

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

| | | |
|--------------------------------|---|--------------------------------------|
| CLASSEN IMMUNOTHERAPIES, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 1:04-cv-03521 (WDQ) |
| |) | |
| KING PHARMACEUTICALS, INC. and |) | |
| ELAN PHARMACEUTICALS, INC., |) | |
| |) | |
| Defendants. |) | |

WJ ~~MEMORANDUM~~ JUDGMENT UNDER RULE 54(B)

WHEREAS, by Memorandum Opinion and Order dated August 17, 2006, this Court granted Defendant Elan Pharmaceuticals, Inc.'s ("Elan's") motion for summary judgment of non-infringement;

WHEREAS the August 17, 2006 decision was a final judgment as to Plaintiff's claims of infringement against Elan;

WHEREAS entry of judgment of non-infringement in favor of Elan will not result in unnecessary or duplicative appellate review, because the remaining claims are factually distinct and separable from the judgment of non-infringement; and

WHEREAS the Court finds that there is no reason for delay in entering judgment of non-infringement in favor of Elan;

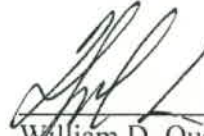
It is this 10th day of July 2014;

ORDERED that:

(1) Pursuant to Federal Rule of Civil Procedure 54(b), judgment of non-infringement is hereby

ENTERED in favor of Elan.

(2) All further proceedings in this action are stayed and this case is administratively closed pending resolution of any appeals from this judgment.



William D. Quarles
United States District Judge