IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

VANDERBILT UNIVERSITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 05-506-SLR
	)	
ICOS CORPORATION,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

At Wilmington this 20th day of December, 2007, having considered the issue of whether the court will entertain the testimony of legal experts at trial;

IT IS ORDERED that such testimony shall not be permitted. I have reviewed the case law cited by the parties in the pretrial order and have concluded that testimony to explain (or explain away) such law is neither needed nor appropriate. I further conclude, however, that plaintiff need not pay the costs of the expert discovery, since defendant (prior to the pretrial conference) had not stipulated to the process undertaken by the PTO in reviewing inventorship.[1]

IT IS FURTHER ORDERED that the bench trial in the above captioned case shall commence on Monday, January 7, 2008 and end on Wednesday, January 16,

[1]I understand that defendant will so stipulate for purposes of trial; otherwise, I may reconsider the above decision.

2008. Each party shall have 23 hours in which to present its evidence.

United States District Judge