

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UCB, INC.,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	Civil Action No. 1:14cv1038
	)	
YEDA RESEARCH AND DEVELOPMENT	)	
CO. LTD.,	)	
	)	
Defendant.	)	
	)	

Memorandum Opinion

THIS MATTER came before the Court on Plaintiff UCB’s Motion to Compel Defendant Yeda Research and Development Co. Ltd. to Comply with the Court’s Oral Order of January 13, 2015 (Dkt. 101) and Plaintiff UCB, Inc.’s Motion to Compel Defendant Yeda Research and Development Co. Ltd. to Produce Yeda 00248307 and 00425270 (Dkt. 104.)

In the first motion, UCB only requested that the January 7, 1985 written opinion of John White be produced in unredacted form pursuant to the Court’s Order of January 13, 2015 (Dkt. 77). At oral argument on that motion, UCB then requested that other documents listed on Yeda’s privilege log as attorney-client communications or attorney work product also be produced in unredacted form. The second motion sought production of two documents that had been “clawed back” by Yeda.

Upon review of all the pleadings, as well as the documents

submitted *in camera* by Yeda, and the parties' letter submissions, the Court is satisfied that the last portion of the White letter of January 7, 1985 distinctly relates to patent prosecution strategy and not, as UCB might have hoped, to concerns about prior art. The Court is further satisfied that all of the other redacted documents submitted *in camera*, including the two documents that are subject of the second Motion to Compel, are also all appropriately withheld based on attorney-client privilege and work product.

Therefore, the Court denies both of UCB's motions to compel. An appropriate order will follow.

SIGNED this 6th day of February, 2015.

\_\_\_\_\_/s/\_\_\_\_\_  
THERESA CARROLL BUCHANAN  
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia