

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
STEPHANIE A. GALLAGHER
UNITED STATES DISTRICT JUDGE
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November 25, 2020

LETTER ORDER

RE: Paice LLC et al v. Bayerische Motoren Werke AG et al.
Civil No. 1:19-cv-03348-SAG

Dear Counsel,

I am in receipt of BMW's Motion to Stay, ECF 94, Paice's opposition, ECF 96, and BMW's reply, ECF 97. After review of the briefing, I am of the view that a more limited stay than that sought by BWM is warranted. The current pandemic is creating public health dangers throughout the world, and countries are imposing various degrees of restriction to address the threat. Germany, in particular, has imposed restrictions that impede the effective conduct of discovery and depositions. While this case is nearing the conclusion of discovery, this Court is not inclined to require persons to travel from one European country to another or to jeopardize the health of any participants in order to adhere to the originally set schedule. For the reasons set forth herein, Defendants' Motion to Stay is GRANTED IN PART.

A brief stay would have the benefit of fostering compliance with all public health restrictions, and would also afford this Court the benefit of ascertaining the decisions the Patent Trial and Appeal Board ("PTAB") will make regarding BMW's remaining petitions for *inter partes* review. Accordingly, this Court will stay the proceedings, from today, through February 26, 2021. The parties are to provide a joint report, on or before that date, summarizing (1) the status of COVID-related restrictions in the relevant European countries and (2) any decisions received from the PTAB. At that time, the Court will determine whether any further stay of these proceedings is appropriate.

Despite the informal nature of this letter, it is an Order of the Court and will be docketed as such.

Sincerely yours,

/s/

Stephanie A. Gallagher
United States District Judge