

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

EMED TECHNOLOGIES CORPORATION, §  
§  
*Plaintiff,* §

v. §

Case No. 2:15-CV-01167-JRG-RSP

EMED TECHNOLOGIES CORPORATION, §  
REPRO-MED SYSTEMS, INC. D/B/A RMS §  
MEDICAL PRODUCTS, §  
§  
*Defendants.* §

**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 80) by Magistrate Judge Payne, which recommends that Defendant’s motion to dismiss (Dkt. No. 66) be denied and Plaintiff’s motion to amend its infringement contentions (Dkt. No. 67) be granted. No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne’s report, Defendant’s motion, Plaintiff’s response (Dkt. No. 69) and sur-reply (Dkt. No. 73) to Defendant’s motion (Dkt. No. 66), Plaintiff’s motion, and Defendant’s response (Dkt. No. 70) and sur-reply (Dkt. No. 72) to Plaintiff’s motion (Dkt. No. 67), the Court concludes that Magistrate Judge Payne’s Report & Recommendation is correct. The Report & Recommendation (Dkt. No. 80) is hereby **ADOPTED**. Accordingly, Defendants’ motion to dismiss (Dkt. No. 66) is **DENIED** and Plaintiff’s motion to amend its infringement contentions (Dkt. No. 67) is **GRANTED**.

**So Ordered this**

**Dec 6, 2018**

A handwritten signature in black ink that reads "Rodney Gilstrap". The signature is written in a cursive style with a large initial 'R' and 'G'.

---

RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE