

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

NOVARTIS AG, NOVARTIS
PHARMACEUTICALS CORPORATION,
MITSUBISHI TANABE PHARMA
CORPORATION, and MITSUI SUGAR CO.,
LTD.,

Plaintiffs,

v.

ACTAVIS, INC., and ACTAVIS
ELIZABETH LLC,

Defendants.

C.A. No. 14-1487-LPS

NOVARTIS AG, NOVARTIS
PHARMACEUTICALS CORPORATION,
MITSUBISHI TANABE PHARMA
CORPORATION, and MITSUI SUGAR CO.,
LTD.,

Plaintiffs,

v.

EZRA VENTURES, LLC,

Defendant.

C.A. No. 15-150-LPS

NOVARTIS AG, NOVARTIS	:	
PHARMACEUTICALS CORPORATION,	:	
mitsubishi tanabe pharma	:	
corporation, and mitsui sugar co.,	:	
ltd.,	:	
	:	
Plaintiffs,	:	C.A. No. 15-151-LPS
	:	
v.	:	
	:	
hec pharm co., ltd., hec pharm	:	
group, and hec pharm usa inc.,	:	
	:	
Defendants.	:	

NOVARTIS AG, NOVARTIS	:	
PHARMACEUTICALS CORPORATION,	:	
mitsubishi tanabe pharma	:	
corporation, and mitsui sugar co.,	:	
ltd.,	:	
	:	
Plaintiffs,	:	C.A. No. 15-975-LPS
	:	
v.	:	
	:	
apotex inc. and apotex corp.,	:	
	:	
Defendants.	:	

ORDER

At Wilmington this **17th** day of **March, 2017**, consistent with and for the reasons stated in the Memorandum Opinion issued this same date,

IT IS HEREBY ORDERED that:

1. Defendants' renewed motion to dismiss Novartis Pharmaceuticals Corporation and Novartis AG for lack of standing (C.A. No. 14-1487 D.I. 151; C.A. No. 15-150 D.I. 168; C.A. No. 15-151 D.I. 180; C.A. No. 15-975 D.I. 82) is GRANTED IN PART AND DENIED IN PART as follows:

- a. Defendants' motion to dismiss Novartis AG ("NAG") is GRANTED.
- b. Defendants' motion to dismiss Novartis Pharmaceuticals Corporation ("NPC") is DENIED.

2. Plaintiffs' cross-motion for partial summary judgment on Novartis's standing (C.A. No. 14-1487 D.I. 159) is GRANTED IN PART AND DENIED IN PART as follows:

- a. Plaintiffs' motion for partial summary judgment as to NPG's standing is DENIED.
- b. Plaintiffs' motion for partial summary judgment as to NPC's standing is GRANTED.

3. Plaintiffs' motion for leave to file a surreply brief (C.A. No. 14-1487 D.I. 172) is GRANTED. The proposed brief attached as Exhibit A to Plaintiffs' motion is hereby deemed filed.

4. As the Memorandum Opinion has been issued under seal, the parties shall meet and confer and shall, no later than **March 20, 2017**, submit a proposed redacted version. Thereafter, the Court will issue a publicly-available version.



HON. LEONARD P. STARK
UNITED STATES DISTRICT JUDGE