

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

IN RE CONAIR CORPORATION,
Petitioner.

Miscellaneous Docket No. 982

On Petition for Writ of Mandamus to the United States District Court for the Eastern District of Pennsylvania in case no. 10-CV-1497, Judge Cynthia M. Rufe.

**ON PETITION
ORDER**

Conair Corporation seeks a writ of mandamus directing the United States District Court for the Eastern District of Pennsylvania to vacate its order denying in part Conair's motion for a protective order and directing the district court to stay discovery proceedings pending the outcome of Conair's motion to dismiss on the pleadings. Bruce Rogers opposes. Rogers moves to dismiss the petition.

On May 12, 2011, the district court issued an order that denied Conair's motion to dismiss Rogers' complaint on the pleadings. Both parties have informed this court

that the district court's decision rendered this petition moot.

Accordingly,

IT IS ORDERED THAT:

- (1) The petition is denied as moot.
- (2) The motion to dismiss is moot.

FOR THE COURT

JUN 06 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Edward T. Kang, Esq.
Joshua R. Slavitt, Esq.
Clerk, United States District Court for the Eastern
District Of Pennsylvania

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

JUN 06 2011

JAN HORBALY
CLERK