IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERVET INC. d/b/a MERCK HEALTH, et al.,	)	
Plaintiffs,	)	C.A. No. 11-595-LPS
v.	)	
BOEHRINGER INGELHEIM VETMEDICA, INC.,	)	
Defendant.	)	

SPECIAL MASTER'S DECISION

Paul M. Lukoff (Del. Bar #96)
Wilks Lukoff & Bracegirdle, LLC
1300 Grant Avenue
Suite 100
Wilmington, DE 19806
(302) 225-0850

Dated: April 24, 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERVET INC. d/b/a MERCK HEALTH, et al.,	)	
Plaintiffs,	)	C.A. No. 11-595-LPS
v.	)	
BOEHRINGER INGELHEIM VETMEDICA, INC.,	)	
Defendant.	)	

SPECIAL MASTER'S DECISION

This is a follow-up decision relating to the Court's Oral Order of January 24, 2013 and my Opinion and Order of April 15, 2013. In the latter Opinion, I deferred deciding whether plaintiffs owed any further obligation to produce information. Interrogatory 14 asks for information relating to "each attempt…to isolate and/or culture *Lawsonia intracellularis*." Defendant contends that an outstanding obligation remains. Plaintiffs disagree. It turns out, however, that the information defendant still believes is missing it has been looking for since before August 10, 2012. The latter date is when Judge Stark ordered plaintiffs to produce documents on different topics including attempts to isolate and/or culture *Lawsonia intracellularis*. That is, in fact, the first of four separate items, previously the focus of defendant's First Set of Requests for Production, which were cited as having to be produced.

Given that the essential subject matter of Interrogatory 14 is virtually identical to item 1 of the Court's August 10, 2012 Order, and whether plaintiffs have fully complied with that Order

is presently before me for resolution, it makes sense to address the Interrogatory 14 issue in the context of the opinion I am drafting concerning the August 10, 2012 Order and not separately.

Paul M. Lukoff
Special Master

Dated: April 24, 2013