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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UPL NA, INC., ) CV 19-1201-RSWL-KS  
)  
)  
Plaintiff, ) **ORDER re: Joint Request**  
) **for Stay [76]**  
)  
)  
v. )  
)  
)  
TIDE INTERNATIONAL (USA), )  
INC.; ZHEJIANG TIDE )  
CROPSCIENCE CO., LTD.; and )  
NINGBO TIDE IMP. & EXP. )  
CO., LTD., )  
)  
Defendants. )

Currently before the Court is Defendant Tide International (USA), Inc.; Defendant Zhejiang Tide CropScience Co., Ltd.; and Defendant Ningbo Tide Imp. & Exp. Co., Ltd., (collectively, "Defendants") and Plaintiff UPL NA, Inc.'s ("Plaintiff") Joint Request For Stay ("Request").

1           The parties request a temporary stay of all  
2 deadlines and discovery in this Action. Specifically,  
3 the parties contend that their "discovery efforts are  
4 being significantly impacted by the outbreak of  
5 coronavirus. Both parties have sought materials and  
6 testimony from witnesses who are located outside of the  
7 United States, including in China, and given current  
8 travel restrictions and quarantine rules, obtaining the  
9 discovery sought at this time is impractical, if not  
10 impossible." Request 2:6-12, ECF No. 76. Having  
11 considered the parties' Request, the Court **NOW FINDS**  
12 **AND RULES AS FOLLOWS:** the Court **GRANTS in part** and  
13 **DENIES in part** the Request.

14           The instant Request is predicated on discovery  
15 related challenges faced in connection with the recent  
16 coronavirus outbreak. The Court acknowledges these  
17 obstacles; however, the Court sees no basis to vacate  
18 the upcoming Markman/Claim Construction Hearing (the  
19 "Markman Hearing") date set for Tuesday, March 10,  
20 2020. The parties' briefs and supporting documents  
21 have been submitted to the Court [63, 66, 69, 71, 72,  
22 73]. Further, the parties previously agreed not to  
23 present live expert testimony at this hearing. See  
24 Joint Claim Construction Statement 3:13-17, ECF No. 63.  
25 Given that no witnesses will be testifying at the  
26 Markman Hearing and the necessary documents have been  
27 submitted, the Court finds no basis to continue this  
28 date. As such, the Court **DENIES** the Request as it

1 relates to the Markman Hearing date.

2 Nevertheless, the Court finds good cause to vacate  
3 the other dates presented in the Request. The Court  
4 hereby **GRANTS** the Request as to the following dates:

5 Plaintiff Letter Brief on Discovery Dispute	March 10, 2020
6 Defendants Letter Brief on Discovery Dispute	March 17, 2020
7 All Parties Serve Final Infringement/Invalidity 8 Contentions	April 30, 2020
9 Fact Discovery Cutoff	May 12, 2020
10 Expert Discovery Cut Off	June 16, 2020
11 Dispositive Motion Filing Cut-Off	July 14, 20120
12 Final Pretrial Conference	September 1, 2020
13 Jury Trial (5-7 Day Estimate)	September 29, 2020

14 The parties shall submit a joint status report no  
15 later than April 20, 2020.

16  
17 **IT IS SO ORDERED.**

18  
19 DATED: March 6, 2020                /s/ Ronald S.W. Lew          

20 **HONORABLE RONALD S.W. LEW**  
21 Senior U.S. District Judge  
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