IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

WELLMAN, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 07-585-SLR
	)	
EASTMAN CHEMICAL COMPANY,	)	
	)	
Defendant.	)	

ORDER

At Wilmington this 2nd day of February, 2010, consistent with the memorandum opinion issued this same date;

IT IS ORDERED that:

1. Defendant's motion for summary judgment of indefiniteness (D.I. 277) is granted;

2. Defendant's motion for summary judgment of invalidity based on failure to disclose the best mode (D.I. 279) is granted in part and denied in part;

3. Defendant's motion for summary judgment of noninfringement (D.I. 281) is denied as moot;

4. Defendant's motion to strike portions of the expert report of David E. Yukerwich regarding damages (D.I. 284) is denied as moot;

5. Plaintiff's motion for summary judgment of indirect infringement through active inducement (D.I. 297) is denied as moot;

6. Plaintiff's motion for summary judgment of literal infringement (D.I. 300) is denied as moot;

7. Defendant's motion to strike certain materials submitted by plaintiff in support of its opposition to defendant's summary judgment motions on invalidity (D.I. 326) is granted with respect to both the fourth Nichols declaration and the fourth Schiraldi declaration, and denied in other respects as moot;

8. Defendant's motion to strike certain materials submitted by plaintiff in support of its motions for summary judgment (D.I. 331) is denied as moot;

9. Defendant's motion to bifurcate trial with respect to liability and damages (D.I. 382) is denied as moot; and

10. Defendant's motion for a bench trial on inequitable conduct regarding Wellman's failure to disclose the best mode (D.I. 400) is denied as moot.

11. The Clerk of Court is directed to enter judgment for defendant and against plaintiff.

United States District Judge