UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

BRAINTREE LABORATORIES, INC.,

Plaintiff,

v. Case No. 3:13-cv-389-J-32MCR

GATOR PHARMACEUTICALS, INC. and KVK-TECH, INC.,

Defendants.

O R D E R

This case is before the Court on the parties' Joint Motion to Stay (Doc. 54), filed on September 5, 2014. On February 19, 2014, the Court stayed and administratively closed this case pending the issuance of an opinion by the Federal Circuit in a related appeal, Braintree Laboratories, Inc. v. Novel Laboratories, Inc., No. 2013-1438. (Doc. 46.) The Court required the parties to notify it when an opinion issued and to meet and submit a revised Case Management Report fourteen days thereafter. (Id.) The Federal Circuit issued an opinion on April 22, 2014. (See Doc. 47-1.) This Court subsequently granted a motion to keep the stay in place until the Federal Circuit issued its mandate. (Doc. 50.) The mandate issued on August 11, 2014, and the Novel case has been remanded to district court. (Doc. 51). The parties now move the Court to keep this case stayed until the Novel remand is resolved, with the parties providing an update on the status of the Novel remand in six months and reserving the right to move to lift or modify the stay at any time. (Doc. 54.)

The Court agrees that judicial economy and the interests of justice support continuance of the stay and that the parties should keep the Court informed of the status of the Novel remand.

Accordingly, it is hereby **ORDERED**:

1. The Joint Motion to Stay (Doc. 54) is **GRANTED**.

2. The case remains stayed and administratively closed until further order of the Court.

3. On or before **March 9, 2015**, the parties shall meet and confer and file a joint status report providing the status of the Novel remand and advising the Court how they propose to proceed with this case. If the parties are unable to agree as to any aspect of how the case should proceed, the joint notice should set forth the parties' respective positions.

4. Any party may move to lift or modify the stay at any time prior to the March 9, 2015 deadline.

DONE AND ORDERED at Jacksonville, Florida this 10th day of September, 2014.

TIMOTHY J. CORRIGAN
United States District Judge

bjb.
Copies:

Counsel of Record