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NINGBO LINHUA PLASTIC CO., LTD.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CLEARLY CLEAN PRODUCTS,
LLC, et al.

Plaintiffs,
v.

NINGBO LINHUA PLASTIC CO.,
LTD.,

Defendant.

Case No. 5:20-cv-01054 JAK (GJSx)

Hon. John A. Kronstadt

**DEFENDANT'S NOTICE OF
MOTION AND MOTION TO STAY
PENDING FEDERAL CIRCUIT'S
DECISION IN CONSOLIDATED
APPEAL NOS. 2023-1801, -1802,
AND -1803**

Hearing Date: March 18, 2024
Time: 8:30 a.m.
Courtroom: 10B

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NOTICE OF MOTION

TO THE ABOVE-ENTITLED COURT AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on March 18, 2024 at 8:30 a.m., or as soon thereafter as the matter may be heard before the Honorable John A. Kronstadt, in Courtroom 10B of the United States District Court for the Central District of California at First Street Courthouse, located at 350 West First Street, Los Angeles, CA 90012, Defendant Ningbo Linhua Plastic Co. Ltd. (“NLPC”) will and hereby does move the Court for an order staying this action until the U.S. Court of Appeals for the Federal Circuit issues its decision in Plaintiffs’ Appeal Nos. 2023-1801, -1802, and -1803 (consolidated).

There is no legitimate reason to not stay this action. Over 80% of the patent claims Plaintiffs assert in this action, and three out of the four patents at issue, have been held invalid by the Patent Office, an outcome the Federal Circuit will finish reviewing this year. There is no reason the parties, and this Court, should potentially waste significant time and resources before the Federal Circuit issues its decision.

Indeed, the parties in these appeals have already finished all briefing, and the Federal Circuit has fully affirmed the Patent Office’s decisions more than 73% of the time in similar appeals. Resolution of these appeals, which is expected this year, will significantly simplify and streamline the issues in this action, especially when Plaintiffs have already broadly asserted 79 patent claims (65 of which are invalid) and vaguely accused potentially hundreds of NLPC’s products to be infringing. Furthermore, this action is still in its early stages, with no scheduling order and with no discovery conducted by the parties. Finally, staying this action will not unduly prejudice or tactically disadvantage Plaintiffs, who face no competition from NLPC because they already obtained from the U.S. International Trade Commission an exclusion order barring the importation of NLPC’s products into the U.S.

All factors, therefore, weigh in favor of a stay.

1 This motion is made following the conference of counsel pursuant to L.R. 7-3,
2 which took place on January 5, 2024. Plaintiffs indicated they oppose NLPC's
3 motion to stay.

4 This motion is based on this Notice of Motion and Motion, the attached
5 Memorandum of Points and Authorities, the concurrently-filed Declaration of
6 Stephen Yang, and such other and additional evidence and argument as may be
7 properly presented in support of the motion.

8
9 Dated: January 18, 2024

DENTONS US LLP
STEPHEN YANG
NICK B. JANDA
ANDREW M. PENDEXTER

12 By: /s/ Andrew M. Pendexter
Andrew M. Pendexter

14 Attorneys for Defendant
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MEMORANDUM OF POINTS AND AUTHORITIES

Over 80% of the claims, and three of the four patents, Plaintiffs assert in this action have been held as invalid by the U.S. Patent and Trademark Office. The one remaining patent is of the same family as the invalid patents and shares largely the same specification. Plaintiffs are currently appealing the Patent Office’s decisions to the Federal Circuit, the parties in these appeals have already completed all briefing, and the Federal Circuit is expected to issue its decision this year. At the same time, Plaintiffs face no competition from Defendant, having obtained from the U.S. International Trade Commission an exclusion order which bars the importation of Defendant’s products into the U.S. Therefore, Defendant Ningbo Linhua Plastic Co., Ltd. (“NLPC”) respectfully requests that the Court stay this action until the Federal Circuit resolves these appeals, Nos. 2023-1801, -1802, and -1803 (consolidated).

There is no reason for the parties to potentially waste significant time and resources litigating this action, and no reason for this Court to expend judicial resources, including having to decide a motion to strike/dismiss Plaintiffs already filed (Dkt. 48), while these appeals before the Federal Circuit are pending. Indeed, the Federal Circuit’s decision, no matter the outcome, will significantly simplify and streamline the issues in this action. Further, this action is still in its infancy, the parties have yet to conduct any discovery, nor has the Court issued a scheduling order. Finally, Plaintiffs would suffer no undue prejudice or face any tactical disadvantage by first allowing for the Federal Circuit to issue its decision. All factors weigh strongly in favor of the requested stay.

I. RELEVANT BACKGROUND

A. The Current Action and Related ITC Investigation

Plaintiffs commenced this patent infringement case against NLPC on May 18, 2020, and accused NLPC of infringing two patents: U.S. Patent Nos. 10,562,680 (the “’680 Patent”) and 9,908,281 (the “’281 Patent”). Dkt. 1. Both the ’680 and ’281

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1 patents are directed to “rolled edge ridged plastic food trays,” and Plaintiffs identified
2 NLPC’s “rolled-edge rigid plastic food trays” as infringing. *Id.* at ¶¶ 1-3, 17, 33. On
3 the same day, Plaintiffs also filed a complaint before the U.S. International Trade
4 Commission (“ITC”), asserting the same two patents against the same rolled-edge
5 rigid plastic food trays made and imported by NLPC. *See* Dkt. 29-1 at ¶ 2. The ITC
6 instituted investigation No. 337-TA-1203, based on this complaint, shortly after.

7 On February 21, 2021, the ITC issued a limited exclusion order barring all of
8 NLPC’s rolled-edge rigid plastic food trays from entry into the U.S. *See Certain*
9 *Rolled-Edge Rigid Plastic Food Trays*, Inv. No. 337-TA-1203, 2021 WL 780081, at
10 *1 (U.S. ITC Feb. 25, 2021). This exclusion order is still effective today.

11 On September 13, 2023, Plaintiffs filed their First Amended Complaint against
12 NLPC. *See* Dkt. 35. In this amended complaint, Plaintiffs continue to assert the ’680
13 and ’281 patents, and asserted two new patents: U.S. Patent Nos. 10,562,222 (the
14 “’222 Patent”) and 10,189,624 (“the ’624 Patent”). *Id.* at ¶ 1. The ’222 and ’624
15 patents, like the ’680 and ’281 patents, are related to the same parent patent
16 application No. PCT/US2016/049692, and all four patents share largely the same
17 specification. *See generally* Dkt. 35-11, -2, -3, and -4. Notably, Plaintiffs accuse the
18 same NLPC rolled-edge rigid plastic food trays as infringing the claims of all four
19 patents. *See* Dkt. 35 at ¶¶ 17, 33, 49, 72; Ex. A at 2-3 (identifying the same NLPC
20 products as practicing each asserted claim from all four patents).¹

21 The Court has yet to issue a scheduling order in this action. The parties
22 exchanged initial disclosures, Plaintiffs have served their disclosure of asserted
23 claims and preliminary infringement contentions pursuant to Standing Patent Rules
24 B.1 and B. 2, and produced 2,403 pages of documents (of which 2,031 pages are the
25 four asserted patents’ file histories). No other discovery has taken place.

26
27
28 ¹ Unless otherwise specified, all references to exhibits in this memorandum refer to
the exhibits attached to the Declaration of Stephen Yang, filed concurrently.

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B. The *Inter Partes* Review of the '680, '281, and '624 Patents and Their Appeals

Plaintiffs also asserted the '680, '281, and '624 patents in a case before the Eastern District of Pennsylvania, C.A. No. 20-cv-4723 (the "Pennsylvania Action"), initiated in September 2020. Eight months later, on May 10, 2021, defendants in this Pennsylvania Action filed three *inter partes* review ("IPR") petitions before the Patent Trial and Appeal Board (the "PTAB") of the U.S. Patent and Trademark Office. The PTAB instituted review of the three IPR petitions and, on October 20, 2022, issued final written decisions holding that all challenged claims from the '680, '281, and '624 patents are unpatentable and thus, invalid. *See* Exs. B, C, and D.

The Patent Office denied Plaintiffs' request for Director Review of the PTAB's final written decisions on February 22, 2023. Plaintiffs then appealed all three final written decisions to the U.S. Court of Appeals for the Federal Circuit. The three appeals, Nos. 2023-1801, -1802, and -1803, were docketed on April 26, 2023, and were consolidated nine days later on May 5. As of November 1, 2023, the parties in these appeals have completed all briefing, and by December 8, 2023, the parties advised the court of their counsel's scheduling conflicts for oral argument.

While Plaintiffs filed in the current action their First Amended Complaint on September 13, 2023, they did not reference these three IPRs or their ongoing appeals to the Federal Circuit in their amended complaint.

II. IT IS SENSIBLE TO STAY THIS ACTION UNTIL THE RESOLUTION OF PLAINTIFFS' APPEALS.

In light of the advanced stage of Plaintiffs' appeals affecting the '680, '281, and '624 patents, these appeals' potential impact on the issues in this action, and the early phase of this action, this Court should stay this action until the Federal Circuit issues its decision in these appeals, especially when Plaintiffs would suffer no prejudice from such a stay.

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1 “The District Court has broad discretion to stay proceedings as an incident to
2 its power to control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997).
3 “[A] district court must balance competing interests in assessing whether it is
4 appropriate to enter a stay. These interests include the possible damage which may
5 result from the granting of a stay, the hardship or inequity which a party may suffer
6 in being required to go forward, and the orderly course of justice measured in terms
7 of the simplifying or complicating of issues, proof, and questions of law which could
8 be expected to result from a stay.” *Versata Software, Inc. v. Configit A/S*, No. 20-cv-
9 09019-JAK, 2022 WL 3598158, at *2 (C.D. Cal. Apr. 27, 2022) (citing *Lockyer v.*
10 *Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005)).

11 In deciding whether to stay, a court’s discretion is typically guided by three
12 factors: “(1) whether discovery is complete and whether a trial date has been set; (2)
13 whether a stay will simplify the issues in question and trial of the case; and (3)
14 whether a stay would unduly prejudice or present a clear tactical disadvantage to the
15 nonmoving party.” *Universal Elecs., Inc. v. Universal Remote Control, Inc.*, 943 F.
16 Supp. 2d 1028, 1030-31 (C.D. Cal. 2013). “There is a liberal policy in favor of
17 granting motions to stay proceedings pending the outcome of re-examination,
18 especially in cases that are still in the initial stages of litigation and where there has
19 been little or no discovery.” *Id.* at 1031. Here, all factors favor staying this action.

20 **A. The Infant Stage of This Action Weighs in Favor of Stay.**

21 This first factor considers “whether discovery is complete and whether a trial
22 date has been set.” *Limestone Memory Sys. LLC v. Micron Tech., Inc.*, 2016 WL
23 3598109, at *2 (C.D. Cal. Jan. 12, 2016) (citation and quotation omitted). Here,
24 neither has taken place. In fact, despite being initiated in 2020, this action still is in
25 its infant stage, as it has not moved past the pleadings stage, the parties have not
26 conducted discovery, and the Court has yet to issue a case schedule. *See Versata*,
27 2022 WL 3598158, at *2 (finding the case posture favored stay where “discovery has
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1 not progressed, Markman proceedings have not occurred, and no trial date has been
2 set”). To date, the parties have only exchanged initial disclosures pursuant to Fed.
3 R. Civ. P. 26(a), and Plaintiffs have served their disclosure of asserted claims and
4 preliminary infringement contentions (the sufficiency of which NLPC may still
5 challenge) pursuant to Standing Patent Rules B.1 and B. 2, with which they produced
6 only 2,403 pages of documents, among which 2,031 pages are the patents’ file
7 histories. See Ex. A. The parties have not produced any other documents, have not
8 taken or even scheduled a single deposition, nor have they engaged in any claim
9 construction. Indeed, “there is more work ahead of the parties and the Court than
10 behind” in this action, which favors a stay. *Tierravision, Inc. v. Google, Inc.*, 2012
11 WL 559993, at *2 (S.D. Cal. Feb. 21, 2012) (staying case when “parties have already
12 put forth a great deal of time and effort by completing their preliminary infringement
13 and invalidity contentions and discovery related to claim construction”).

14 Moreover, “[t]he Court’s expenditure of resources is an important factor in
15 evaluating the stage of the proceedings.” *Universal Elecs., Inc.*, 943 F. Supp. 2d at
16 1031. Like the parties, the Court likely will have to expend significant resources as
17 this action proceeds, including already having to decide a motion to dismiss and/or
18 strike Plaintiffs filed (Dkt. 48), even though the resolution of Plaintiffs’ Federal
19 Circuit appeals may well render moot, at least partially, the relief Plaintiffs seek and
20 substantively affect the parties’ arguments and the Court’s analysis. Furthermore,
21 Plaintiffs already asserted 79 claims (65 of which are invalid) across four patents in
22 this action, and identified seven *categories* of infringing products, including broadly
23 “Products offered by NLPC via their website” which potentially include hundreds of
24 products. See Ex. A at 3. It is entirely possible, if not probable, that the Court will
25 have to hear additional disputes and other discovery issues. Further, because NLPC
26 is based in China, and much of the relevant evidence is located overseas, the parties
27 may have to request, and the Court may have to issue, letters rogatory so the parties
28

can obtain evidence overseas. *See* 22 C.F.R. § 92.66. Such expenditure of resources by the parties and the Court is not warranted while Plaintiffs’ appeals are pending.

Therefore, the stage of this action weighs in favor of a stay.

B. The Federal Circuit’s Decision Will Significantly Simplify the Issues in This Action.

As illustrated in the table below, the Federal Circuit’s decision in Plaintiffs’ appeals will *directly* affect three of the four asserted patents and 65 out of 79, or **over 80%**, of the asserted claims in this action. It will also impact the one remaining asserted patent, which is of the same family as the three invalid patents on appeal and directed to the same technology, and allegedly covers the same infringing products. The resolution of the appeals will significantly simplify the issues in this action.

Asserted Patent	Unpatentable Claims from IPRs	Asserted Claims
’281 Patent	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 20, 21, 22, 24, 25, 26, 27, 28, 29	1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 20, 21, 22, 24, 26, 27, 28, 29
’624 Patent	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 29	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 29
’680 Patent	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23
’222 Patent	N/A	1, 2, 3, 5, 6, 11, 12, 14, 15, 16, 17, 20, 21

Here, the PTAB of the Patent Office *already* held that all challenged claims from the ’680, ’281, and ’624 patents are unpatentable, and the Patent Office *already* denied Plaintiffs’ request of Director Review of the PTAB’s holdings. Statistically, the Federal Circuit has affirmed over 73% of PTAB decisions, and has reversed only 12.9%. *See* Ex. E at 1; *see also* Ex. F at 2 (“The Federal Circuit’s affirmance rate in PTAB appeals was 80% in 2022.”). Thus, there is a high likelihood the Federal Circuit’s decision will eliminate up to over 80% of the claims asserted in this action.

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1 Even if Plaintiffs’ appeals fall into the statistical minority and the Federal
2 Circuit does not fully affirm PTAB’s decisions, the number of asserted claims in this
3 action would likely still decrease, simplifying this case. If the Federal Circuit
4 reverses, its analysis and decision will provide clarity and guidance regarding at least
5 the scope of the patents’ claims, the construction of the claim terms, and the
6 interpretation and applicability of prior art, all of which are relevant to, and could
7 help inform, and potentially narrow, the factual and legal issues in this action. *See*
8 *Realtime Data LLC v. Teradata Operations, Inc.*, No. 16-cv-02743, 2017 WL
9 3453295, at *2 (C.D. Cal. Feb. 27, 2017) (“Whatever happens, a stay pending inter
10 partes review will be beneficial for at least five of the eight patents-in-suit. To be
11 sure, the Board might cancel the asserted claims, narrow some of the grounds for
12 invalidity, or simply develop a record of its expert administrative proceedings.”).

13 “Courts have typically granted a stay where a ruling from a higher court could
14 affect how they rule on a specific legal issue that is also present in their case.”
15 *E.A.R.R. v. U.S. Dep’t of Homeland Sec.*, No. 20-cv-2146, 2021 WL 4933264, at *5
16 (S.D. Cal. Feb. 19, 2021). Indeed, courts within and outside this circuit have stayed
17 patent infringement cases while Federal Circuit appeals are pending. *See, e.g., Yufa*
18 *v. Lighthouse Worldwide Sols. Inc.*, No. 09-cv-00968, 2015 WL 150757, at *1-2
19 (N.D. Cal. Jan. 9, 2015) (staying action during pendency of four Federal Circuit
20 appeals involving the same patent but concerned infringement by different products);
21 *Wilson v. Corning, Inc.*, No. 13-cv-210, 2018 WL 4635672, at *2 (D. Minn. Sept. 27,
22 2018) (staying case pending appeal even though “the issues before the Federal Circuit
23 and those before the Court in this action are not identical,” noting “[t]he Federal
24 Circuit’s review of the PTAB’s Judgment . . . could simplify the issues in the present
25 case by resolving a number of factual issues relevant to the remaining claims”); *Wing*
26 *Shing Prod. (BVI) Ltd. v. Simatelex Manufactory Co.*, No. 01-cv-1044, 2005 WL
27 912184, at *2-3 (S.D.N.Y. Apr. 19, 2005) (staying pending Federal Circuit appeal
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1 involving the same patentee and patent asserted against a different party, where the
2 appeal had been fully briefed and would address issues relevant to the instant case).

3 As this Court noted, “[t]here is a near uniform line of authority reflecting the
4 principle that after the PTAB has instituted review proceedings, the parallel district
5 court litigation ordinarily should be stayed. . . . Even when IPR proceedings are
6 instituted on fewer than all the claims at issue, district courts frequently issue stays.”
7 *Versta*, 2022 WL 3598158, at *3 (citation and quotation omitted). This principle is
8 even more applicable here, where the relevant IPRs are well past institution and are
9 in the final stages of appeal, which is expected to conclude this year.

10 Thus, this second factor – simplification – also favors staying this action.

11 **C. A Stay Will Not Unduly Prejudice or Tactically Disadvantage**
12 **Plaintiffs.**

13 The final factor also favors staying this action, because a stay would not unduly
14 prejudice or present a clear tactical disadvantage to Plaintiffs. Here, courts have
15 looked to considerations such as “the timing of the requests for reexamination and a
16 stay, the status of the reexamination proceedings, and the relationship of the parties.”
17 *SCA Hygiene Prod. Aktiebolag ("AB") v. Tarzana Enterprises, LLC*, No. 17-cv-
18 04395, 2017 WL 5952166, at *5 (C.D. Cal. Sept. 27, 2017).

19 The IPRs concerning the ’680, ’281, and ’624 patents had completed by
20 October 2021. See Exs. B, C, and D. Plaintiffs’ appeals concerning these IPRs are
21 also in their final stages. These appeals were docketed in April 2023, and the Federal
22 Circuit is expected to issue its decision this year. See Ex. G (Report from the Federal
23 Circuit showing the median time to disposition in appeals from the Patent Office is
24 14.0 months from docketing (19.0 months in the 2023 fiscal year)). The stay in this
25 action would therefore be brief.

26 Plaintiffs will also suffer no undue prejudice from such a stay, because they
27 already obtained an exclusion order from the ITC against NLPC, barring NLPC’s
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1 competing products from entering the U.S. *See Certain Rolled-Edge Rigid Plastic*
2 *Food Trays*, 2021 WL 780081, at *1; 19 U.S.C. § 1337(d)(1). This exclusion order
3 is still and will remain effective, ensuring Plaintiffs will not face competition from
4 NLPC during the brief stay in this action, which Plaintiffs’ accusations acknowledge.
5 *See Ex. A at 5 (“[NLPC] continued its infringing conduct in the United States either*
6 *independently or through third parties until Plaintiffs secured an exclusion order*
7 *against Ningbo’s reckless acts of patent infringement.”)* (emphasis added).

8 “[A] primary issue in an undue prejudice analysis is whether the parties are
9 competitors such that a stay would cause irreparable harm to the patentee in the
10 market.” *Core Optical Techs., LLC v. Fujitsu Network Commc'ns, Inc.*, No. 16-cv-
11 437, 2016 WL 7507760, at *2 (C.D. Cal. Sept. 12, 2016); *see TAS Energy, Inc. v.*
12 *San Diego Gas & Elec. Co.*, No. 12-cv-2777, 2014 WL 794215, at *5 (S.D. Cal. Feb.
13 26, 2014) (“The fact that the parties are not competitors weigh in favor of a stay as
14 any harm from a stay can be addressed through damages.”). Here, the fact that NLPC
15 does not compete with Plaintiffs favors a stay.

16 Finally, NLPC is not aware of any tactical disadvantage Plaintiffs would suffer
17 from staying this action. As discussed above, the parties have not even completed
18 the pleading stage in this action. Notably, Plaintiffs themselves agreed to stay the
19 Pennsylvania Action – which involved a direct competitor of Plaintiffs who is not
20 subject to the ITC’s exclusion order – until the resolution of their appeals to the
21 Federal Circuit. *See C.A. No. 20-cv-04723, Dkt. 52 (E.D. Pa. March 10, 2023) (Ex.*
22 *H) at 2 (“Plaintiffs’ position in this case is as follows: the case should remain stayed*
23 *pending appeal of the IPR decisions to the CAFC.”)*. Plaintiffs’ apparent willingness
24 to stay the Pennsylvania Action highlights the lack of any undue prejudice or tactical
25 disadvantage from NLPC’s proposed stay in this action.

26 Indeed, “Courts have long acknowledged that a delay inherent to a stay does
27 not, in and of itself, constitute prejudice.” *PersonalWeb Techs., LLC v. Facebook*,

1 *Inc.*, No. 13-cv-01356, 2014 WL 116340, at *5 (N.D. Cal. Jan. 13, 2014). Because
2 Plaintiffs would not suffer any undue prejudice or tactical disadvantage, this final
3 factor also favors staying this action.

4 **D. The Balancing of Interests Compels Staying this Action**

5 As the Court balances the competing interests, including “the possible damage
6 which may result from the granting of a stay, the hardship or inequity which a party
7 may suffer in being required to go forward, and the orderly course of justice measured
8 in terms of the simplifying or complicating of issues, proof, and questions of law
9 which could be expected to result from a stay,” *Versata*, 2022 WL 3598158, at *2,
10 NLPC respectfully submits that the balance tips in favor of staying.

11 As discussed above, Plaintiffs face no competition from NLPC, and thus will
12 not face any damages from a stay, especially when the Federal Circuit will likely
13 issue its decision this year. On the other hand, NLPC faces significant hardship if it
14 is required to proceed in this action, where (1) over 80% of Plaintiffs’ asserted claims
15 are currently – and statistically likely remain – invalid, and where (2) Plaintiffs
16 broadly and vaguely accuse seven categories, and potentially hundreds, of NLPC’s
17 products to infringe their patents. This would require NLPC to expend significant
18 time and resources in discovery (including discovery in foreign jurisdictions), motion
19 practice, claim construction, and in preparing its defense, much of which would
20 become moot when the Federal Circuit issues its decision. Finally, the Federal
21 Circuit’s decision, no matter the outcome, will inform, and potentially narrow, the
22 factual and legal issues in this action.

23 **III. CONCLUSION**

24 Consequently, it is sensible to briefly stay this action at this early juncture to
25 avoid potentially wasting the Court’s, and the parties’, resources. NLPC therefore
26 respectfully requests that this Court stay this action until the resolution of Appeal
27 Nos. 2023-1801, -1802, and -1803 (consolidated) before the Federal Circuit.
28

1 Dated: January 18, 2024

Respectfully submitted,

2 DENTONS US LLP
3 STEPHEN YANG
4 NICK B. JANDA
ANDREW M. PENDEXTER

5 By: /s/ Andrew M. Pendexter
6 Andrew M. Pendexter

7 Attorneys for Defendant
8 NINGBO LINHUA PLASTIC CO., LTD.

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C.D. Cal. L.R. 11-6.2. Certificate of Compliance

The undersigned, counsel of record for NLPC, certifies that this brief is under 25 pages pursuant to the Civil Standing Order and contains 3,453 words, which complies with the word limit of L.R. 11-6.1.

Dated: January 18, 2024

Respectfully submitted,

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STEPHEN YANG
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ANDREW M. PENDEXTER

By: /s/ Andrew M. Pendexter
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