

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ELBIT SYSTEMS LAND AND C4I LTD.,	§	
ELBIT SYSTEMS OF AMERICA, LLC,	§	
	§	Case No. 2:15-CV-00037-RWS-RSP
<i>Plaintiffs,</i>	§	
	§	
v.	§	
	§	
HUGHES NETWORK SYSTEMS, LLC,	§	
BLUETIDE COMMUNICATIONS, INC.,	§	
COUNTRY HOME INVESTMENTS, INC.,	§	
	§	
<i>Defendants.</i>	§	

**ORDER**

The Court enters this separate Order memorializing the Orders on nondispositive motions in the Combined Order and Report and Recommendation. *See* Dkt. 388. For the reasons previously explained, *id.*, **IT IS ORDERED** as follows:

- (1) Plaintiffs’ Motion to Strike Expert Opinions Regarding Stricken Prior Art References And Undisclosed Invalidity Theories (**Dkt. 275**) (“Elbit’s Motion to Strike Invalidity Opinions”) is **GRANTED-IN-PART** and **DENIED-IN-PART**.
- (2) Defendant Hughes Network Systems, LLC’s Motion to Strike Elbit’s ’874 Patent Infringement Contentions (**Dkt. 276**) (“Hughes’ Motion to Strike Infringement Contentions”) is **DENIED**.
- (3) Defendant Hughes’s Motion to Exclude Elbit’s New Priority Date Contentions for the ’073 Patent (**Dkt. 277**) (“Hughes’ Priority Date Motion”) is **GRANTED**.
- (4) Plaintiffs’ Motion to Exclude the Testimony of Dr. Stephen B. Wicker (**Dkt. 312**) (“Elbit’s Infringement Expert Motion”) is **DENIED**.
- (5) Defendant Hughes Network Systems, LLC’s Motion to Exclude Expert Testimony of Stephen G. Kunin (**Dkt. 313**) (“Hughes’ Motion to Exclude Patent Office Expert Testimony”) is **GRANTED**.
- (6) Defendants’ *Daubert* Motion to Exclude the Opinions Offered by Christopher Martinez (**Dkt. 314**) (“Defendants’ Motion to Exclude Damages Expert Testimony”) is **DENIED**.

- (7) Plaintiffs' Motion to Strike Defendants' Experts Opinions Regarding Previously-Undisclosed Non-Infringing Alternatives (**Dkt. 315**) ("Plaintiffs' Motion to Strike Non-Infringing Alternatives") is **GRANTED**.
- (8) Hughes' Motion to Strike Portions of Elbit's Expert Reports that Rely on Previously-Unidentified Infringement Theories (**Dkt. 316**) ("Hughes' Motion to Strike Infringement Opinions") is **DENIED**.
- (9) Plaintiffs' Motion to Exclude Certain Opinions of Defendants' Damages Expert, Mr. W. Christopher Bakewell (**Dkt. 319**) ("Elbit's Motion to Exclude Damages Expert Testimony") is **DENIED**.
- (10) Defendants Hughes Network Systems, LLC And BlueTide Communications, Inc.'s Motion to Transfer Under 28 U.S.C. § 1406 (**Dkt. 372**) ("Defendants' Motion to Transfer") is **DENIED**.
- (11) Defendants Hughes Network Systems, LLC And BlueTide Communications, Inc.'s Motion to Stay Proceedings Pending Resolution of Proper Venue (**Dkt. 373**) ("Defendants' Motion to Stay") is **DENIED AS MOOT** as to Defendants' request to stay pending resolution of motion to transfer under § 1406 and **DENIED** as to Defendants' request to stay pending resolution of motion to transfer under § 1404.

**SIGNED this 20th day of June, 2017.**

  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE