

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

GENBAND US LLC,

Plaintiff,

v.

METASWITCH NETWORKS LTD;
METASWITCH NETWORKS CORP.,

Defendants.

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Case No. 2:14-cv-33-JRG

ORDER

The Court enters this order *sua sponte*. In an exercise of this court's plenary jurisdiction, the Court hereby **SETS ASIDE** the Final Judgment entered in this case on January 26, 2016 (Dkt. No. 480) pending a final determination of Metaswitch's equitable defenses to Genband's patent infringement claims. Such equitable issues will be heard in a forthcoming bench trial. Thereafter, the Court shall re-enter judgment in light of both the jury's verdict and the subsequent bench trial of said equitable defenses.

In light of the above, the Court **DENIES** as **MOOT** Metaswitch's Motion for Relief from Judgment (Dkt. No. 483) and the motion to expedite briefing on the same (Dkt. No. 484).

So ORDERED and SIGNED this 5th day of February, 2016.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE