

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

DURR SYSTEMS, INC.,)	
)	
Plaintiff/Counterclaim)	
Defendant,)	
)	
v.)	C. A. No.: 23-529-JLH
)	
NEVOA LIFE SCIENCE HOLDINGS,)	
INC.,)	
)	
Defendant/Counterclaim)	
Plaintiff.)	

MEMORANDUM ORDER

WHEREAS, this case was reassigned to me in January 2024 and is presently scheduled for a two-day bench trial beginning on March 24, 2025;

WHEREAS, Plaintiff has moved for partial summary judgment in its favor with respect to Plaintiff's claims and summary judgment in its favor with respect to Defendant's counterclaims (D.I. 104);

WHEREAS, Defendant apparently does not dispute that the Court may grant partial summary judgment to Plaintiff with respect to Defendant's counterclaim for breach of the confidentiality agreement (D.I. 117 at 2 n.1);

WHEREAS, Defendant has moved for partial summary judgment on its remaining counterclaim (D.I. 103);

WHEREAS, both sides acknowledge that there are material disputes of fact relating to damages, meaning that this case will be tried regardless of the Court's rulings on the parties' pending motions for partial summary judgment; and

WHEREAS, the Court normally does not entertain summary judgment motions in a case being tried to the bench, and it nevertheless appears that there are disputes of material fact that preclude granting the parties' motions for partial summary judgment;

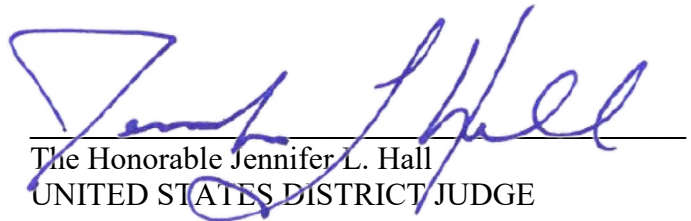
NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for partial summary judgment (D.I. 104) is GRANTED-IN-PART and DENIED-IN-PART. Summary judgment is granted to Plaintiff with respect to Defendant's counterclaim for breach of the confidentiality agreement. The remainder of Plaintiff's motion is DENIED.

2. Defendant's motion for partial summary judgment (D.I. 103) is DENIED.

3. A telephonic status conference is set for February 28, 2025, at 10:00 am. The parties shall dial the Court's conference line at (855) 244-8681, access code: 2305 555 9572.

February 26, 2025



The Honorable Jennifer L. Hall
UNITED STATES DISTRICT JUDGE