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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CERTAINTEED GYPSUM, INC.,
Plaintiff,
v.
PACIFIC COAST BUILDING
PRODUCTS, INC., et al.,
Defendants.

Case No. [19-cv-00802-LHK](#) (SVK)

**ORDER REGARDING DISCOVERY
DISPUTE**

Re: Dkt. Nos. 91, 95

In light of the Parties' respective compromise proposals, it is clear that this is no longer a discovery dispute but rather a dispute over language in a covenant not to sue. *See* Dkt. 95-1, 4; 11. Accordingly, CertainTeed's motion to compel as set forth in the Joint Discovery Submission (Dkt. 91) is DENIED without prejudice. The Parties are ORDERED to meet and confer, either in person in accordance with prevailing COVID-19 restrictions or by video conference, no later than March 31, 2021, regarding the covenant not to sue as it relates to claims 9 and 10 of the '492 and '076 patents and to file a status report regarding resolution of this issue with both the undersigned and Magistrate Judge Cousins no later than April 2, 2021.

SO ORDERED.

Dated: March 19, 2021



SUSAN VAN KEULEN
United States Magistrate Judge