

ORAL ORDER: The motion for leave to file the second amended complaint (D.I. 119) is DENIED. It is too late to add a seventh patent with eight asserted claims to a complex case that already has two other asserted patent families with about 60 specified asserted claims. I am not persuaded that it is fair to Defendants to add a new patent that has not been the subject of discovery, and, in any event, I expect adding it would cause substantial delay (beyond what might or might not be required in the scheduling dispute set for tomorrow). There is no prejudice to Plaintiffs, as they can surely bring a suit based on the 288 patent whenever they want to do so. I also note Plaintiffs allegations in paragraphs 124-126, occupying nearly three pages of the proposed amended pleading, which (if I allowed them as a part of the trial) would likely lead to requests for additional expert witnesses on litigation practices, require decisions about which outside counsel to disqualify, and generally present significant trial management problems. Ordered by Judge Richard G. Andrews on 3/6/2023. (nms) (Entered: 03/06/2023)

As of March 6, 2023, PACER did not contain a publicly available document associated with this docket entry. The text of the docket entry is shown above.

Genzyme Corporation et al v. Novartis Gene Therapies, Inc. et al
1-21-cv-01736 (DDE), 3/6/2023, docket entry 147