

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RUGGED CROSS HUNTING	)	
BLINDS, LLC,	)	Case No. 3:23-cv-02231
	)	
Plaintiff,	)	Judge J. Philip Calabrese
	)	
v.	)	Magistrate Judge
	)	James E. Grimes, Jr.
DBR FINANCE, INC.,	)	
	)	
Defendant.	)	
	)	

ORDER

In response to the Court's Order dated January 9, 2024 (ECF No. 90), the parties filed the case management schedule in the related litigation proceeding in the Western District of Wisconsin (ECF No. 92). Based on the parties' discussions about the progress of the Wisconsin case at the last status conference, the Court's review of the schedule in that litigation, and the briefing in response to DBR Finance's motion to stay pending *inter partes* review, the Court thinks that a stay of this case pending resolution of the Wisconsin litigation might be warranted.

Incident to the power to control its own docket, the Court has broad discretion to stay proceedings. *Landis v. North American Co.*, 299 U.S. 248, 254 (1936). Here, this case and the litigation in the Western District of Wisconsin are substantially similar in terms of issues relating to patent validity and allegations of direct infringement. Moreover, the Wisconsin litigation is about a year ahead of this litigation. Therefore, a stay might conserve judicial resources and avoid duplicative claim construction efforts, which might also result in inconsistent determinations. If

stayed, the Court would address any remaining discovery or liability determination involving DBR Finance's role in Feradyne's alleged infringement after the Wisconsin court resolves the patent validity and direct infringement claims.

To give due consideration of these and other issues attending a stay, the Court **ORDERS** the parties to confer to discuss whether this litigation should be favored of the Wisconsin case. If the parties do not stipulate to a stay, the Court **ORDERS** the parties to file briefs, not to exceed ten pages, supporting their positions no later than March 5, 2024 (or one joint brief if they agree that the case should not be stayed).

SO ORDERED.

Dated: February 20, 2024



J. Philip Calabrese
United States District Judge
Northern District of Ohio