

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

**PANTECH CORPORATION and
PANTECH WIRELESS, LLC**

v.

**LG ELECTRONICS INC. and LG
ELECTRONICS U.S.A., INC.**

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Case No. 5:22-cv-113-RWS-JBB

ORDER

The above-referenced cause of action was referred to the undersigned United States Magistrate Judge for pretrial purposes in accordance with 28 U.S.C. § 636. Before the Court is Defendants’ Motion to Stay Pending Final Resolution of LGE’s Motion to Disqualify Mayer Brown LLP. Dkt. No. 123. The Court, having carefully considered the motion and the response, is of the opinion the motion should be **DENIED**.

On December 30, 2022, LG Electronics Inc. and LG Electronics U.S.A., Inc. (“LGE”) filed a Motion to Disqualify Plaintiffs’ counsel, Mayer Brown, LLP. Dkt. No. 15. On April 27, 2023, the undersigned entered an Order denying LGE’s Motion for Disqualification. Dkt. No. 93. Both parties filed Rule 72 objections to the April 27, 2023 Order. Dkt. Nos. 102, 103. The objections remain pending before District Judge Schroeder and are currently set for hearing on August 15, 2023. *See* Dkt. No. 120.

In its current motion, LGE requests the Court stay this case pending “final resolution” of the disqualification issue. Dkt. No. 123 at 3. LGE asserts a stay of the remaining deadlines in this case, including the upcoming deadlines with respect to claim construction, should be stayed to “help preserve LGE’s protected interests and confidential information.” *Id.* Plaintiffs Pantech Corporation and Pantech Wireless, LLC (“Pantech”) oppose LGE’s request, stating it “is no more

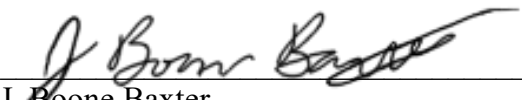
justified than its prior efforts to delay the merits of Pantech's allegations and ignores entirely the prejudice that a stay would work on Pantech's interests in timely resolution of its claims." Dkt. No. 130 at 1.

The Court's typical practice is to not stay cases pending resolution of objections to motions. Further, LGE has presented no persuasive argument that staying the claim construction proceedings, which will focus on an intrinsic record of Pantech's patents, is warranted in this situation. The parties' objections to the April 27 Order denying LGE's Motion to Disqualify are already scheduled for a hearing before the District Judge, and as noted by Pantech, appropriate measures can be taken to address any concerns regarding privileged information if deemed necessary at a later time. *See* Dkt. No. 130 at 2 (quoting Dkt. No. 91 at 10); *see also id.* at 3. Granting a stay pending Judge Schroeder's ruling would unjustly delay the progress of the case and harm Pantech's interests in timely resolution. However, to the extent the Court has not ruled on the parties' objections by the September 12, 2023 claim construction hearing before the undersigned, LGE may raise at that time a request to stay discovery, if warranted.

Based on the foregoing, it is

ORDERED that Defendants' Motion to Stay Pending Final Resolution of LGE's Motion to Disqualify Mayer Brown LLP (Dkt. No. 123) is hereby **DENIED**.

SIGNED this the 19th day of July, 2023.


J. Boone Baxter
UNITED STATES MAGISTRATE JUDGE