this action, but this ruling shall have no preclusive effect beyond the confines of this case.
2. Plaintiff's Motion for Summary Judgment of No Inequitable Conduct is **GRANTED** both as to (1) Defendant's theory of inequitable conduct based on the actions of Gottfried Thomas, Ulrich Mergemann, Peter Schimitzek, and Michael Striker; and (2) Defendant's theory of inequitable conduct based on the actions of Peter Haussingen.
3. Plaintiff's Motion to Strike is **DENIED AS MOOT**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.