

NOTE: This order is nonprecedential.

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

IN RE KIMBERLY-CLARK WORLDWIDE, INC.,
Petitioner.

Miscellaneous Docket No. 958

On Petition for Writ of Mandamus to the United States District Court for the Middle District of Pennsylvania in case no. 09-CV-1685, Judge William W. Caldwell.

ON PETITION

Before GAJARSA, FRIEDMAN, and MOORE, *Circuit Judges.*
GAJARSA, *Circuit Judge.*

ORDER

Kimberly-Clark Worldwide, Inc. (Kimberly-Clark) petitions for a writ of mandamus to direct the United States District Court for the Middle District of Pennsylvania to vacate its orders granting First Quality Baby Products, LLC (First Quality)'s motion to compel discovery. First Quality opposes. Kimberly-Clark replies.

This petition for a writ of mandamus was filed simultaneously with Kimberly-Clark's 28 U.S.C. § 1292(b) petition. Because we agreed to hear Kimberly-Clark's interlocutory appeal under § 1292(b), we deny this petition for a writ of mandamus.

Accordingly,

IT IS ORDERED THAT:

Kimberly-Clark's petition for a writ of mandamus is denied.

FOR THE COURT

JAN 10 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Constantine L. Trela, Jr., Esq.
D. Michael Underhill, Esq.

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

JAN 10 2011

JAN HORBALY
CLERK