

not met its burden to justify a stay in this case beyond the resolution of the *Yankee I* appeal. *Landis v. N. Am. Co.*, 299 U.S. 248, 255 (1936) (“Only in rare circumstances will a litigant in one cause be compelled to stand aside while a litigant in another settles the rule of law that will define the rights of both.”).

Accordingly, it is **ORDERED** that:

(1) Proceedings in this matter shall be stayed until thirty days after the final decision by the Federal Circuit in the pending *Yankee I* appeal;

(2) Defendant’s Motion to Stay is **GRANTED** to the extent provided in (1) and is, otherwise, **DENIED**.

s/ James F. Merow

James F. Merow

Senior Judge