

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**EON CORP. IP HOLDINGS, LLC,
Plaintiff,**

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Civil Action No. 6:11-cv-317-JDL

JURY TRIAL REQUESTED

v.

**LANDIS+GYR INC., et al.,
Defendants.**

ORDER

The Court memorializes its rulings from the bench at the Motion Hearing of May 20, 2014 as follows:

- Defendant Silver Springs Networks, Inc.’s (“SSN”) Motion for Summary Judgment of Plaintiff EON Corp. IP Holdings, LLC (“EON”) Claim of Willful Infringement (Doc. No. 446) is **GRANTED IN PART** only as it relates to conduct arising before the filing of the above captioned action;
- EON’s *Daubert* Motion to Exclude and Strike the Expert Opinions and Testimony of SSN’s Expert Kevin C. Almeroth (Doc. No. 487) is **GRANTED AS INSTRUCTED**;
- SSN’s Motion to Exclude the Opinions and Testimony of EON’s Damages Expert Mr. Daniel Lindsay (Doc. No. 489) is **DENIED**;
- SSN’s Motion for Leave to File an Amended Answer to EON’s Third Amended Complaint (Doc. No. 513) is **DENIED IN PART** as to patent exhaustion, but **GRANTED IN PART** in so far as SSN may amend its answer to include the equitable defense of joint and several liability which will *not* be presented to the jury at trial; and

- EON's *Daubert* Motion to Exclude and Strike the Expert Testimony and Opinions of SSN's Antitrust Expert John B. Hayes (Doc. No. 488) is **DENIED AS MOOT**. *See* Doc. No. 515 (granting SSN's motion to voluntarily dismiss antitrust counterclaims without prejudice).

So **ORDERED** and **SIGNED** this 21st day of May, 2014.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE