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BLOG

Federal Circuit Rejects SK Hynix's Request to Stay the Case Pending Forthcoming Writ of Mandamus Without Prejudice

FEBRUARY 18, 2021

After Judge Albright *quickly denied* SK Hynix's motion to transfer to the Northern District of California, SK Hynix notified the Federal Circuit, as requested, of the denial. In addition to the notification, SK Hynix moved the Federal Circuit to extend the stay of the district court proceedings until the Federal Circuit has an opportunity to consider SK Hynix's forthcoming writ of mandamus.

On February 3, 2021, the Federal Circuit denied the request for a stay without prejudice. The Court specifically noted that SK Hynix could request the stay as part of its forthcoming mandamus petition. SK Hynix filed its second writ of mandamus on February 8, 2021, and an accompanying request for an emergency stay pending the appeal. Netlist responded on February 16, 2021. The emergency motion and writ are currently pending review.

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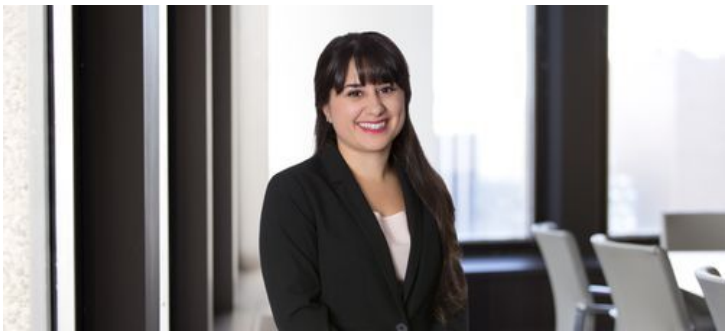

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