

ORAL ORDER: Having reviewed Defendant Stryker's Motion to Stay (D.I. 94) and the associated briefing (D.I. 91, 107, 113), IT IS HEREBY ORDERED that Stryker's motion is DENIED. A stay would not necessarily simplify the issues for trial, as the Court may permit Orthophoenix to amend its Complaint in lieu of dismissing it should the Court ultimately find that Orthophoenix lacks prudential standing. A stay would unduly prejudice Orthophoenix because, at the time Stryker filed its motion, the parties had already invested significant time over several months, including two Rule 16 conferences, in finalizing the Scheduling Order (D.I. 111). The Scheduling Order (D.I. 111) was entered before the parties were done briefing the motion to stay, and it has set a trial date for June 2017. Currently, opening claim construction briefs in the three coordinated cases (C.A. 13-1003, C.A. 13-1007, C.A. 13-1628) are due in 18 days. Further, Stryker has not explained how it would be unduly prejudiced in the absence of a stay. ORDERED by Judge Leonard P. Stark on 8/31/15. (ntl) (Entered: 08/31/2015)