

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE DOW CHEMICAL COMPANY, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 05-737-JJF
 :
 NOVA CHEMICALS CORPORATION :
 (CANADA), and NOVA CHEMICALS :
 INC. (Delaware), :
 :
 Defendants. :
 :

ORDER

At Wilmington, this 20 of May 2010, for the reasons set forth in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that:

1. Defendants' Motion For Summary Judgment Of Non-Infringement And/Or Invalidity Of The '023 Patent (D.I. 257) is

DENIED.

2. Defendants' Motion To Strike Dow's Untimely Expert Declarations (D.I. 322) is **DENIED**.


UNITED STATES DISTRICT JUDGE