

ORAL ORDER: The July 14, 2020 telephone conference is cancelled. The Court has reviewed the parties' letter dated June 19, 2020 (D.I. 16 ). The Court will not consolidate this action with any other action absent Defendants' agreement. Plaintiffs state that consolidation with 18-1064 is appropriate because the two actions "involve identical parties, identical accused acts of infringement, the same accused products, and related patents with identical inventors, materially identical specifications, and overlapping claim terms." D.I. 16 at 1. Plaintiffs filed the 18-1064 action on July 18, 2018. It waited until April 24, 2020 to file the instant action. Defendants reasonably agreed to consolidate the two cases if the parties agreed to use in the consolidated case the same experts employed by the parties in 18-1064. Plaintiffs refused to agree to this request, and therefore Plaintiffs should bear the consequences of litigating separately an action it filed almost two years after it filed 18-1064. The Court will entertain Defendants' proposed motion to stay. Defendants shall file that motion no later than July 10, 2020. Defendants' opening brief in support of its motion shall not exceed 3,750 words. Plaintiffs' deadline to file an answering brief shall be July 24, 2020. The answering brief shall not exceed 3,750 words. Defendants deadline to file a reply brief shall be July 31, 2020. The reply brief shall not exceed 2,000 words. It is SO ORDERED. Ordered by Judge Colm F. Connolly on 6/24/2020. (nmf) (Entered: 06/24/2020)

As of June 25, 2020, PACER did not contain a publicly available document associated with this docket entry. The text of the docket entry is shown above.

*Amgen Inc. et al v. Hospira, Inc. et al*  
1-20-cv-00561 (DDE), 6/24/2020, docket entry