

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC., a California corporation,)	Case No.: 11-CV-01846-LHK
)	
Plaintiff,)	
v.)	ORDER DENYING MOTION FOR
)	STAY
SAMSUNG ELECTRONICS CO., LTD., A)	
Korean corporation; SAMSUNG)	
ELECTRONICS AMERICA, INC., a New York)	
corporation; SAMSUNG)	
TELECOMMUNICATIONS AMERICA, LLC,)	
a Delaware limited liability company,)	
)	
Defendants.)	

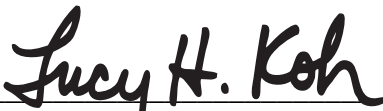
On August 27, 2012, Samsung filed a motion for a stay of the August 24, 2012 judgment entered pursuant to the jury’s verdict. ECF No. 1941. Subsequently, the parties agreed that the August 24, 2012 judgment was not a final judgment. See ECF No. 1963 (Apple explaining that the judgment is not final); ECF No. 1967 (Samsung agreeing that the judgment is not final). This Court confirmed that agreement in its Orders regarding the dissolving of the preliminary injunction. ECF Nos. 1968, 2011. See also Riley v. Kennedy, 553 U.S. 406, 419-20 (2008) (order that addressed liability but not injunction is not final, because “an order resolving liability without addressing a plaintiff’s requests for relief is not final”).

Because the parties agree that the August 24, 2012 judgment is not final and thus will not take effect absent further ruling, Samsung’s motion to stay that judgment pending this Court’s ruling on post-trial motions is DENIED as moot.

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IT IS SO ORDERED.

Dated: November 29, 2012



LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California