

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MAXELL, LTD.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 17-1447-JFB-SRF
)	
BLU PRODUCTS, INC.,)	
)	
Defendant.)	
)	

STIPULATION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a)

Plaintiff Maxell, Ltd. (“Maxell”) and Defendant BLU Products, Inc. (“BLU”) hereby stipulate to transfer this action to the Southern District of Florida pursuant to 28 U.S.C. §§ 1404(a) and the Court’s inherent powers.

WHEREAS, Maxell filed its complaint for patent infringement in this action on October 13, 2017;

WHEREAS, BLU moved to dismiss the complaint for improper venue or, in the alternative, to transfer to the Southern District of Florida on January 12, 2018;

WHEREAS, briefing on BLU’s motion to dismiss is now complete, and the Court scheduled oral argument on the motion for March 29, 2018 at 10:00 a.m.;

WHEREAS, the Southern District of Florida would have personal jurisdiction over BLU and subject matter jurisdiction over the causes of action alleged in Maxell’s complaint pursuant to 28 U.S.C. §§ 1331 and 1338(a);

WHEREAS, the Parties have met and conferred and agreed that a transfer of this action to the Southern District of Florida is appropriate;

WHEREAS, 28 U.S.C. § 1404(a) permits a district court, in the interest of justice, to transfer a case to another district where venue is proper, and a district court also has inherent authority to transfer cases in order to manage its docket, *see, e.g., Beacon Navigation GmbH v. Chrysler Group L.L.C.*, No. 11-CV-921, 2013 U.S. Dist. LEXIS 38437, at *30-32 (D. Del. Mar. 20, 2013);

WHEREAS, the Parties agreed to submit a proposed scheduling order in the new court with a standard case track providing for trial in or around May 2019;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, that:

1. This case is hereby transferred to the Southern District of Florida; and
2. The oral argument scheduled for March 29, 2018 at 10:00 a.m. is hereby cancelled.

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/s/ Benjamin J. Schladweiler

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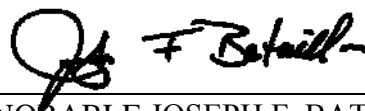
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Counsel for Defendant BLU Products, Inc.

Dated: March 28, 2018

SO ORDERED, this 2nd day of April, 2018.



THE HONORABLE JOSEPH F. BATAILLON
SENIOR UNITED STATES DISTRICT JUDGE