

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

METACLUSTER LT, UAB

Plaintiff,

v.

BRIGHT DATA LTD.,

Defendant.

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Case No. 2:22-CV-00011-JRG-RSP

ORDER

Defendant Bright Data Ltd.'s Opposed Motion to Amend Docket Control Order (**Dkt. No. 111**) came on for hearing on April 14, 2023. For the reasons orally assigned during the hearing, the motion is **DENIED**. However, the counterclaim for infringement of Defendant's patent ("317 Patent") will be severed into a new action, rather than amending the schedule of the current action to accommodate the new claim.

Accordingly, the **Clerk is directed** to open a new civil action, showing this action as related, with Bright Data Ltd. as the plaintiff and Oxylabs, UAB (f/k/a Metaccluster LT, UAB) as the defendant. The Clerk shall file a copy of this Order as the first filing, along with a copy of Bright Data's Answer To Plaintiff's Second Amended Complaint For Patent Infringement (Dkt. No. 105). This new severed action shall concern only the Fourth Counterclaim (Infringement of the '317 Patent) at ¶¶ 57-70. All future filings regarding the Fourth Counterclaim shall be filed in this newly severed action.

SIGNED this 14th day of April, 2023.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE