

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT****NOTICE OF DOCKETING****18-2097 - Valeant Pharmaceuticals Intl. v. Mylan Pharmaceuticals, Inc.**

**Date of docketing:** June 22, 2018

**Appeal from:** United States District Court for the District of New Jersey case no. 2:15-cv-08180-SRC-CLW (2:15-cv-08353-SRC-CLW, 2:16-cv-00889-SRC-CLW, 2:16-cv-00035-SRC-CLW, 2:17-cv-06714-SRC-CLW)

**Appellant(s):** Mylan Inc., Mylan Laboratories Limited, Mylan Pharmaceuticals, Inc.

**Critical dates include:**

- Date of docketing. See Fed. Cir. R. 12.
- Entry of appearance. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.3.
- Certificate of interest. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.4.
- Docketing Statement. (*Due within 14 days of the date of docketing or within 30 days if the United States or its officer or agency is a party in the appeal.*) [Only in cases where all parties are represented by counsel. See Fed. Cir. R. 33.1 and the mediation guidelines available at [www.cafc.uscourts.gov](http://www.cafc.uscourts.gov).]
- Requests for extensions of time. See Fed. Cir. R. 26 and 27. **N.B. Delayed requests are not favored by the court.**
- Briefs. See Fed. Cir. R. 31. **N.B. You will not receive a separate briefing schedule from the Clerk's Office.** However, in a case involving an appellant, a cross-appellant, and an appellee, a special briefing schedule is used. The appellant's opening brief is due within 60 days of the date of docketing. The cross-appellant's opening brief is due within 40 days of filing of the appellant's opening brief. The appellee's brief is due within 40 days of filing of the cross-appellant's brief. The appellant's response/reply brief is due within 40 days of filing of the appellee's brief. The cross-appellant's reply brief is due within 14 days of filing of the appellant's response/reply brief. The joint appendix is due within 10 days of filing of the cross-appellant's reply brief.
- Settlement discussions. See Fed. Cir. R. 33.
- **ORAL ARGUMENT SCHEDULE CONFLICTS:** Counsel should advise the clerk in writing within 30 days once briefing is completed of potential scheduling conflicts or as soon as they are known and should not wait until an actual conflict arises. Once scheduled, a case will not be postponed except on motion showing **compelling reasons**. See Practice Note following Fed. Cir. R. 34.

The official caption is reflected on the electronic docket under the listing of the parties and counsel. The Rules of Practice and required forms are available at [www.cafc.uscourts.gov](http://www.cafc.uscourts.gov).

Peter R. Marksteiner  
Clerk of Court

cc: United States District Court for the District of New Jersey  
William P. Deni, Jr.  
Michael Andrew Holtman  
Deepro Mukerjee

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
OFFICE OF THE CLERK  
NEWARK OFFICE

MARTIN LUTHER KING BUILDING & U.S. COURTHOUSE  
50 WALNUT STREET  
NEWARK, NJ 07101



WILLIAM T WALSH  
CLERK

Hon. Jan Horbaly, Circuit Clerk  
U.S. Court of Appeals for the Federal Circuit  
National Courts Building  
717 Madison Place, N.W.  
Washington, D.C. 20439

RE: 2:15-cv-08180-SRC-CLW

VALEANT PHARMACEUTICALS INTERNATIONAL, INC. et al v. MYLAN PHARMACEUTICALS, INC. et al

Dear Clerk:

Please be advised that a Notice of appeal was filed on 5/25/2018 in the above entitled matter. Enclosed please find the following:

- Certified copy of the Notice of Appeal
- Certified copy of the Judgment in question
- Certified copy of the Opinion & Order in question
- Certified copy of the Docket entries

Please acknowledge receipt on the enclosed copy of this letter.

Very truly yours,

WILLIAM T. WALSH, CLERK

cc: file

by:

s/ Donato Marucci  
Deputy Clerk

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

VALEANT PHARMACEUTICALS  
INTERNATIONAL, INC.; SALIX  
PHARMACEUTICALS, INC.; PROGENICS  
PHARMACEUTICALS, INC.; and WYETH  
LLC (f/k/a WYETH),

Plaintiffs,

v.

MYLAN PHARMACEUTICALS INC.;  
MYLAN LABORATORIES LTD.; and  
MYLAN INC.,

Defendants.

Civil Action No. 15-8180 (SRC)(CLW)  
(CONSOLIDATED)

**NOTICE OF APPEAL**

Please take notice that Mylan Pharmaceuticals Inc., Mylan Laboratories Ltd., and Mylan Inc. (collectively, "Mylan") hereby appeal to the United States Court of Appeals for the Federal Circuit from the Order for Final Judgment Under Fed. R. Civ. P. 54(b) entered in this action on May 23, 2018 with respect to claim 8 of U.S. Patent No. 8,552,025 (ECF No. 321; *see also* ECF No. 300 (Opinion & Order)).

Date: May 25, 2018

By: /s/ Amy Luria

---

Amy Luria  
**CRITCHLEY, KINUM & DENOIA, LLC**  
75 Livingston Avenue  
Roseland, New Jersey 07068  
Phone: (973) 422-9200  
aluria@critchlelaw.com

Deepro R. Mukerjee  
Lance Soderstrom  
Stephanie M. Roberts  
**KATTEN MUCHIN ROSENMAN LLP**  
575 Madison Avenue  
New York, NY 10022-2585  
Phone: (212) 940-8800  
deepro.mukerjee@kattenlaw.com  
lance.soderstrom@kattenlaw.com  
stephanie.roberts@kattenlaw.com

*Attorneys for Defendants Mylan  
Pharmaceuticals Inc., Mylan Laboratories  
Limited, and Mylan Inc.*

ANDA, APPEAL, LEAD, SCHEDO

**U.S. District Court  
District of New Jersey [LIVE] (Newark)  
CIVIL DOCKET FOR CASE #: 2:15-cv-08180-SRC-CLW**

VALEANT PHARMACEUTICALS INTERNATIONAL, INC.

et al v. MYLAN PHARMACEUTICALS, INC. et al

Assigned to: Judge Stanley R. Chesler

Referred to: Magistrate Judge Cathy L. Waldor

Member cases:

[2:15-cv-08353-SRC-CLW](#)

[2:16-cv-00889-SRC-CLW](#)

[2:16-cv-00035-SRC-CLW](#)

[2:17-cv-06714-SRC-CLW](#)

Cause: 35:271 Patent Infringement

**Plaintiff**

**VALEANT PHARMACEUTICALS  
INTERNATIONAL, INC.**

Date Filed: 11/19/2015

Jury Demand: None

Nature of Suit: 830 Patent

Jurisdiction: Federal Question

represented by **ELVIN ESTEVES (Do not use or delete)**

GIBBONS, PC

ONE GATEWAY CENTER

NEWARK, NJ 07102-5310

(973) 596-4717

*TERMINATED: 03/04/2016*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**BRYAN C. DINER**

Finnegan, Henderson, Farabow, Garrett &  
Dunner

901 New York Avenue, NW

Washington, DC 20001-4413

202-408-4000

Email: [bryan.diner@finnegan.com](mailto:bryan.diner@finnegan.com)

*ATTORNEY TO BE NOTICED*

**CYMETRA MONIQUE WILLIAMS**

GIBBONS PC

ONE NEWARK CENTER

NEWARK, NJ 07102

9735964473

Email: [cwilliams@gibbonslaw.com](mailto:cwilliams@gibbonslaw.com)

*ATTORNEY TO BE NOTICED*

**J. BRUGH LOWER**

GIBBONS PC

ONE GATEWAY CENTER

NEWARK, NJ 07102

973-596-4581

Email: [jlower@gibbonslaw.com](mailto:jlower@gibbonslaw.com)

*ATTORNEY TO BE NOTICED*

**LAUREN BROPHY COOPER**

GIBBONS PC

ONE GATEWAY CENTER

NEWARK, NJ 07102

973-596-4500

Email: [lcooper@gibbonslaw.com](mailto:lcooper@gibbonslaw.com)

*TERMINATED: 05/15/2018*

*ATTORNEY TO BE NOTICED*

**MICHAEL ANDREW HOLTMAN  
FINNEGAN HENDERSON FARABOW**

GARRETT & DUNNER  
901 NEW YORK AVENUE NW  
WASHINGTON, DC 20001  
202-408-4131  
Email: [andy.holtman@finnegan.com](mailto:andy.holtman@finnegan.com)  
*ATTORNEY TO BE NOTICED*

**WILLIAM P. DENI , JR.**  
GIBBONS, PC  
ONE GATEWAY CENTER  
NEWARK, NJ 07102-5310  
(973) 596-4500  
Email: [wdeni@gibbonslaw.com](mailto:wdeni@gibbonslaw.com)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**SALIX PHARMACEUTICALS, INC.**

represented by **ELVIN ESTEVES (Do not use or delete)**  
(See above for address)  
*TERMINATED: 03/04/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**BRYAN C. DINER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**CYMETRA MONIQUE WILLIAMS**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**J. BRUGH LOWER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**LAUREN BROPHY COOPER**  
(See above for address)  
*TERMINATED: 05/15/2018*  
*ATTORNEY TO BE NOTICED*

**MICHAEL ANDREW HOLTMAN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**WILLIAM P. DENI , JR.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**PROGENICS PHARMACEUTICALS,  
INC.**

represented by **ELVIN ESTEVES (Do not use or delete)**  
(See above for address)  
*TERMINATED: 03/04/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**BRYAN C. DINER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**CYMETRA MONIQUE WILLIAMS**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**J. BRUGH LOWER**  
(See above for address)

ATTORNEY TO BE NOTICED

**LAUREN BROPHY COOPER**

(See above for address)  
TERMINATED: 05/15/2018  
ATTORNEY TO BE NOTICED

**MICHAEL ANDREW HOLTMAN**

(See above for address)  
ATTORNEY TO BE NOTICED

**WILLIAM P. DENI, JR.**

(See above for address)  
ATTORNEY TO BE NOTICED

**Plaintiff**

**WYETH LLC**  
*formerly known as*  
**WYETH**

represented by **ELVIN ESTEVES (Do not use or delete)**

(See above for address)  
TERMINATED: 03/04/2016  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**CYMETRA MONIQUE WILLIAMS**

(See above for address)  
ATTORNEY TO BE NOTICED

**J. BRUGH LOWER**

(See above for address)  
ATTORNEY TO BE NOTICED

**LAUREN BROPHY COOPER**

(See above for address)  
TERMINATED: 05/15/2018  
ATTORNEY TO BE NOTICED

**WILLIAM P. DENI, JR.**

(See above for address)  
ATTORNEY TO BE NOTICED

V.

**Defendant**

**MYLAN PHARMACEUTICALS, INC.**

represented by **ALISSA MARIE PACCHIOLI**

AISTON & BIRD LLP  
4721 EMPEROR BLVD  
SUITE 400  
DURHAM, NC 27703  
919-856-2200  
Email: [alissa.pacchioli@alston.com](mailto:alissa.pacchioli@alston.com)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**AMY DANIELLE LURIA**

CRITCHLEY KINUM & DENOIA LLC  
75 LIVINGSTON AVENUE  
ROSELAND, NJ 07068  
973-422-9200  
Email: [aluria@critchleylaw.com](mailto:aluria@critchleylaw.com)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**JONATHAN ROTENBERG**

KATTEN MUCHIN ROSENMAN LLP

575 MADISON AVENUE  
NEW YORK, NY 10022  
212-940-6405  
Email: [jonathan.rotenberg@kattenlaw.com](mailto:jonathan.rotenberg@kattenlaw.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**MYLAN INC.**

represented by **ALISSA MARIE PACCHIOLI**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**AMY DANIELLE LURIA**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JONATHAN ROTENBERG**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**MYLAN LABORATORIES LTD.**

represented by **ALISSA MARIE PACCHIOLI**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**AMY DANIELLE LURIA**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JONATHAN ROTENBERG**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**CHARLES E. LIPSEY**

**Defendant Consolidated**

**ACTAVIS LLC**  
15-8353

represented by **JASON B. LATTIMORE**  
Law Office Of Jason B. Lattimore, Esq.  
55 Madison Avenue  
Suite 400  
Morristown, NJ 07960  
973-998-7477  
Fax: 973-264-1159  
Email: [jason@lattimorelaw.com](mailto:jason@lattimorelaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**HOWARD J. SCHWARTZ**  
PO BOX 430  
BROOKSIDE, NJ 07926  
(973) 214-7665  
Email: [hjschwartz33@gmail.com](mailto:hjschwartz33@gmail.com)  
*ATTORNEY TO BE NOTICED*

**TYLER DOH**  
GOODWIN PROCTER LLP  
THE NEW YORK TIMES BUILDING  
620 EIGHTH AVENUE

NEW YORK, NY 10018  
212-813-8800  
Email: [tdoh@goodwinlaw.com](mailto:tdoh@goodwinlaw.com)  
*ATTORNEY TO BE NOTICED*

**Counter Claimant Consolidated**

**ACTAVIS LLC**  
15-8353

represented by **JASON B. LATTIMORE**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**HOWARD J. SCHWARTZ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant Consolidated**

**PROGENICS PHARMACEUTICALS, INC.**  
15-8353

represented by **BRYAN C. DINER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**J. BRUGH LOWER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**MICHAEL ANDREW HOLTMAN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**WILLIAM P. DENI, JR.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Defendant Consolidated**

**SALIX PHARMACEUTICALS, INC.**  
15-8353

represented by **BRYAN C. DINER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**J. BRUGH LOWER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**MICHAEL ANDREW HOLTMAN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**WILLIAM P. DENI, JR.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Defendant Consolidated**

**VALEANT PHARMACEUTICALS INTERNATIONAL, INC.**  
15-8353

represented by **BRYAN C. DINER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**J. BRUGH LOWER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**MICHAEL ANDREW HOLTMAN**  
(See above for address)

*ATTORNEY TO BE NOTICED***WILLIAM P. DENI, JR.**

(See above for address)

*ATTORNEY TO BE NOTICED***Counter Defendant Consolidated****WYETH LLC**  
15-8353represented by **BRYAN C. DINER**

(See above for address)

*ATTORNEY TO BE NOTICED***J. BRUGH LOWER**

(See above for address)

*ATTORNEY TO BE NOTICED***MICHAEL ANDREW HOLTMAN**

(See above for address)

*ATTORNEY TO BE NOTICED***WILLIAM P. DENI, JR.**

(See above for address)

*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/19/2015	<u>1</u>	COMPLAINT against MYLAN INC., MYLAN PHARMACEUTICALS, INC. ( Filing and Admin fee \$ 400 receipt number 6769204), filed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Certification, # <u>7</u> Statement)(mps) (Entered: 11/20/2015)
11/19/2015	<u>2</u>	Corporate Disclosure Statement by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC.. (mps) (Entered: 11/20/2015)
11/19/2015	<u>3</u>	Corporate Disclosure Statement by WYETH LLC identifying PFIZER INC. as Corporate Parent.. (mps) (Entered: 11/20/2015)
11/19/2015	<u>4</u>	AO120 Patent/Trademark Form filed. (mps) (Entered: 11/20/2015)
11/20/2015	<u>5</u>	SUMMONS ISSUED as to MYLAN INC., MYLAN PHARMACEUTICALS, INC. Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. Issued By *PATRICK SEILER* (mps) (Entered: 11/20/2015)
11/20/2015	<u>6</u>	NOTICE of Appearance by J. BRUGH LOWER on behalf of All Plaintiffs (LOWER, J.) (Entered: 11/20/2015)
11/24/2015		Minute Entry for proceedings held before Judge Michael A. Shipp: Pursuant to Local Patent Rule 1.5 Patent Pilot Project, case shall be reassigned to a designated patent judge. (NR ) (Entered: 11/24/2015)
11/25/2015	<u>7</u>	TEXT ORDER REALLOCATING AND REASSIGNING CASE. Case reallocated to Newark and reassigned to Judge Stanley R. Chesler and Magistrate Judge Cathy L. Waldor for all further proceedings. Judge Michael A. Shipp, Magistrate Judge Lois H. Goodman no longer assigned to case. So Ordered by Chief Judge Jerome B. Simandle on 11/25/2015. (dm ) (Entered: 11/25/2015)
01/27/2016	<u>8</u>	AO120 Patent/Trademark Form filed. (Attachments: # <u>1</u> Complaint) (gl) (Entered: 01/28/2016)
01/28/2016		<b>CLERK'S QUALITY CONTROL MESSAGE</b> – Please note the AO120 Form attached to docket entry 8 filed by the Clerk's office on 1/28/2016 was docketed in error. Please disregard. (gl) (Entered: 01/28/2016)

02/04/2016	<u>9</u>	AMENDED COMPLAINT against MYLAN INC., MYLAN PHARMACEUTICALS, INC., MYLAN LABORATORIES LTD., filed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(ESTEVEVES, ELVIN) (Entered: 02/04/2016)
02/18/2016	<u>10</u>	SUMMONS Returned Executed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC.. MYLAN INC. served on 2/17/2016, answer due 3/9/2016. (ESTEVEVES, ELVIN) (Entered: 02/18/2016)
02/18/2016	<u>11</u>	SUMMONS Returned Executed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC.. MYLAN PHARMACEUTICALS, INC. served on 2/17/2016, answer due 3/9/2016. (ESTEVEVES, ELVIN) (Entered: 02/18/2016)
02/18/2016	<u>12</u>	SUMMONS Returned Executed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC.. (ESTEVEVES, ELVIN) (Entered: 02/18/2016)
02/18/2016	<u>13</u>	SUMMONS Returned Executed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC.. MYLAN LABORATORIES LTD. served on 2/17/2016, answer due 3/9/2016. (ESTEVEVES, ELVIN) (Entered: 02/18/2016)
03/02/2016	<u>14</u>	NOTICE of Appearance by WILLIAM P. DENI, JR on behalf of All Plaintiffs (DENI, WILLIAM) (Entered: 03/02/2016)
03/04/2016	<u>15</u>	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney ELVIN ESTEVES terminated. (ESTEVEVES, ELVIN) (Entered: 03/04/2016)
03/06/2016	<u>16</u>	NOTICE of Appearance by AMY DANIELLE LURIA on behalf of All Defendants (LURIA, AMY) (Entered: 03/06/2016)
03/06/2016	<u>17</u>	Application and Proposed Order for Clerk's Order to extend time to answer. (LURIA, AMY) (Entered: 03/06/2016)
03/07/2016		Clerk`s Text Order – The document <u>17</u> Application for Clerk's Order to Ext Answer/Proposed Order submitted by MYLAN INC., MYLAN PHARMACEUTICALS, INC., MYLAN LABORATORIES LTD. has been GRANTED. The answer due date has been set for 3/23/16. (sr, ) (Entered: 03/07/2016)
03/22/2016	<u>18</u>	Letter from Amy Luria re: extension of time to answer. (Attachments: # <u>1</u> Text of Proposed Order)(LURIA, AMY) (Entered: 03/22/2016)
03/23/2016	<u>19</u>	CONSENT ORDER EXTENDING TIME to file a responsive answer, move ootherwise plead with respect to the Complaint no later than April 22, 2016 as to Mylan Pharmaceuticals, Inc., Mylan Laboratories Ltd., and Mylan Inc. Signed by Magistrate Judge Cathy L. Waldor on 03/23/2016. (ek) (Entered: 03/23/2016)
03/23/2016		Answer Due Deadline Update – The document <u>19</u> Order, submitted by MYLAN INC., MYLAN PHARMACEUTICALS, INC., MYLAN LABORATORIES LTD. has been GRANTED. The answer due date has been set for 04/22/2016. (ek) (Entered: 03/23/2016)
04/15/2016	<u>20</u>	Letter from Amy Luria re: extension of time to answer. (Attachments: # <u>1</u> Text of Proposed Order)(LURIA, AMY) (Entered: 04/15/2016)
04/18/2016	<u>21</u>	CONSENT ORDER extending time for defendants Mylan Pharmaceuticals, Inc. Mylan Laboratories, Ltd. and Mylan Inc. to respond to the Complaint until 5/23/16. Signed by Magistrate Judge Cathy L. Waldor on 4/18/16. (sr, ) (Entered: 04/18/2016)
04/18/2016		Answer Due Deadline Update – RE: <u>21</u> Order as to defts, MYLAN INC., MYLAN PHARMACEUTICALS, INC., MYLAN LABORATORIES LTD. The answer due date has been set for 5/23/16. (sr, ) (Entered: 04/18/2016)

05/18/2016	<u>22</u>	NOTICE of Appearance by BRYAN C. DINER on behalf of PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC. (DINER, BRYAN) (Entered: 05/18/2016)
05/18/2016	<u>23</u>	NOTICE of Appearance by MICHAEL ANDREW HOLTMAN on behalf of PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC. (HOLTMAN, MICHAEL) (Entered: 05/18/2016)
05/23/2016	<u>24</u>	MOTION for Leave to Appear Pro Hac Vice by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Certification of Deepto Mukerjee, # <u>3</u> Certification of Lance Soderstrom, # <u>4</u> Certification of Stephanie Roberts, # <u>5</u> Certificate of Service, # <u>6</u> Text of Proposed Order)(LURIA, AMY) (Entered: 05/23/2016)
05/23/2016	<u>25</u>	ANSWER to Amended Complaint by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Corporate Disclosure Statement, # <u>2</u> Certificate of Service)(LURIA, AMY) (Entered: 05/23/2016)
05/24/2016		Set/Reset Deadlines as to <u>24</u> MOTION for Leave to Appear Pro Hac Vice . Motion set for 6/20/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 05/24/2016)
05/24/2016	<u>26</u>	ORDER granting <u>24</u> Motion for Leave to Appear Pro Hac Vice RE: Deepto R. Mukerjee, Lance Soderstrom, Stephanie M. Roberts. Signed by Magistrate Judge Cathy L. Waldor on 5/24/16. (sr, ) (Entered: 05/24/2016)
05/24/2016	<u>27</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Proposed Consent Order, # <u>2</u> Certification of William P. Deni, Jr., # <u>3</u> Certification of Justin J. Hasford, # <u>4</u> Certification of Megan Leinen Johns)(DENI, WILLIAM) (Entered: 05/24/2016)
05/25/2016	<u>28</u>	CONSENT ORDER permitting Justin J. Hasford and Megan Leinen Johns to appear pro hac vice. Signed by Magistrate Judge Cathy L. Waldor on 5/25/16. (sr, ) (Entered: 05/25/2016)
05/31/2016	<u>29</u>	Notice of Request by Pro Hac Vice Justin J. Hasford to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7133840.) (LOWER, J.) (Entered: 05/31/2016)
05/31/2016	<u>30</u>	Notice of Request by Pro Hac Vice Megan Leinen Johns to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7133846.) (LOWER, J.) (Entered: 05/31/2016)
05/31/2016		Pro Hac Vice counsel, JUSTIN J. HASFORD and MEGAN LEINEN JOHNS, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 05/31/2016)
06/01/2016	31	TEXT ORDER: The Court will hold a telephone conference with all parties, to be initiated by plaintiff, on 6/13/16 at 1:00 PM. Parties may contact chambers at (973) 776 7862.. So Ordered by Magistrate Judge Cathy L. Waldor on 6/1/16. (tjg, ) (Entered: 06/01/2016)
06/10/2016	<u>32</u>	Letter from William P. Deni, Jr. to Judge Waldor Seeking Leave to Consolidate Cases. (DENI, WILLIAM) (Entered: 06/10/2016)
06/13/2016	33	TEXT ORDER: The Court will hold a teleconference, to be initiated by Valeant, on Monday, June 20, 2016 at 12:30 PM. This teleconference applies to 15-cv-8180, 15-cv-8353, and 16-cv-0035.. So Ordered by Magistrate Judge Cathy L. Waldor on 6/13/16. (tjg, ) (Entered: 06/13/2016)

06/16/2016		Pro Hac Vice fee: \$ 450, receipt number NEW029952 RE: Deepto R. Mukerjee, Lance Soderstrom, Stephanie M. Roberts. (sr, ) (Entered: 06/16/2016)
06/17/2016	<u>34</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 06/17/2016)
06/20/2016	<u>35</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re <u>34</u> Letter. (DENI, WILLIAM) (Entered: 06/20/2016)
06/20/2016		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 6/20/2016. (tjg, ) (Entered: 06/20/2016)
06/27/2016	<u>36</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (DENI, WILLIAM) (Entered: 06/27/2016)
06/27/2016	<u>37</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 06/27/2016)
07/14/2016	38	TEXT ORDER: The Court will hold a teleconference, to be initiated by Valeant, on Friday, July 15, 2016 at 10:30 AM. This teleconference applies to 15-cv-8180, 15-cv-8353, and 16-cv-0035... So Ordered by Magistrate Judge Cathy L. Waldor on 7/14/16. (tjg, ) (Entered: 07/14/2016)
07/15/2016		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 7/15/2016. (Court Reporter/Recorder ECR.) (tjg, ) (Entered: 07/15/2016)
07/21/2016	<u>39</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Stipulation and Proposed Order Consolidating Cases)(DENI, WILLIAM) (Entered: 07/21/2016)
07/21/2016	<u>40</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. regarding HIPAA Qualified Protective Order. (Attachments: # <u>1</u> Proposed HIPAA Qualified Protective Order, # <u>2</u> Certification of William P. Deni, Jr. in Support of HIPAA Qualified Protective Order)(DENI, WILLIAM) (Entered: 07/21/2016)
07/22/2016	<u>41</u>	Discovery Confidentiality Order. Signed by Magistrate Judge Cathy L. Waldor on 7/22/16. (sr, ) (Entered: 07/22/2016)
07/22/2016	<u>42</u>	STIPULATION AND ORDER consolidating cv-16-35, cv-15-8353 with cv-15-8180 for all purposes. Signed by Magistrate Judge Cathy L. Waldor on 7/22/16. (sr, ) (Entered: 07/22/2016)
08/12/2016	<u>43</u>	Letter from Jason B. Lattimore Regarding Unresolved Scheduling Disputes. (Attachments: # <u>1</u> Exhibit (s) 1-3)(LATTIMORE, JASON) (Entered: 08/12/2016)
08/19/2016	<u>44</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re <u>43</u> Letter. (Attachments: # <u>1</u> Exhibits 1-4)(DENI, WILLIAM) (Entered: 08/19/2016)
08/19/2016	<u>45</u>	REDACTION to <u>44</u> Letter by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (DENI, WILLIAM) (Entered: 08/19/2016)
08/19/2016	<u>46</u>	MOTION to Seal Document <u>44</u> Letter by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Certification of William P. Deni, Jr., # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(DENI, WILLIAM) (Entered: 08/19/2016)
08/19/2016	<u>47</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re: Proposed Stipulated Discovery Confidentiality Order. (Attachments: # <u>1</u> Certification of William P. Deni, Jr., # <u>2</u> Proposed Stipulated Discovery Confidentiality Order)(DENI, WILLIAM) (Entered: 08/19/2016)
08/22/2016		Set/Reset Deadlines as to <u>46</u> MOTION to Seal Document <u>44</u> Letter . Motion set for 9/19/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 08/22/2016)

08/22/2016	<u>48</u>	AMENDED SCHEDULING ORDER: scheduling a Telephone Conference on 12/12/2016 11:00 AM before Magistrate Judge Cathy L. Waldor, that the close of Fact Discovery shall be 4/14/2017, the deadline for filing of dispositive motions shall be 10/12/2017; etc. Signed by Magistrate Judge Cathy L. Waldor on 8/22/16. (sr, ) (Entered: 08/22/2016)
08/23/2016	<u>49</u>	Stipulated Discovery Confidentiality Order. Signed by Magistrate Judge Cathy L. Waldor on 8/23/16. (sr, ) (Entered: 08/23/2016)
08/29/2016	<u>50</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(DENI, WILLIAM) (Entered: 08/29/2016)
08/29/2016	<u>51</u>	MOTION for Leave to Appear Pro Hac Vice by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Certification of Hidetada James Abe, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(LURIA, AMY) (Entered: 08/29/2016)
08/29/2016		Set/Reset Deadlines as to <u>51</u> MOTION for Leave to Appear Pro Hac Vice . Motion set for 10/3/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 08/29/2016)
08/29/2016	<u>52</u>	REDACTION to <u>50</u> Letter by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibits 5-6, # <u>6</u> Exhibit 7)(DENI, WILLIAM) (Entered: 08/29/2016)
08/29/2016	<u>53</u>	MOTION to Seal Document <u>50</u> Letter by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Certification of William P. Deni, Jr., # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(DENI, WILLIAM) (Entered: 08/29/2016)
08/29/2016	<u>54</u>	ORDER granting <u>51</u> Motion for Leave to Appear Pro Hac Vice as to HIDETADA JAMES ABE, ESQ. Signed by Magistrate Judge Cathy L. Waldor on 8/29/16. (DD, ) (Entered: 08/30/2016)
08/30/2016		Set/Reset Deadlines as to <u>53</u> MOTION to Seal Document <u>50</u> Letter . Motion set for 10/3/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (DD, ) (Entered: 08/30/2016)
08/31/2016		Pro Hac Vice fee of \$ 150 received as to Hidetada James Abe, Esq., receipt number TRE072422 (mps) (Entered: 08/31/2016)
08/31/2016	<u>55</u>	Letter from Jason B. Lattimore re <u>50</u> Letter. (Attachments: # <u>1</u> Exhibit (s) A-E)(LATTIMORE, JASON) (Entered: 08/31/2016)
08/31/2016	<u>56</u>	REDACTION to <u>55</u> Letter by ACTAVIS LLC. (Attachments: # <u>1</u> Exhibit (s) A-E)(LATTIMORE, JASON) (Entered: 08/31/2016)
08/31/2016	<u>57</u>	MOTION to Seal <u>55</u> Letter and Exhibits by ACTAVIS LLC. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(LATTIMORE, JASON) (Entered: 08/31/2016)
09/01/2016		Set/Reset Deadlines as to <u>57</u> MOTION to Seal <u>55</u> Letter and Exhibits. Motion set for 10/3/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 09/01/2016)

09/08/2016	<u>58</u>	Letter from William P. Deni, Jr. to Judge Waldor regarding issues with production samples. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 [filed under seal], # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5 [filed under seal], # <u>6</u> Exhibit 6)(DENI, WILLIAM) (Entered: 09/08/2016)
09/08/2016	<u>59</u>	Letter from William P. Deni, Jr. to Judge Waldor regarding issues with production samples. (Attachments: # <u>1</u> Exhibit 2, # <u>2</u> Exhibit 5)(DENI, WILLIAM) (Entered: 09/08/2016)
09/08/2016	<u>60</u>	MOTION to Seal Document <u>59</u> Letter to Hon. Cathy Waldor and Exhibits 2 and 5 by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Certification of Counsel In Support of Motion to Seal, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(DENI, WILLIAM) (Entered: 09/08/2016)
09/08/2016		Set/Reset Deadlines as to <u>60</u> MOTION to Seal Document <u>59</u> Letter to Hon. Cathy Waldor and Exhibits 2 and 5. Motion set for 10/3/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 09/08/2016)
09/09/2016	61	TEXT ORDER: The Court will hold a teleconference, to be initiated by Plaintiff, on Monday, September 12, 2016 at 3:00pm. So Ordered by Magistrate Judge Cathy L. Waldor on 9/9/16. (tjg, ) (Entered: 09/09/2016)
09/12/2016	<u>62</u>	Letter from Amy Luria re <u>58</u> Letter, <u>59</u> Letter. (LURIA, AMY) (Main Document 62 replaced on 9/12/2016) (tjg, ). (Entered: 09/12/2016)
09/12/2016	<u>63</u>	Letter from Amy Luria re <u>58</u> Letter, <u>59</u> Letter. (LURIA, AMY) (Entered: 09/12/2016)
09/12/2016	<u>64</u>	MOTION to Seal Document <u>63</u> Letter by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(LURIA, AMY) (Entered: 09/12/2016)
09/12/2016		Set/Reset Deadlines as to <u>64</u> MOTION to Seal Document <u>63</u> Letter . Motion set for 10/17/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 09/12/2016)
09/12/2016	<u>65</u>	Exhibit to <u>62</u> Letter, <u>63</u> Letter by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(LURIA, AMY) (Entered: 09/12/2016)
09/12/2016	66	TEXT ORDER: The Court will reschedule the 9/12/16 teleconference to 9/16/16 at 10:00am. Signed by Magistrate Judge Cathy L. Waldor on 9/12/16. (tjg, ) (Entered: 09/12/2016)
09/13/2016	<u>67</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Proposed Consent Order, # <u>2</u> Certification of William P. Deni, Jr., # <u>3</u> Certification of Kristi L. McIntyre, Esq., # <u>4</u> Certification of Jessica M. Lebeis, Esq.)(DENI, WILLIAM) (Entered: 09/13/2016)
09/13/2016	<u>68</u>	ORDER permitting Kristi L. McIntyre & Jessica M. Lebeis to appear pro hac vice. Signed by Magistrate Judge Cathy L. Waldor on 9/13/16. (sr, ) (Entered: 09/20/2016)
09/16/2016		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 9/16/2016. (tjg, ) (Entered: 09/16/2016)
09/20/2016	<u>69</u>	ORDER granting <u>46</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 9/20/16. (sr, ) (Entered: 09/20/2016)
09/20/2016	<u>70</u>	ORDER granting <u>60</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 9/20/16. (sr, ) (Entered: 09/20/2016)

09/20/2016	<u>71</u>	ORDER granting <u>57</u> Motion to Seal. Signed by Magistrate Judge Cathy L. Waldor on 9/20/16. (sr, ) (Entered: 09/20/2016)
09/20/2016	<u>72</u>	ORDER granting <u>53</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 9/20/16. (sr, ) (Entered: 09/20/2016)
09/30/2016	<u>73</u>	Letter from Jason B. Lattimore Regarding Status of ANDA Product Sample Dispute as to Actavis. (LATTIMORE, JASON) (Entered: 09/30/2016)
09/30/2016	<u>74</u>	REDACTION to <u>73</u> Letter by ACTAVIS LLC. (LATTIMORE, JASON) (Entered: 09/30/2016)
09/30/2016	<u>75</u>	MOTION to Seal Document <u>73</u> Letter by ACTAVIS LLC. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(LATTIMORE, JASON) (Entered: 09/30/2016)
09/30/2016	<u>76</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. regarding status of dispute about Mylan's ANDA product samples. (DENI, WILLIAM) (Entered: 09/30/2016)
10/03/2016		Set/Reset Deadlines as to <u>75</u> MOTION to Seal Document <u>73</u> Letter . Motion set for 11/7/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 10/03/2016)
10/04/2016	<u>77</u>	REDACTION to <u>76</u> Letter by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (DENI, WILLIAM) (Entered: 10/04/2016)
10/04/2016	<u>78</u>	MOTION to Seal Document <u>76</u> Letter by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Certification of William P. Deni, Jr., # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(DENI, WILLIAM) (Entered: 10/04/2016)
10/05/2016		Set/Reset Deadlines as to <u>78</u> MOTION to Seal Document <u>76</u> Letter . Motion set for 11/7/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 10/05/2016)
10/05/2016	79	TEXT ORDER: The Court will hold a teleconference, to be initiated by Plaintiff, on Thursday, October 6, 2016 at 4:30 PM. So Ordered by Magistrate Judge Cathy L. Waldor on 10/5/16. (tjg, ) (Entered: 10/05/2016)
10/06/2016		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 10/6/2016. (tjg, ) (Entered: 10/06/2016)
10/11/2016	<u>80</u>	ORDER granting <u>64</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 10/11/16. (sr, ) (Entered: 10/11/2016)
10/13/2016	<u>81</u>	Letter from Jason B. Lattimore Enclosing Consent Order for Pro Hac Vice Admission. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration, # <u>3</u> Declaration)(LATTIMORE, JASON) (Entered: 10/13/2016)
10/13/2016	<u>82</u>	CONSENT ORDER re <u>81</u> Letter for Pro Hac Vice Admission of Molly R. Grammel, etc. Signed by Magistrate Judge Cathy L. Waldor on 10/13/2016. (ek) (Entered: 10/14/2016)
10/14/2016	<u>83</u>	Notice of Request by Pro Hac Vice Molly R. Grammel to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7416275.) (LATTIMORE, JASON) (Entered: 10/14/2016)
10/14/2016	<u>84</u>	NOTICE of Appearance by TYLER DOH on behalf of ACTAVIS LLC (DOH, TYLER) (Entered: 10/14/2016)

10/14/2016		Pro Hac Vice counsel, MOLLY R. GRAMMEL, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 10/14/2016)
10/20/2016	<u>85</u>	Certification of Deepro R. Mukerjee, Esq. on behalf of MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (LURIA, AMY)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 10/20/2016)
10/20/2016	<u>86</u>	MOTION to Seal <i>Docket Entry #85</i> by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(LURIA, AMY) (Entered: 10/20/2016)
10/21/2016		Set/Reset Deadlines as to <u>86</u> MOTION to Seal <i>Docket Entry #85</i> . Motion set for 11/21/2016 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 10/21/2016)
11/18/2016	<u>87</u>	ORDER granting <u>75</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 11/18/16. (sr, ) (Entered: 11/18/2016)
11/18/2016	<u>88</u>	ORDER granting <u>78</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 11/18/16. (sr, ) (Entered: 11/18/2016)
11/18/2016	<u>89</u>	ORDER granting <u>86</u> Motion to Seal. Signed by Magistrate Judge Cathy L. Waldor on 11/18/16. (sr, ) (Entered: 11/18/2016)
11/22/2016	<u>90</u>	STATEMENT – <i>Joint Claim Construction and Prehearing Statement</i> by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(DENI, WILLIAM) (Entered: 11/22/2016)
12/12/2016		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 12/12/2016. (tjg, ) (Entered: 12/12/2016)
12/12/2016	91	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 4/5/17 at 10:30 AM. Parties may contact chambers at (973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 12/12/16. (tjg, ) (Entered: 12/12/2016)
01/04/2017	<u>92</u>	Corporate Disclosure Statement by ACTAVIS LLC identifying Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Ltd. as Corporate Parent.. (LATTIMORE, JASON) (Entered: 01/04/2017)
01/10/2017	<u>93</u>	STATEMENT – <i>Amended Joint Claim Construction and Prehearing Statement</i> by ACTAVIS LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(LATTIMORE, JASON) (Entered: 01/10/2017)
01/12/2017	<u>94</u>	Notice of Request by Pro Hac Vice Kristi L. McIntyre, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312–7585913.) (LOWER, J.) (Entered: 01/12/2017)
01/12/2017	<u>95</u>	Notice of Request by Pro Hac Vice Jessica M. Lebeis, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312–7585929.) (LOWER, J.) (Entered: 01/12/2017)
01/12/2017		Pro Hac Vice counsel, KRISTI L. MCINTYRE and JESSICA M. LEBEIS, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 01/12/2017)

01/12/2017	<u>96</u>	MARKMAN OPENING BRIEF <i>of Plaintiffs Valeant Pharmaceuticals International, Inc., Salix Pharmaceuticals, Inc., Progenics Pharmaceuticals, Inc., and Wyeth LLC</i> (Attachments: # <u>1</u> Declaration of Bryan C. Diner, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20, # <u>22</u> Exhibit 21, # <u>23</u> Certificate of Service)(DENI, WILLIAM) (Entered: 01/12/2017)
01/12/2017	<u>97</u>	MARKMAN OPENING BRIEF – <i>Joint Opening Markman Brief on Behalf of All Defendants</i> (Attachments: # <u>1</u> Declaration of James F. Castner, Ph.D., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Declaration of Tyler Doh, Esq., # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16)(LATTIMORE, JASON) (Entered: 01/12/2017)
01/23/2017	<u>98</u>	MOTION Pursuant to Local Patent Rule 3.7 to Amend Noninfringement Contentions by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief (Redacted), # <u>3</u> Declaration of Amy Luria (Redacted), # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 8, # <u>6</u> Certificate of Service)(LURIA, AMY) (Entered: 01/23/2017)
01/23/2017	<u>99</u>	MOTION to Seal <i>Brief in Support of Motion Pursuant to L. Pat. R. 3.7 for Leave to Amend Noninfringement Contentions, and Declaration of Amy Luria, Esq. in Support of Motion Pursuant to L. Pat. R. 3.7 for Leave to Amend Noninfringement Contentions and Exhibits 1–3, 5–7, and 9–17 attached thereto</i> by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certification, # <u>3</u> Certificate of Service)(LURIA, AMY) (Entered: 01/23/2017)
01/24/2017		Set/Reset Deadlines as to <u>98</u> MOTION Pursuant to Local Patent Rule 3.7 to Amend Noninfringement Contentions , <u>99</u> MOTION to Seal <i>Brief in Support of Motion Pursuant to L. Pat. R. 3.7 for Leave to Amend Noninfringement Contentions, and Declaration of Amy Luria, Esq. in Support of Motion Pursuant to L. Pat. R. 3.7 for Leave to Amend Noninfringement Contentions a. Motion set for 2/21/2017 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, )</i> (Entered: 01/24/2017)
01/24/2017	<u>100</u>	BRIEF in Support filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>98</u> MOTION Pursuant to Local Patent Rule 3.7 to Amend Noninfringement Contentions (Attachments: # <u>1</u> Declaration of Amy Luria, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 9, # <u>9</u> Exhibit 10, # <u>10</u> Exhibit 11, # <u>11</u> Exhibit 12, # <u>12</u> Exhibit 13, # <u>13</u> Exhibit 14, # <u>14</u> Exhibit 15, # <u>15</u> Exhibit 16, # <u>16</u> Exhibit 17)(LURIA, AMY)  <u>NOTICE TO COUNSEL</u> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 01/24/2017)
01/24/2017	<u>101</u>	NOTICE of Appearance by LAUREN BROPHY COOPER on behalf of PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC (COOPER, LAUREN) (Entered: 01/24/2017)
01/31/2017	<u>102</u>	Letter from Plaintiffs Seeking an Extension of Time to Respond to the Mylan Defendants' Motion to Amend Non–Infringement Contentions. (Attachments: # <u>1</u> Text of Proposed Order)(COOPER, LAUREN) (Entered: 01/31/2017)
02/01/2017	<u>103</u>	ORDER that Plaintiffs' Request for a 14 day extension to respond to the Mylan Defendants' Motion to Amend Non–Infringement Contentions (ECF No. 98) is granted. Plaintiffs' Opposition to the Mylan Defendants' Motion to Amend Non–Infringement Contentions shall be filed by February 21, 2017, Mylan

		Defendants' Reply shall be filed by February 27, 2017. Signed by Magistrate Judge Cathy L. Waldor on 2/1/17. (sr, ) (Entered: 02/01/2017)
02/09/2017	<u>104</u>	Letter from Jason B. Lattimore Re Pro Hac Vice Application of Cindy Chang. (Attachments: # <u>1</u> Declaration of Jason B. Lattimore, # <u>2</u> Declaration of Cindy Chang, # <u>3</u> Text of Proposed Order)(LATTIMORE, JASON) (Entered: 02/09/2017)
02/10/2017	<u>105</u>	CONSENT ORDER permitting Cindy Chang to appear pro hac vice. Signed by Magistrate Judge Cathy L. Waldor on 2/10/17. (sr, ) (Entered: 02/10/2017)
02/10/2017	<u>106</u>	Notice of Request by Pro Hac Vice Cindy Chang to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7643055.) (LATTIMORE, JASON) (Entered: 02/10/2017)
02/10/2017		Pro Hac Vice counsel, CINDY CHANG, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 02/10/2017)
02/10/2017	<u>107</u>	Letter from Jason B. Lattimore. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(LATTIMORE, JASON) (Entered: 02/10/2017)
02/13/2017	<u>108</u>	ORDER granting <u>99</u> Motion to Seal. Signed by Magistrate Judge Cathy L. Waldor on 2/13/17. (sr, ) (Entered: 02/14/2017)
02/14/2017	<u>109</u>	Letter from William P. Deni, Jr. to Judge Waldor responding to Defendants' February 10 Letter re <u>107</u> Letter. (DENI, WILLIAM) (Entered: 02/14/2017)
02/21/2017	<u>110</u>	BRIEF in Opposition filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>98</u> MOTION Pursuant to Local Patent Rule 3.7 to Amend Noninfringement Contentions (Attachments: # <u>1</u> Declaration of Bryan C. Diner, Esq., # <u>2</u> Exhibit A, # <u>3</u> Exhibit A-1, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit O, # <u>18</u> Exhibit P, # <u>19</u> Exhibit Q, # <u>20</u> Exhibit R, # <u>21</u> Certificate of Service)(DENI, WILLIAM) <hr/> <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 02/21/2017)
02/24/2017	<u>111</u>	Letter from Amy Luria re: extension of time to file reply papers. (Attachments: # <u>1</u> Text of Proposed Order)(LURIA, AMY) (Entered: 02/24/2017)
02/24/2017	<u>112</u>	ORDER granting Mylan's Request for a seven day extension to submit a reply to Plaintiffs' Opposition to Mylan's Motion Pursuant to L. Pat. R. 3.7 to Amend Noninfringement Contentions until 3/6/17. Signed by Magistrate Judge Cathy L. Waldor on 2/24/17. (sr, ) (Entered: 02/27/2017)
03/02/2017	<u>113</u>	Letter from William P. Deni, Jr. to the Honorable Stanley R. Chesler, U.S.D.J.. (Attachments: # <u>1</u> Stipulation and Proposed Order)(DENI, WILLIAM) (Entered: 03/02/2017)
03/06/2017	<u>114</u>	REPLY to Response to Motion filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>98</u> MOTION Pursuant to Local Patent Rule 3.7 to Amend Noninfringement Contentions (Attachments: # <u>1</u> Declaration of Amy Luria, # <u>2</u> Exhibit 18)(LURIA, AMY) <hr/> <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/06/2017)

03/06/2017	<u>115</u>	REPLY to Response to Motion filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>98</u> MOTION Pursuant to Local Patent Rule 3.7 to Amend Noninfringement Contentions (Attachments: # <u>1</u> Declaration of Amy Luria (redacted), # <u>2</u> Certificate of Service)(LURIA, AMY) (Entered: 03/06/2017)
03/06/2017	<u>116</u>	MOTION to Seal <i>Docket Entry #114</i> by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(LURIA, AMY) (Entered: 03/06/2017)
03/06/2017		Set/Reset Deadlines as to <u>116</u> MOTION to Seal <i>Docket Entry #114</i> . Motion set for 4/3/2017 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 03/06/2017)
03/07/2017	<u>117</u>	ORDER granting <u>116</u> Motion to Seal. Signed by Magistrate Judge Cathy L. Waldor on 3/7/17. (sr, ) (Entered: 03/07/2017)
03/07/2017	<u>118</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J. Requesting Permission to File Motion. (DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/07/2017)
03/08/2017	<u>119</u>	STIPULATION AND ORDER Re: <u>113</u> Letter. Signed by Judge Stanley R. Chesler on 3/6/17. (sr, ) (Entered: 03/08/2017)
03/08/2017	<u>120</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. Re: Joint Stipulation as to Authenticity and Non-Hearsay Business Record Status of Documents. (Attachments: # <u>1</u> Proposed Joint Stipulation)(DENI, WILLIAM) (Entered: 03/08/2017)
03/09/2017	121	TEXT ORDER:The Court will hold a teleconference, to be initiated by Plaintiffs, on Monday, March 13, 2017 at 4:30 PM.. So Ordered by Magistrate Judge Cathy L. Waldor on 3/9/17. (tjg, ) (Entered: 03/09/2017)
03/10/2017	<u>122</u>	Letter from Amy Luria re <u>118</u> Letter,,. (LURIA, AMY)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/10/2017)
03/10/2017	<u>123</u>	MARKMAN RESPONSE BRIEF re <u>96</u> Markman Opening Brief,, (Attachments: # <u>1</u> Declaration of James F. Castner, # <u>2</u> Declaration of Tyler Doh, # <u>3</u> Exhibit 17, # <u>4</u> Exhibit 18, # <u>5</u> Certificate of Service)(LATTIMORE, JASON) (Entered: 03/10/2017)
03/10/2017	<u>124</u>	MARKMAN RESPONSE BRIEF re <u>97</u> Markman Opening Brief,, (Attachments: # <u>1</u> Supplemental Declaration of Bryan C. Diner, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Certificate of Service)(DENI, WILLIAM) (Entered: 03/10/2017)
03/13/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 3/13/2017. (tjg, ) (Entered: 03/13/2017)
03/13/2017	125	TEXT ORDER: Motion to Compel Briefing Schedule: Opening: 3/17/17; Opposition: 3/25/17; Reply: 3/31/17.. So Ordered by Magistrate Judge Cathy L. Waldor on 3/13/17. (tjg, ) (Entered: 03/13/2017)
03/13/2017	<u>126</u>	ORDER re: testimony; etc. Signed by Magistrate Judge Cathy L. Waldor on 3/13/17. (sr, ) (Entered: 03/14/2017)

03/17/2017	<u>127</u>	MOTION to Compel <i>Production of Documents from Defendant Mylan</i> by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(DENI, WILLIAM) (Entered: 03/17/2017)
03/17/2017	<u>128</u>	BRIEF in Support filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>127</u> MOTION to Compel <i>Production of Documents from Defendant Mylan</i> (Attachments: # <u>1</u> Declaration of Bryan C. Diner, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8)(DENI, WILLIAM) <hr/> <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/17/2017)
03/20/2017		Set/Reset Deadlines as to <u>127</u> MOTION to Compel <i>Production of Documents from Defendant Mylan</i> . Motion set for 4/17/2017 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 03/20/2017)
03/24/2017	<u>129</u>	Letter from William P. Deni, Jr. to the Honorable Stanley R. Chesler, U.S.D.J. Regarding Joint Request for Extension. (DENI, WILLIAM) (Entered: 03/24/2017)
03/24/2017	<u>130</u>	BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>127</u> MOTION to Compel <i>Production of Documents from Defendant Mylan</i> (Attachments: # <u>1</u> Declaration of Amy Luria, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Certificate of Service)(LURIA, AMY) <hr/> <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/24/2017)
03/27/2017	<u>131</u>	ORDER granting Pltf's re <u>129</u> Letter Request for an extension until Monday, 3/27/17, to subm. a letter to the Court re: the proposed schedule for a Claim Const. Hrg. purs. to Local Patent Rule 4.6. Signed by Judge Stanley R. Chesler on 3/27/17. (DD, ) (Entered: 03/27/2017)
03/27/2017	<u>132</u>	Letter from William P. Deni, Jr. to the Honorable Stanley R. Chesler, U.S.D.J.. (DENI, WILLIAM) (Entered: 03/27/2017)
03/27/2017	<u>133</u>	Letter from Jason B. Lattimore re <u>132</u> Letter. (Attachments: # <u>1</u> Exhibit A)(LATTIMORE, JASON) (Entered: 03/27/2017)
03/31/2017	<u>134</u>	Letter from William P. Deni, Jr. to Hon. Cathy L. Waldor requesting deposition of Defendants expert and teleconference with Court. (Attachments: # <u>1</u> Exhibit A)(DENI, WILLIAM) (Entered: 03/31/2017)
03/31/2017	<u>135</u>	REPLY BRIEF to Opposition to Motion filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>127</u> MOTION to Compel <i>Production of Documents from Defendant Mylan</i> (Attachments: # <u>1</u> Supplemental Declaration of Brian C. Diner, # <u>2</u> Exhibit 1 (part 1), # <u>3</u> Exhibit 1 (part 2), # <u>4</u> Exhibit 2, # <u>5</u> Certificate of Service)(DENI, WILLIAM) <hr/> <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/31/2017)

04/03/2017	136	TEXT ORDER: All parties are to appear before Magistrate Judge Cathy L. Waldor on April 28, 2017 at 9:30 am. Parties shall be prepared to meet and confer on the outstanding Motion to Amend; Motion to Compel and all outstanding discovery disputes. Parties shall also meet and confer regarding the number of claims, and have available a Ceritfied Court Reporter.. So Ordered by Magistrate Judge Cathy L. Waldor on 4/3/17. (tjg, ) (Entered: 04/03/2017)
04/04/2017	<u>137</u>	Letter from Amy Luria re: Plaintiffs' March 31, 2017 letter. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(LURIA, AMY) (Entered: 04/04/2017)
04/05/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 4/5/2017. (tjg, ) (Entered: 04/05/2017)
04/26/2017	<u>138</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Certification of William P. Deni, Jr. in Support of Application for Pro Hac Vice Admissions, # <u>2</u> Certification of Chiaki Fujiwara in Support of Application for Pro Hac Vice Admission, # <u>3</u> Certification of Caitlyn E. O'Connell in Support of Application for Pro Hac Vice Admission, # <u>4</u> Certification of Andrew J. Ra, Jr. in Support of Application for Pro Hac Vice Admission, # <u>5</u> Text of Proposed Order)(DENI, WILLIAM) (Entered: 04/26/2017)
04/27/2017	<u>139</u>	CONSENT ORDER permitting Chiaki Fujiwara, Caitlin E. O'Connell, and Andrew J. Ra, Jr. Signed by Magistrate Judge Cathy L. Waldor on 4/27/17. (sr, ) (Entered: 04/28/2017)
04/28/2017	140	TEXT ORDER: All parties are to appear before Magistrate Judge Cathy L. Waldor on 5/11/17 at 9:30 am. Parties shall be prepared to meet and confer on the outstanding Motion to Amend; Motion to Compel and all outstanding discovery disputes. Parties shall also meet and confer regarding the number of claims, and have available a Ceritfied Court Reporter. So Ordered by Magistrate Judge Cathy L. Waldor on 4/28/17. (tjg, ) (Entered: 04/28/2017)
05/01/2017	<u>141</u>	Notice of Request by Pro Hac Vice Chiaki Fujiwara, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7807169.) (DENI, WILLIAM) (Entered: 05/01/2017)
05/01/2017	<u>142</u>	Notice of Request by Pro Hac Vice Caitlyn E. O'Connell, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7807271.) (DENI, WILLIAM) (Entered: 05/01/2017)
05/01/2017	<u>143</u>	Notice of Request by Pro Hac Vice Andrew J. Ra, Jr., Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-7807338.) (DENI, WILLIAM) (Entered: 05/01/2017)
05/02/2017		Pro Hac Vice counsel, ANDREW J. RA, JR, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 05/02/2017)
05/02/2017		Pro Hac Vice counsel, CAITLYN E. O'CONNELL, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 05/02/2017)
05/11/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Status Conference held on 5/11/2017. (tjg, ) (Entered: 05/11/2017)
05/11/2017	144	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 5/25/17 at 12:00 PM. Parties to supply Court with transcript of today's proceedings via email to CLW_Orders@njd.uscourts.gov as soon as practicable. Parties may contact chambers at (973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 5/11/17. (tjg, ) (Entered: 05/11/2017)
05/22/2017	<u>145</u>	ORDER granting <u>98</u> Motion to Amend Contentions; finding as moot <u>127</u> Motion to Compel. Signed by Magistrate Judge Cathy L. Waldor on 5/22/17. (tjg, ) (Entered: 05/22/2017)

05/25/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 5/25/2017. (tjg, ) (Entered: 05/25/2017)
05/25/2017	146	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 8/22/17 at 1:00 PM. Parties may contact chambers at (973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 5/25/17. (tjg, ) (Entered: 05/25/2017)
05/25/2017	<u>147</u>	Letter from William P. Deni, Jr. to the Honorable Stanley R. Chesler, U.S.D.J. re: Stipulation and Proposed Order Regarding Claim Construction. (Attachments: # <u>1</u> Stipulation and Proposed Order Regarding Claim Construction)(DENI, WILLIAM) (Entered: 05/25/2017)
05/30/2017	<u>148</u>	STIPULATION AND ORDER regarding claim construction; etc. Signed by Judge Stanley R. Chesler on 5/30/17. (sr, ) (Entered: 05/30/2017)
06/02/2017	<u>149</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (DENI, WILLIAM) (Entered: 06/02/2017)
06/05/2017	<u>150</u>	MOTION to Seal Document <i>Docket Entry No. 145</i> by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(LURIA, AMY) (Entered: 06/05/2017)
06/05/2017	<u>152</u>	AMENDED SCHEDULING ORDER Re: discovery. Signed by Magistrate Judge Cathy L. Waldor on 6/5/17. (sr, ) (Entered: 06/06/2017)
06/06/2017		Set/Reset Deadlines as to <u>150</u> MOTION to Seal Document <i>Docket Entry No. 145</i> . Motion set for 7/3/2017 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 06/06/2017)
06/06/2017	<u>151</u>	ORDER granting <u>150</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 6/6/17. (sr, ) (Entered: 06/06/2017)
06/12/2017	<u>153</u>	Corporate Disclosure Statement by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (LURIA, AMY) (Entered: 06/12/2017)
07/25/2017	<u>154</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Stipulation and Proposed Order)(DENI, WILLIAM) (Entered: 07/25/2017)
07/27/2017	<u>155</u>	STIPULATION AND ORDER regarding miscellaneous fact discovery issues; etc. Signed by Magistrate Judge Cathy L. Waldor on 7/27/17. (sr, ) (Entered: 07/28/2017)
08/22/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 8/22/2017. (tjg, ) (Entered: 08/22/2017)
08/22/2017	156	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 12/1/17 at 10:00 AM. Parties may contact chambers at (973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 8/22/17. (tjg, ) (Entered: 08/22/2017)
09/19/2017	<u>157</u>	Letter from William P. Deni, Jr. to Hon. Cathy Waldor informing Court of agreement to modify expert discovery schedule & requesting So Order execution. (DENI, WILLIAM) (Entered: 09/19/2017)
09/20/2017	<u>158</u>	ORDER modifying dates re: discovery. Signed by Magistrate Judge Cathy L. Waldor on 9/20/17. (sr, ) (Entered: 09/20/2017)
09/22/2017	<u>159</u>	Letter from William P. Deni, Jr. to Hon. Cathy Waldor Requesting Leave to File A Formal Motion to Strike Sections of Defendants' Opening Expert Reports. (DENI, WILLIAM) (Entered: 09/22/2017)
09/25/2017	<u>160</u>	Letter from Jason B. Lattimore re <u>159</u> Letter. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(LATTIMORE, JASON) (Entered: 09/25/2017)

09/26/2017	<u>161</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor re <u>160</u> Letter. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(DENI, WILLIAM) (Entered: 09/26/2017)
10/03/2017	162	TEXT ORDER: The Court will hold a teleconference, to be initiated by Plaintiff, on October 6, 2017 at 11:00 AM.. So Ordered by Magistrate Judge Cathy L. Waldor on 10/3/17. (tjg, ) (Entered: 10/03/2017)
10/06/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 10/6/2017. (tjg, ) (Entered: 10/06/2017)
10/27/2017	<u>163</u>	MOTION to Strike <i>Sections of Defendants' Opening Reports</i> by All Plaintiffs. (Attachments: # <u>1</u> Plaintiffs' Brief in Support of Motion to Strike Sections of Defendants' Opening Reports, # <u>2</u> Appendix A to Plaintiffs' Brief, # <u>3</u> Declaration of Justin J. Hasford, # <u>4</u> Exhibits A through H [Filed Under Seal], # <u>5</u> Exhibit I, # <u>6</u> Exhibit J, # <u>7</u> Exhibit K, # <u>8</u> Exhibit L, # <u>9</u> Text of Proposed Order, # <u>10</u> Certificate of Service)(DENI, WILLIAM) (Entered: 10/27/2017)
10/27/2017	<u>164</u>	Exhibit to <u>163</u> Motion to Strike, by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E, # <u>5</u> Exhibit F, # <u>6</u> Exhibit G, # <u>7</u> Exhibit H)(DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 10/27/2017)
10/30/2017		Set/Reset Deadlines as to <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> . Motion set for 11/20/2017 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 10/30/2017)
10/30/2017	<u>165</u>	Letter from Jason B. Lattimore re <u>152</u> Order, <u>158</u> Order. (LATTIMORE, JASON) (Entered: 10/30/2017)
11/06/2017	<u>166</u>	Letter from Jason B. Lattimore Enclosing Proposed Scheduling Order. (Attachments: # <u>1</u> Text of Proposed Order)(LATTIMORE, JASON) (Entered: 11/06/2017)
11/06/2017		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 11/6/2017. (tjg, ) (Entered: 11/07/2017)
11/07/2017	167	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 1/16/18 at 1:00 PM. The 12/1/17 teleconference is canceled. Parties may contact chambers at (973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 11/7/17. (tjg, ) (Entered: 11/07/2017)
11/08/2017	<u>168</u>	Court's Letter adjourning the <u>163</u> MOTION to Strike to 12/4/17. (sr, ) (Entered: 11/08/2017)
11/08/2017		Reset Deadlines as to <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> . Motion set for 12/4/2017 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 11/08/2017)
11/09/2017	<u>169</u>	ORDER, Expert Discovery due by 1/26/2018, dispositive Motions due by 2/2/2018, proposed Final Pretrial Order due by 2/8/2018, Final Pretrial Conference set for 2/14/2018; etc. Signed by Magistrate Judge Cathy L. Waldor on 11/9/17. (sr, ) (Entered: 11/13/2017)
11/13/2017	<u>170</u>	BRIEF in Opposition filed by ACTAVIS LLC, MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> (Attachments: # <u>1</u> Declaration of Joshua Whitehill, # <u>2</u> Exhibit A (filed separately under seal), # <u>3</u> Exhibit B, # <u>4</u> Exhibit

		C, # <u>5</u> Exhibit D)(LATTIMORE, JASON) (Entered: 11/13/2017)
11/13/2017	<u>171</u>	Exhibit to <u>170</u> Brief in Opposition to Motion, by ACTAVIS LLC, MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Exhibit A to Declaration of Joshua A. Whitehill)(LATTIMORE, JASON)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 11/13/2017)
11/13/2017	<u>172</u>	Certification of Service on behalf of ACTAVIS LLC, MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. Re <u>171</u> Exhibit (to Document),, <u>170</u> Brief in Opposition to Motion,. (LATTIMORE, JASON) (Entered: 11/13/2017)
11/15/2017	<u>173</u>	Letter from Jason B. Lattimore re <u>169</u> Order, Set Deadlines/Hearings. (LATTIMORE, JASON) (Entered: 11/15/2017)
11/16/2017	174	TEXT ORDER: The Court will grant counsels request to adjourn the 2/14/18 final pretrial conference to 2/22/18 at 2pm. So Ordered by Magistrate Judge Cathy L. Waldor on 11/16/17. (tjg, ) (Entered: 11/16/2017)
11/16/2017	175	TEXT ORDER: Please disregard the instruction for a teleconference on 2/8/18, there will be no teleconference.. So Ordered by Magistrate Judge Cathy L. Waldor on 11/16/17. (tjg, ) (Entered: 11/16/2017)
11/20/2017	<u>176</u>	REPLY BRIEF to Opposition to Motion filed by All Plaintiffs re <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> (Attachments: # <u>1</u> Declaration of Justin J. Hasford, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3 (part 1 of 2), # <u>5</u> Exhibit 3 (part 2 of 2), # <u>6</u> Certificate of Service)(DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 11/20/2017)
12/01/2017	177	TEXT ORDER: All parties will appear in Courtroom 4C, before Magistrate Judge Waldor on January 5, 2017 at 10:00 am to meet and confer on significantly reducing claims, and narrow prior art references and defenses theories asserted, as well as the pending Motion to Strike (Dkts. 163, 170, 176). Counsel shall be mindful of the fact that this case is to be streamlined for pre-trial and trial purposes. So Ordered by Magistrate Judge Cathy L. Waldor on 12/1/17. (tjg, ) (Entered: 12/01/2017)
12/04/2017	<u>178</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J. re <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> , <u>164</u> Exhibit (to Document),, <u>171</u> Exhibit (to Document),, <u>170</u> Brief in Opposition to Motion, <u>176</u> Reply Brief to Opposition to Motion,,, (DENI, WILLIAM) (Entered: 12/04/2017)
12/04/2017	<u>179</u>	ORDER granting a one week extension of time to file a consolidated Motion to Seal for Plaintiffs' Motion to Strike Sections of Defendants' Expert Reports; that the consolidated Motion to Seal will be filed on December 11, 2017 re <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> filed by VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC, PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC.. Signed by Magistrate Judge Cathy L. Waldor on 12/4/2017. (ld, ) (Entered: 12/04/2017)
12/11/2017	<u>180</u>	MOTION to Seal Document <u>164</u> Exhibit (to Document),, <u>176</u> Reply Brief to Opposition to Motion,,, <u>171</u> Exhibit (to Document),, by All Plaintiffs. (Attachments: # <u>1</u> Declaration of William P. Deni, Jr. in Support of Motion to Seal, # <u>2</u> Appendix to Declaration of William P. Deni, Jr., # <u>3</u> [Proposed] Findings of Fact, Conclusions of Law, and Order, # <u>4</u> Certificate of Service)(DENI, WILLIAM) (Entered: 12/11/2017)
12/12/2017		Set/Reset Deadlines as to <u>180</u> MOTION to Seal Document <u>164</u> Exhibit (to Document),, <u>176</u> Reply Brief to Opposition to Motion,,, <u>171</u> Exhibit (to Document),, .

		Motion set for 1/16/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 12/12/2017)
12/15/2017	<u>181</u>	MOTION for Leave to Appear Pro Hac Vice by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Certification of Andrew Ligotti, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(LURIA, AMY) (Entered: 12/15/2017)
12/15/2017		Set/Reset Deadlines as to <u>181</u> MOTION for Leave to Appear Pro Hac Vice . Motion set for 1/16/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 12/15/2017)
12/19/2017	<u>182</u>	ORDER granting <u>181</u> Motion for Leave to Appear Pro Hac Vice as to ANDREW LIGOTTI, ESQ., etc. Signed by Magistrate Judge Cathy L. Waldor on 12/19/17. (cm, ) (Entered: 12/20/2017)
12/22/2017	<u>183</u>	NOTICE of Appearance by ALISSA MARIE PACCHIOLI on behalf of MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. (PACCHIOLI, ALISSA) (Entered: 12/22/2017)
12/28/2017	<u>184</u>	Letter from William P. Deni, Jr. to Hon. Cathy Waldor requesting that the in-person meet and confer be rescheduled to January 12, 2018. re 177 Order,. (DENI, WILLIAM) (Entered: 12/28/2017)
12/29/2017	185	TEXT ORDER: The Court will grant counsels request to adjourn the 1/5/18 in-person meet and confer to 1/12/18 at 10am. So Ordered by Magistrate Judge Cathy L. Waldor on 12/29/17. (tjg, ) (Entered: 12/29/2017)
01/03/2018		Pro Hac Vice fee of \$150 received as to ANDREW LIGOTTI, ESQ., receipt number TRE087515 (mps) (Entered: 01/08/2018)
01/05/2018	<u>186</u>	FINDING OF FACT, CONCLUSIONS OF LAW/ORDER granting <u>180</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 1/5/18. (sr, ) (Entered: 01/08/2018)
01/11/2018	<u>187</u>	Notice of Request by Pro Hac Vice Andrew Ligotti to receive Notices of Electronic Filings. (LURIA, AMY) (Entered: 01/11/2018)
01/11/2018		Pro Hac Vice counsel, ANDREW LIGOTTI, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 01/11/2018)
01/12/2018		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Status Conference held on 1/12/2018. (tjg, ) (Entered: 01/12/2018)
01/12/2018	188	TEXT ORDER: The 1/16/18 teleconference is canceled.. So Ordered by Magistrate Judge Cathy L. Waldor on 1/12/18. (tjg, ) (Entered: 01/12/2018)
01/24/2018	<u>189</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 01/24/2018)
01/26/2018	<u>190</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 01/26/2018)
01/29/2018	<u>191</u>	ORDER permitting a one-week extension of the deadlines re: Court's scheduling order. Signed by Magistrate Judge Cathy L. Waldor on 1/29/18. (sr, ) (Entered: 01/29/2018)
02/01/2018	192	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 2/2/18 at 10:00 AM. Parties may contact chambers at (973) 776 7862.. So Ordered by Magistrate Judge Cathy L. Waldor on 2/1/18. (tjg, ) (Entered: 02/01/2018)
02/02/2018		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 2/2/2018. (tjg, ) (Entered: 02/02/2018)

02/02/2018	193	TEXT ORDER: The Court will adjourn the 2/22/18 final pretrial conference to 3/13/18 at 11:30am. Order shall be submitted to the Court by 4pm Friday, March 9, 2018. So Ordered by Magistrate Judge Cathy L. Waldor on 2/2/18. (tjg, ) (Entered: 02/02/2018)
02/02/2018	<u>194</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re <u>163</u> MOTION to Strike <i>Sections of Defendants' Opening Reports</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(DENI, WILLIAM) (Entered: 02/02/2018)
02/05/2018	<u>195</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 02/05/2018)
02/07/2018	<u>196</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 02/07/2018)
02/09/2018	<u>197</u>	MOTION for Summary Judgment by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(DENI, WILLIAM) (Entered: 02/09/2018)
02/09/2018	<u>198</u>	STATEMENT of Material Fact in Support filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>197</u> MOTION for Summary Judgment (DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 02/09/2018)
02/09/2018	<u>199</u>	DECLARATION of William P. Deni, Jr. re <u>197</u> MOTION for Summary Judgment by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28)(DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 02/09/2018)
02/12/2018	<u>200</u>	Letter from Jason B. Lattimore re <u>197</u> MOTION for Summary Judgment , <u>199</u> Declaration,,,,, <u>198</u> Statement of Material Fact in Support of Motion,.. (LATTIMORE, JASON) (Entered: 02/12/2018)
02/12/2018	<u>201</u>	Exhibit to <u>200</u> Letter by ACTAVIS LLC. (LATTIMORE, JASON) (Entered: 02/12/2018)
02/12/2018	<u>202</u>	REDACTION to <u>198</u> Statement of Material Fact in Support of Motion,, by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (DENI, WILLIAM) (Entered: 02/12/2018)
02/12/2018	<u>203</u>	REDACTION to <u>199</u> Declaration,,,,, by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25)(DENI, WILLIAM) (Entered: 02/12/2018)
02/13/2018		Set/Reset Deadlines as to <u>197</u> MOTION for Summary Judgment . Motion set for 3/5/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede

		any previous or subsequent orders from the Court. (sr, ) (Entered: 02/13/2018)
02/13/2018	<u>204</u>	TEXT ORDER: The Court will hold an in-person status conference on 2/16/18 at 2:30 PM.. So Ordered by Magistrate Judge Cathy L. Waldor on 2/13/18. (tjg, ) (Entered: 02/13/2018)
02/13/2018	<u>205</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re <u>194</u> Letter, <u>196</u> Letter. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 02/13/2018)
02/13/2018	<u>206</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re <u>197</u> MOTION for Summary Judgment , <u>200</u> Letter. (DENI, WILLIAM) (Entered: 02/13/2018)
02/14/2018	<u>207</u>	REDACTION to <u>205</u> Letter., by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(DENI, WILLIAM) (Entered: 02/14/2018)
02/15/2018	<u>208</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J. requesting adjournment of February 16 conference and consolidated scheduling of other dates. (DENI, WILLIAM) (Entered: 02/15/2018)
02/15/2018	<u>209</u>	Letter from Jason B. Lattimore re <u>208</u> Letter. (LATTIMORE, JASON) (Entered: 02/15/2018)
02/15/2018	<u>210</u>	Letter from William P. Deni, Jr. to the Hon. Cathy L. Waldor, U.S.M.J. regarding Plaintiffs' request for an adjournment of the February 16th conference re <u>208</u> Letter, <u>209</u> Letter. (DENI, WILLIAM) (Entered: 02/15/2018)
02/16/2018	211	TEXT ORDER: The Court will adjourn the 2/16/18 conference. A new date is forthcoming. So Ordered by Magistrate Judge Cathy L. Waldor on 2/16/18. (tjg, ) (Entered: 02/16/2018)
02/16/2018	<u>212</u>	MOTION for Leave to Appear Pro Hac Vice by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Certification of Jitendra Malik, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(LURIA, AMY) (Entered: 02/16/2018)
02/16/2018		Set/Reset Deadlines as to <u>212</u> MOTION for Leave to Appear Pro Hac Vice . Motion set for 3/19/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 02/16/2018)
02/16/2018	213	TEXT ORDER: Defendants' request (ECF No. 209) is denied. Defendants' Opposition to Plaintiffs' Motion for Summary Judgment (ECF No. 197) is due 2/20/18. Defendants are entitled to an extension under Local Rule 7.1(d)(5).. So Ordered by Magistrate Judge Cathy L. Waldor on 2/16/18. (tjg, ) (Entered: 02/16/2018)
02/16/2018	<u>214</u>	Rule 7.1(d)(5) Letter for an automatic extension of the return date of a dispositive motion filed by ACTAVIS LLC re <u>197</u> MOTION for Summary Judgment (LATTIMORE, JASON) (Entered: 02/16/2018)
02/19/2018	<u>215</u>	Rule 7.1(d)(5) Letter for an automatic extension of the return date of a dispositive motion re <u>197</u> MOTION for Summary Judgment . (LURIA, AMY) (Entered: 02/19/2018)
02/20/2018	<u>216</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J. re: update to the parties' recent letter exchanges re <u>205</u> Letter., <u>194</u> Letter, <u>196</u> Letter, 177 Order., (DENI, WILLIAM) (Entered: 02/20/2018)

02/22/2018	<u>217</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 02/22/2018)
02/22/2018	218	TEXT ORDER: The Court will convert the 3/13/18 final pretrial conference to an in-person status conference at 12pm. So Ordered by Magistrate Judge Cathy L. Waldor on 2/22/18. (tjg, ) (Entered: 02/22/2018)
02/23/2018	<u>219</u>	Letter from William P. Deni, Jr. to Honorable Stanley R. Chesler, U.S.D.J. requesting conference. (DENI, WILLIAM) (Entered: 02/23/2018)
02/26/2018	220	TEXT ORDER: The 3/13/18 conference at 12:00 PM (ECF No. 218) is hereby reconverted to a Final Pretrial Conference. All briefing on a preliminary injunction is to be completed by March 16, 2018. The Court will not hold any further oral argument on discovery issues or entertain any further discovery disputes. In the event the parties cannot resolve pending discovery disputes, the parties shall meet and confer in Courtroom 4C on 3/1/18, 3/2/18, 3/8/18 and 3/9/18.. So Ordered by Magistrate Judge Cathy L. Waldor on 2/26/18. (tjg, ) (Entered: 02/26/2018)
02/26/2018		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 2/26/2018. (tjg, ) (Entered: 02/26/2018)
02/27/2018	<u>221</u>	ORDER granting <u>212</u> Motion for Leave to Appear Pro Hac Vice RE: Jitendra Malik, Esq. Signed by Magistrate Judge Cathy L. Waldor on 2/27/18. (sr, ) (Entered: 02/27/2018)
03/01/2018		Pro Hac Vice fee: \$ 150, receipt number NEW035762 RE: Jitendra Malik, Esq. (sr, ) (Entered: 03/01/2018)
03/05/2018	<u>222</u>	BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>197</u> MOTION for Summary Judgment (Attachments: # <u>1</u> 56.1 Responsive Statement [Filed Under Seal], # <u>2</u> Certificate of Service)(LURIA, AMY) (Entered: 03/05/2018)
03/05/2018	<u>223</u>	CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>197</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 5 [FILED UNDER SEAL], # <u>5</u> Exhibit 6, # <u>6</u> Exhibit 7 [FILED UNDER SEAL], # <u>7</u> Exhibit 8, # <u>8</u> Exhibit 9 [FILED UNDER SEAL], # <u>9</u> Exhibit 10 [FILED UNDER SEAL], # <u>10</u> Exhibit 11 [FILED UNDER SEAL], # <u>11</u> Exhibit 12 [FILED UNDER SEAL], # <u>12</u> Exhibit 13, # <u>13</u> Exhibit 14, # <u>14</u> Exhibit 15 [FILED UNDER SEAL], # <u>15</u> Exhibit 16, # <u>16</u> Exhibit 17 [FILED UNDER SEAL], # <u>17</u> Exhibit 18 [FILED UNDER SEAL], # <u>18</u> Exhibit 19, # <u>19</u> Exhibit 20 [FILED UNDER SEAL], # <u>20</u> Exhibit 21)(LURIA, AMY) (Entered: 03/06/2018)
03/06/2018	<u>224</u>	STATEMENT of Material Facts in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>197</u> MOTION for Summary Judgment (LURIA, AMY) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/06/2018)
03/06/2018	<u>225</u>	CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>197</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit 5, # <u>2</u> Exhibit 7, # <u>3</u> Exhibit 9, # <u>4</u> Exhibit 10, # <u>5</u> Exhibit 11, # <u>6</u> Exhibit 12, # <u>7</u> Exhibit 15, # <u>8</u> Exhibit 17, # <u>9</u> Exhibit 18, # <u>10</u> Exhibit 20)(LURIA, AMY) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/06/2018)
03/06/2018		<b>CLERK'S QUALITY CONTROL MESSAGE</b> – The CERTF. IN OPPOSITION TO MOTION – D.E. 223 & CERTF. IN OPPOSITION TO MOTION – D.E. 225 submitted by A. LURIA on 3/6/18 contains an improper signature. Only the filing user is permitted to sign electronically filed documents with an s/. PLEASE RESUBMIT

		THE DOCUMENT WITH A PROPER ELECTRONIC SIGNATURE. This submission will remain on the docket unless otherwise ordered by the court. (DD, ) (Entered: 03/06/2018)
03/06/2018	<u>226</u>	CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>197</u> MOTION for Summary Judgment Signed by H. James Abe, Esq. (LURIA, AMY) (Entered: 03/06/2018)
03/06/2018	<u>227</u>	STIPULATION and [Proposed] Order to Narrow the Issues to be Presented at Trial as to U.S. Patent No. 8,552,025 by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (DENI, WILLIAM) (Entered: 03/06/2018)
03/07/2018	<u>228</u>	STIPULATION re 220 Order,, as to Preliminary Injunction Application by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/07/2018)
03/09/2018	<u>229</u>	Notice of Request by Pro Hac Vice Jitendra Malik to receive Notices of Electronic Filings. (LURIA, AMY) (Entered: 03/09/2018)
03/09/2018		Pro Hac Vice counsel, JITENDRA MALIK, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 03/09/2018)
03/12/2018	<u>230</u>	REPLY BRIEF to Opposition to Motion filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>197</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Plaintiffs' Response to Defendants' Supplemental Statement of Disputed Material Facts, # <u>2</u> Certificate of Service)(DENI, WILLIAM) (Entered: 03/12/2018)
03/12/2018	<u>231</u>	DECLARATION of William P. Deni, Jr. re <u>230</u> Reply Brief to Opposition to Motion, by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/12/2018)
03/12/2018	<u>232</u>	REDACTION to <u>231</u> Declaration,, by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(DENI, WILLIAM) (Entered: 03/12/2018)
03/13/2018	<u>233</u>	STIPULATION/ORDER. Signed by Judge Stanley R. Chesler on 3/13/18. (sr, ) (Entered: 03/13/2018)
03/13/2018	<u>234</u>	STIPULATION AND ORDER to narrow the issues to be presented at trial as to U.S. Patent No. 8,552,025. Signed by Judge Stanley R. Chesler on 3/13/18. (sr, ) (Entered: 03/13/2018)
03/13/2018		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Final Pretrial Conference held on 3/13/2018. (tjg, ) (Entered: 03/13/2018)
03/13/2018	<u>235</u>	TEXT ORDER: The Court will hold a telephone conference, to be initiated by plaintiff, on 3/23/18 at 12:30 PM. All pretrial submissions shall be filed by 3/28/18. Opposition shall be filed by 4/11/18. Judge Waldor will sign off on the final pretrial order on 4/4/18 barring exceptional circumstances. Parties may contact chambers at

		(973) 776 7862. So Ordered by Magistrate Judge Cathy L. Waldor on 3/13/18. (tjg, ) (Entered: 03/13/2018)
03/14/2018	<u>236</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J.. (Attachments: # <u>1</u> Certification of William P. Deni, Jr. in Support of Application for Pro Hac Vice Admission, # <u>2</u> Certification of Charles E. Lipsey in Support of Application for Pro Hac Vice Admission, # <u>3</u> Text of Proposed Order)(DENI, WILLIAM) (Entered: 03/14/2018)
03/14/2018	<u>237</u>	CONSENT ORDER permitting Charles E. Lipsey, Esq. to appear pro hac vice. Signed by Magistrate Judge Cathy L. Waldor on 3/14/18. (sr, ) (Entered: 03/15/2018)
03/23/2018		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Telephone Conference held on 3/23/2018. (tjg, ) (Entered: 03/23/2018)
03/23/2018	<u>238</u>	TEXT ORDER: Due to the unavailability of plaintiffs supplemental expert permitted by the Court and with consent of the parties the final pretrial Order shall be submitted to this Court on April 18, 2018. There will be no further extensions on that submission.. So Ordered by Magistrate Judge Cathy L. Waldor on 3/23/18. (tjg, ) (Entered: 03/23/2018)
03/27/2018	<u>239</u>	REDACTION to <u>224</u> Statement of Material Facts in Opposition to Motion,, by ACTAVIS LLC, MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (LURIA, AMY) (Entered: 03/27/2018)
03/27/2018	<u>240</u>	MOTION to Seal Document <u>231</u> Declaration,, <u>224</u> Statement of Material Facts in Opposition to Motion,, <u>198</u> Statement of Material Fact in Support of Motion,, <u>225</u> Certification in Opposition to Motion,,, <u>199</u> Declaration,,,, by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC.. (Attachments: # <u>1</u> Declaration of William P. Deni, Jr., # <u>2</u> Appendix A to Declaration of William P. Deni, Jr., # <u>3</u> Declaration of Amy Luria, # <u>4</u> Appendix A to Declaration of Amy Luria, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(DENI, WILLIAM) (Entered: 03/27/2018)
03/28/2018		Set Deadlines as to <u>240</u> MOTION to Seal Document <u>231</u> Declaration,, <u>224</u> Statement of Material Facts in Opposition to Motion,, <u>198</u> Statement of Material Fact in Support of Motion,, <u>225</u> Certification in Opposition to Motion,,, <u>199</u> Declaration,,,, . Motion set for 5/7/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (cm, ) (Entered: 03/28/2018)
03/28/2018	<u>241</u>	Letter from William P. Deni, Jr. re: Stipulation Regarding Pending Discovery Disputes. (Attachments: # <u>1</u> Proposed Stipulation)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>242</u>	MOTION in Limine <i>No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents</i> by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>243</u>	MOTION in Limine by ACTAVIS LLC. (Attachments: # <u>1</u> Brief, # <u>2</u> Declaration, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit O, # <u>18</u> Exhibit P, # <u>19</u> Exhibit Q, # <u>20</u> Exhibit R, # <u>21</u> Exhibit S, # <u>22</u> Exhibit T, # <u>23</u> Exhibit U, # <u>24</u> Exhibit V, # <u>25</u> Exhibit W, # <u>26</u> Text of Proposed Order, # <u>27</u> Certificate of Service)(LATTIMORE, JASON) (Entered: 03/28/2018)
03/28/2018	<u>244</u>	BRIEF in Support filed by All Plaintiffs re <u>242</u> MOTION in Limine <i>No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents</i> (Attachments: # <u>1</u> Declaration)(DENI, WILLIAM)  <u>NOTICE TO COUNSEL:</u> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)

03/28/2018	<u>245</u>	MOTION in Limine No. 2 To Preclude Defendants from Offering Testimony Related to the Work of Dr. Fawzi by Dr. Mullen or Any Other Witness Who Lacks Personal Knowledge of the Subject Matter by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief, # <u>3</u> Declaration)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>246</u>	Exhibit to <u>245</u> Motion in Limine, by All Plaintiffs. (DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)
03/28/2018	<u>247</u>	MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>248</u>	DECLARATION of William P. Deni, Jr. re <u>247</u> MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)
03/28/2018	<u>249</u>	MOTION in Limine No. 4 To Preclude Defendants from Presenting Any Evidence, Testimony, or Argument Inconsistent with Mylans Representations to the FDA by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>250</u>	BRIEF in Support filed by All Plaintiffs re <u>249</u> MOTION in Limine No. 4 To Preclude Defendants from Presenting Any Evidence, Testimony, or Argument Inconsistent with Mylans Representations to the FDA (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8)(DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)
03/28/2018	<u>251</u>	MOTION in Limine No. 5 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid as Obvious Based on the Disclosure of the 025 Patent Specification by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief, # <u>3</u> Declaration, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>252</u>	MOTION in Limine No. 6 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid for Indefiniteness Based on Inventor Testimony and Plaintiffs Internal Documents by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>253</u>	DECLARATION of William P. Deni, Jr. re <u>252</u> MOTION in Limine No. 6 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid for Indefiniteness Based on Inventor Testimony and Plaintiffs Internal Documents by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1)(DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)

03/28/2018	<u>254</u>	MOTION in Limine No. 7 To Preclude Defendants from Presenting at Trial Testimony Based on Paragraphs 89–90 of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>255</u>	DECLARATION of William P. Deni, Jr. re <u>254</u> MOTION in Limine No. 7 To Preclude Defendants from Presenting at Trial Testimony Based on Paragraphs 89–90 of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(DENI, WILLIAM)  <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)
03/28/2018	<u>256</u>	MOTION in Limine No. 8 To Preclude Defendants from Presenting at Trial Any Testimony Regarding Alleged Anticipation by Shah 115 of Claims 6, 8, and 12 of the 425 Patent by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief)(DENI, WILLIAM) (Entered: 03/28/2018)
03/28/2018	<u>257</u>	DECLARATION of William P. Deni, Jr. re <u>256</u> MOTION in Limine No. 8 To Preclude Defendants from Presenting at Trial Any Testimony Regarding Alleged Anticipation by Shah 115 of Claims 6, 8, and 12 of the 425 Patent by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1)(DENI, WILLIAM)  <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/28/2018)
03/29/2018	<u>258</u>	DECLARATION of William P. Deni, Jr. re <u>242</u> MOTION in Limine No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24)(DENI, WILLIAM)  <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/29/2018)
03/29/2018	<u>259</u>	MOTION in Limine 1 by All Defendants. (LATTIMORE, JASON) (Entered: 03/29/2018)
03/29/2018	<u>260</u>	BRIEF In Support of Defendants' Motion In Limine 1 (Doc. No. 259) (Attachments: # <u>1</u> Declaration of Stephanie M. Roberts, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Text of Proposed Order, # <u>7</u> Certificate of Service)(LATTIMORE, JASON)  <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/29/2018)
03/29/2018	<u>261</u>	MOTION in Limine 2 by All Defendants. (LATTIMORE, JASON) (Entered: 03/29/2018)
03/29/2018	<u>262</u>	BRIEF In Support of Defendants' Motion In Limine 2 (Doc. No. 261) (Attachments: # <u>1</u> Declaration of Shaobo Zhu, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Text of Proposed Order, # <u>18</u> Certificate of Service)(LATTIMORE, JASON)

		<u>NOTICE TO COUNSEL</u> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/29/2018)
03/29/2018		Set Deadlines as to <u>261</u> MOTION in Limine 2, <u>247</u> MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts, <u>252</u> MOTION in Limine No. 6 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid for Indefiniteness Based on Inventor Testimony and Plaintiffs Internal Documents, <u>249</u> MOTION in Limine No. 4 To Preclude Defendants from Presenting Any Evidence, Testimony, or Argument Inconsistent with Mylans Representations to the FDA, <u>242</u> MOTION in Limine No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents, <u>245</u> MOTION in Limine No. 2 To Preclude Defendants from Offering Testimony Related to the Work of Dr. Fawzi by Dr. Mullen or Any Other Witness Who Lacks Personal Knowledge of the Subject Matter, <u>243</u> MOTION in Limine , <u>251</u> MOTION in Limine No. 5 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid as Obvious Based on the Disclosure of the 025 Patent Specification, <u>254</u> MOTION in Limine No. 7 To Preclude Defendants from Presenting at Trial Testimony Based on Paragraphs 89–90 of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement, <u>259</u> MOTION in Limine 1, <u>256</u> MOTION in Limine No. 8 To Preclude Defendants from Presenting at Trial Any Testimony Regarding Alleged Anticipation by Shah 115 of Claims 6, 8, and 12 of the 425 Patent. Motion set for 5/7/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (JB, ) (Entered: 03/29/2018)
03/29/2018	<u>263</u>	TEXT ORDER: In light of the parties' stipulation (ECF No. 241), Plaintiffs' Motion To Strike Sections of Defendants' Opening Reports (ECF No. 163) is hereby terminated as moot.. So Ordered by Magistrate Judge Cathy L. Waldor on 3/29/18. (tjg, ) (Entered: 03/29/2018)
03/29/2018	<u>264</u>	REDACTION to <u>244</u> Brief in Support of Motion,, in <i>Limine No. 1</i> by All Plaintiffs. (DENI, WILLIAM) (Entered: 03/29/2018)
03/29/2018	<u>265</u>	REDACTION to <u>258</u> Declaration,,, re <i>Motion in Limine No. 1</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24)(DENI, WILLIAM) (Entered: 03/29/2018)
03/29/2018	<u>266</u>	REDACTION to <u>248</u> Declaration,,, re <i>Motion in Limine No. 3</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(DENI, WILLIAM) (Entered: 03/29/2018)
03/29/2018	<u>267</u>	REDACTION to <u>250</u> Brief in Support of Motion,,, in <i>Limine No. 4</i> by All Plaintiffs. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8)(DENI, WILLIAM) (Entered: 03/29/2018)
03/29/2018	<u>268</u>	REDACTION to <u>253</u> Declaration,,, re <i>Motion in Limine No. 6</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1)(DENI, WILLIAM) (Entered: 03/29/2018)
03/29/2018	<u>269</u>	REDACTION to <u>255</u> Declaration,,, re <i>Motion in Limine No. 7</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(DENI, WILLIAM) (Entered: 03/29/2018)
03/29/2018	<u>270</u>	REDACTION to <u>257</u> Declaration,, re <i>Motion in Limine No. 8</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1)(DENI, WILLIAM) (Entered: 03/29/2018)

03/29/2018	<u>271</u>	REDACTION to <i>ECF No. 243 Brief and Declaration</i> by ACTAVIS LLC. (Attachments: # <u>1</u> Declaration of Joshua A. Whitehill, # <u>2</u> Exhibit (s) A–C and G–W Filed Under Seal, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E, # <u>5</u> Exhibit F)(LATTIMORE, JASON) (Entered: 03/29/2018)
03/30/2018	<u>272</u>	REDACTION to <u>260</u> Brief,, and Declaration by All Defendants. (Attachments: # <u>1</u> Declaration of Stephanie M. Roberts, # <u>2</u> Exhibit (s) 1–4 Filed Under Seal, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(LATTIMORE, JASON) (Entered: 03/30/2018)
03/30/2018	<u>273</u>	REDACTION to <u>262</u> Brief,, and Declaration by All Defendants. (Attachments: # <u>1</u> Declaration of Shaobo Zhu, # <u>2</u> Exhibit A, # <u>3</u> Exhibit (s) B–O Filed Under Seal, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LATTIMORE, JASON) (Entered: 03/30/2018)
04/02/2018		Set/Reset Deadlines as to <u>261</u> MOTION in Limine 2, <u>259</u> MOTION in Limine 1. Motion set for 5/7/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sr, ) (Entered: 04/02/2018)
04/02/2018	<u>274</u>	STIPULATION AND ORDER regarding pending discovery disputes. Signed by Magistrate Judge Cathy L. Waldor on 4/2/18. (sr, ) (Entered: 04/02/2018)
04/03/2018		Pro Hac Vice fee: \$ 150, receipt number NEW036051 RE: Charles E. Lipsey, Esq. (sr, ) (Entered: 04/04/2018)
04/04/2018	<u>275</u>	Notice of Request by Pro Hac Vice Charles E. Lipsey to receive Notices of Electronic Filings. (DENI, WILLIAM) (Entered: 04/04/2018)
04/05/2018		Pro Hac Vice counsel, CHARLES E. LIPSEY, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (sr, ) (Entered: 04/05/2018)
04/05/2018	<u>276</u>	Letter from Amy Luria re <u>240</u> MOTION to Seal Document <u>231</u> Declaration,, <u>224</u> Statement of Material Facts in Opposition to Motion,, <u>198</u> Statement of Material Fact in Support of Motion,, <u>225</u> Certification in Opposition to Motion,, <u>199</u> Declaration,,. (Attachments: # <u>1</u> Appendix Revised)(LURIA, AMY) (Entered: 04/05/2018)
04/10/2018	<u>277</u>	Letter from Jason B. Lattimore Requesting Extension of Deadline to File Oppositions to Motions In Limine. (LATTIMORE, JASON) (Entered: 04/10/2018)
04/11/2018	<u>278</u>	ORDER permitting Actavis and Mylan defendants an extension of time to submit oppositions to motions in limine until 4/16/18. Signed by Magistrate Judge Cathy L. Waldor on 4/10/18. (sr, ) (Entered: 04/11/2018)
04/16/2018	<u>279</u>	BRIEF in Opposition filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>259</u> MOTION in Limine 1 (Attachments: # <u>1</u> Declaration of William P. Deni, Jr., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Certificate of Service)(DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)
04/16/2018	<u>280</u>	BRIEF in Opposition filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>261</u> MOTION in Limine 2 (Attachments: # <u>1</u> Declaration of William P. Deni, Jr., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Certificate of Service)(DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the

		materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)
04/16/2018	<u>281</u>	BRIEF in Opposition filed by PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC re <u>243</u> MOTION in Limine (Attachments: # <u>1</u> Declaration of William P. Deni, Jr., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Certificate of Service)(DENI, WILLIAM)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)
04/16/2018	<u>282</u>	BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>252</u> MOTION in Limine No. 6 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid for Indefiniteness Based on Inventor Testimony and Plaintiffs Internal Documents (Attachments: # <u>1</u> Declaration of Tyler Doh, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5)(LURIA, AMY)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)
04/16/2018	<u>283</u>	BRIEF in Support filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>256</u> MOTION in Limine No. 8 To Preclude Defendants from Presenting at Trial Any Testimony Regarding Alleged Anticipation by Shah 115 of Claims 6, 8, and 12 of the 425 Patent (Attachments: # <u>1</u> Declaration of Tyler Doh, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(LURIA, AMY)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)
04/16/2018	<u>284</u>	BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>245</u> MOTION in Limine No. 2 To Preclude Defendants from Offering Testimony Related to the Work of Dr. Fawzi by Dr. Mullen or Any Other Witness Who Lacks Personal Knowledge of the Subject Matter (Attachments: # <u>1</u> Declaration Shaobo Zhu, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(LURIA, AMY)  <b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)
04/16/2018	<u>285</u>	BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>247</u> MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts (Attachments: # <u>1</u> Declaration of Stephanie Roberts, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 7, # <u>5</u> Exhibit 9, # <u>6</u> Exhibit 11, # <u>7</u> Exhibit 12, # <u>8</u> Exhibit 15, # <u>9</u> Exhibit 16)(LURIA, AMY) (Entered: 04/16/2018)
04/16/2018	<u>286</u>	BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>249</u> MOTION in Limine No. 4 To Preclude Defendants from Presenting Any Evidence, Testimony, or Argument Inconsistent with Mylans Representations to the FDA on behalf of the Mylan Defendants (LURIA, AMY)

		<p><b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)</p>
04/16/2018	<u>287</u>	<p>CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>247</u> MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts FILED UNDER SEAL (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Exhibit 4, # <u>3</u> Exhibit 5, # <u>4</u> Exhibit 6, # <u>5</u> Exhibit 8, # <u>6</u> Exhibit 10, # <u>7</u> Exhibit 13, # <u>8</u> Exhibit 14)(LURIA, AMY)</p> <p><b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)</p>
04/16/2018	<u>288</u>	<p>BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>242</u> MOTION in Limine No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents (Attachments: # <u>1</u> Declaration of Shaobo Zhu, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 5, # <u>5</u> Exhibit 6, # <u>6</u> Exhibit 7, # <u>7</u> Exhibit 8, # <u>8</u> Exhibit 9, # <u>9</u> Exhibit 10, # <u>10</u> Exhibit 11, # <u>11</u> Exhibit 12, # <u>12</u> Exhibit 13, # <u>13</u> Exhibit 14, # <u>14</u> Exhibit 15, # <u>15</u> Exhibit 16, # <u>16</u> Exhibit 17, # <u>17</u> Exhibit 18, # <u>18</u> Exhibit 19, # <u>19</u> Exhibit 20, # <u>20</u> Exhibit 21)(LURIA, AMY)</p> <p><b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/16/2018)</p>
04/16/2018	<u>289</u>	<p>CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>242</u> MOTION in Limine No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 4, # <u>3</u> Exhibit 22)(LURIA, AMY) (Entered: 04/16/2018)</p>
04/17/2018	<u>290</u>	<p>BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>251</u> MOTION in Limine No. 5 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid as Obvious Based on the Disclosure of the 025 Patent Specification (LURIA, AMY) (Entered: 04/17/2018)</p>
04/17/2018	<u>291</u>	<p>CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>251</u> MOTION in Limine No. 5 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid as Obvious Based on the Disclosure of the 025 Patent Specification FILED UNDER SEAL (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(LURIA, AMY)</p> <p><b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/17/2018)</p>
04/17/2018	<u>292</u>	<p>BRIEF in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>254</u> MOTION in Limine No. 7 To Preclude Defendants from Presenting at Trial Testimony Based on Paragraphs 89–90 of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement (LURIA, AMY) (Entered: 04/17/2018)</p>
04/17/2018	<u>293</u>	<p>CERTIFICATION in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>254</u> MOTION in Limine No. 7 To Preclude Defendants from Presenting at Trial Testimony Based on Paragraphs 89–90</p>

		<p><i>of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement (Attachments: # <u>1</u> Exhibit 1)(LURIA, AMY)</i></p> <hr/> <p><b>NOTICE TO COUNSEL:</b> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/17/2018)</p>
04/17/2018	<u>294</u>	Certification of of Service on behalf of MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. Re <u>289</u> Certification in Opposition to Motion, <u>283</u> Brief in Support of Motion,,, <u>285</u> Brief in Opposition to Motion, <u>282</u> Brief in Opposition to Motion,,, <u>286</u> Brief in Opposition to Motion,,, <u>293</u> Certification in Opposition to Motion,,, <u>288</u> Brief in Opposition to Motion,,, <u>287</u> Certification in Opposition to Motion,,, <u>284</u> Brief in Opposition to Motion,,, <u>291</u> Certification in Opposition to Motion,,, <u>290</u> Brief in Opposition to Motion, <u>292</u> Brief in Opposition to Motion,. (LURIA, AMY) (Entered: 04/17/2018)
04/17/2018	<u>295</u>	NOTICE of Appearance by HOWARD J. SCHWARTZ on behalf of ACTAVIS LLC (SCHWARTZ, HOWARD) (Entered: 04/17/2018)
04/24/2018	<u>296</u>	FINDINGS OF FACT, CONCLUSIONS OF LAW/ORDER granting <u>240</u> Motion to Seal Document. Signed by Magistrate Judge Cathy L. Waldor on 4/24/18. (sr, ) (Entered: 04/24/2018)
04/26/2018		Minute Entry for proceedings held before Judge Stanley R. Chesler: Telephone Conference OFF THE RECORD held on 4/26/2018. MOTIONS IN LIMINE SET FOR 5/22/18 AT 9:30 A.M. PRE TRIAL SUBMISSIONS DUE 5/28/18; ALL EXHIBITS TO BE PREMARKED WITH CORRESPONDING EXHIBIT LIST ;ORDERED TRIAL DATE SET FOR 6/4/18 A 9:30 A.M. (5DNJ) ORDERED ALL PARTIES TO APPEAR READY TO PROCEED (tt, ) (Entered: 04/26/2018)
04/26/2018		Set/Reset Deadlines as to <u>261</u> MOTION in Limine 2, <u>247</u> MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts, <u>249</u> MOTION in Limine No. 4 To Preclude Defendants from Presenting Any Evidence, Testimony, or Argument Inconsistent with Mylans Representations to the FDA, <u>242</u> MOTION in Limine No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents, <u>245</u> MOTION in Limine No. 2 To Preclude Defendants from Offering Testimony Related to the Work of Dr. Fawzi by Dr. Mullen or Any Other Witness Who Lacks Personal Knowledge of the Subject Matter, <u>197</u> MOTION for Summary Judgment , <u>243</u> MOTION in Limine , <u>251</u> MOTION in Limine No. 5 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid as Obvious Based on the Disclosure of the 025 Patent Specification, <u>254</u> MOTION in Limine No. 7 To Preclude Defendants from Presenting at Trial Testimony Based on Paragraphs 89–90 of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement, <u>259</u> MOTION in Limine 1, <u>256</u> MOTION in Limine No. 8 To Preclude Defendants from Presenting at Trial Any Testimony Regarding Alleged Anticipation by Shah 115 of Claims 6, 8, and 12 of the 425 Patent. Motion set for 5/22/2018 09:30 AM before Judge Stanley R. Chesler. ORDERED ALL PARTIES TO APPEAR READY TO PROCEED (tt, ) (Entered: 04/26/2018)
04/26/2018		Set/Reset Hearings: Bench Trial set for 6/4/2018 09:30 AM before Judge Stanley R. Chesler. (5 Days) (tt, ) (Entered: 04/26/2018)
04/26/2018	<u>297</u>	Letter from Jason B. Lattimore Requesting Extension of Time to File Motions to Seal. (LATTIMORE, JASON) (Entered: 04/26/2018)
04/27/2018	<u>298</u>	ORDER extending the deadline for the filing of motions until 5/14/18. Signed by Magistrate Judge Cathy L. Waldor on 4/27/18. (sr, ) (Entered: 04/27/2018)
04/27/2018	<u>299</u>	Letter from William P. Deni, Jr. to Hon. Stanley R. Chesler, U.S.D.J. enclosing copy of case with corrected citation for Motions In Limine No. 1 and 2 re <u>244</u> Brief in Support of Motion,,, <u>245</u> MOTION in Limine No. 2 To Preclude Defendants from Offering Testimony Related to the Work of Dr. Fawzi by Dr. Mullen or Any Other Witness Who Lacks Personal Knowledge of the Subject Matter. (Attachments: # <u>1</u> Appendix A)(DENI, WILLIAM) (Entered: 04/27/2018)

05/01/2018	<u>300</u>	OPINION AND ORDER granting Plaintiffs' <u>197</u> Motion for partial Summary Judgment and as to Defendants' affirmative defense to infringement of claim 8 of invalidity due to obviousness, Judgment is hereby entered in Plaintiffs' favor, etc. Signed by Judge Stanley R. Chesler on 05/01/2018. (ek) (Entered: 05/01/2018)
05/03/2018	<u>301</u>	NOTICE of Change of Address by AMY DANIELLE LURIA (LURIA, AMY) (Entered: 05/03/2018)
05/04/2018	<u>302</u>	REDACTION to <u>281</u> Brief in Opposition to Motion,,, by All Plaintiffs. (DENI, WILLIAM) (Entered: 05/04/2018)
05/04/2018	<u>303</u>	REDACTION to <u>279</u> Brief in Opposition to Motion,,, by All Plaintiffs. (DENI, WILLIAM) (Entered: 05/04/2018)
05/04/2018	<u>304</u>	REDACTION to <u>280</u> Brief in Opposition to Motion,,, by All Plaintiffs. (DENI, WILLIAM) (Entered: 05/04/2018)
05/04/2018	<u>305</u>	REDACTION to <u>288</u> Brief in Opposition to Motion,,, and Declaration by All Defendants. (Attachments: # <u>1</u> Declaration of Shaobo Zhu, # <u>2</u> Exhibit (s) 2-3 and 5-21 Filed Under Seal)(LATTIMORE, JASON) (Entered: 05/04/2018)
05/04/2018	<u>306</u>	REDACTION to <u>284</u> Brief in Opposition to Motion,,, and Declaration by All Defendants. (Attachments: # <u>1</u> Declaration of Shaobo Zhu, # <u>2</u> Exhibit (s) A-D Filed Under Seal)(LATTIMORE, JASON) (Entered: 05/04/2018)
05/04/2018	<u>307</u>	REDACTION to <u>282</u> Brief in Opposition to Motion,,, and Declaration by All Defendants. (Attachments: # <u>1</u> Declaration of Tyler Doh, # <u>2</u> Exhibit (s) 1-5 Filed Under Seal)(LATTIMORE, JASON) (Entered: 05/04/2018)
05/04/2018	<u>308</u>	REDACTION to <u>283</u> Brief in Support of Motion,,, and Declaration by All Defendants. (Attachments: # <u>1</u> Declaration of Tyler Doh, # <u>2</u> Exhibit (s) A-F Filed Under Seal)(LATTIMORE, JASON) (Entered: 05/04/2018)
05/04/2018	<u>309</u>	REDACTION to <u>286</u> Brief in Opposition to Motion,,, In Limine No. 4 by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (LURIA, AMY) (Entered: 05/04/2018)
05/08/2018	<u>310</u>	Letter from William P. Deni, Jr. to the Honorable Stanley R. Chesler, U.S.D.J. re: Proposed Order for Final Judgment. (Attachments: # <u>1</u> Proposed Order for Final Judgment)(DENI, WILLIAM) (Entered: 05/08/2018)
05/10/2018	<u>311</u>	Letter from William P. Deni, Jr. to the Honorable Stanley R. Chesler, U.S.D.J.. (DENI, WILLIAM) <hr/> <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 05/10/2018)
05/10/2018		Minute Entry for proceedings held before Judge Stanley R. Chesler: Telephone Conference held on 5/10/2018, regarding letters from counsel (tt, ) (Entered: 05/10/2018)
05/11/2018		Set/Reset Deadlines as to <u>261</u> MOTION in Limine 2, <u>247</u> MOTION in Limine No. 3 To Preclude Defendants Witnesses from Testifying About Which They Are Not Experts, <u>252</u> MOTION in Limine No. 6 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid for Indefiniteness Based on Inventor Testimony and Plaintiffs Internal Documents, <u>249</u> MOTION in Limine No. 4 To Preclude Defendants from Presenting Any Evidence, Testimony, or Argument Inconsistent with Mylans Representations to the FDA, <u>242</u> MOTION in Limine No. 1 To Exclude Evidence and Argument Regarding References That Are Not Prior Art to the Wyeth Patents, <u>245</u> MOTION in Limine No. 2 To Preclude Defendants from Offering Testimony Related to the Work of Dr. Fawzi by Dr. Mullen or Any Other Witness Who Lacks Personal Knowledge of the Subject Matter, <u>243</u> MOTION in Limine , <u>251</u> MOTION in Limine No. 5 To Preclude Defendants from Presenting any Testimony, Evidence, or Argument at Trial that Plaintiffs Asserted Claims are Invalid as Obvious Based on the Disclosure of the 025 Patent Specification, <u>254</u> MOTION in Limine No. 7 To Preclude Defendants from Presenting

		<i>at Trial Testimony Based on Paragraphs 89–90 of Dr. Mullens Reply Report Concerning Alleged Lack of Enablement, 259 MOTION in Limine 1, 256 MOTION in Limine No. 8 To Preclude Defendants from Presenting at Trial Any Testimony Regarding Alleged Anticipation by Shah 115 of Claims 6, 8, and 12 of the 425 Patent. Motion set for 5/21/2018 11:00 AM before Judge Stanley R. Chesler. ORDERED ALL PARTIES TO APPEAR READY TO PROCEED. (tt, ) (Entered: 05/11/2018)</i>
05/11/2018	<u>312</u>	REDACTION to <u>311</u> Letter., by All Plaintiffs. (DENI, WILLIAM) (Entered: 05/11/2018)
05/11/2018	<u>313</u>	MOTION for Entry of Judgment under Rule 54(b) by All Plaintiffs. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(DENI, WILLIAM) (Entered: 05/11/2018)
05/14/2018		Set Deadlines as to <u>313</u> MOTION for Entry of Judgment under Rule 54(b) . Motion set for 6/4/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (ek) (Entered: 05/14/2018)
05/14/2018	<u>314</u>	CONSENT ORDER STAYING CASE respect to Actavis, etc. Signed by Judge Stanley R. Chesler on 05/14/2018. (ek) (Entered: 05/14/2018)
05/14/2018	<u>315</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 05/14/2018)
05/14/2018	<u>316</u>	MOTION to Seal Document <u>246</u> Exhibit (to Document),, <u>257</u> Declaration,, <u>282</u> Brief in Opposition to Motion,, <u>286</u> Brief in Opposition to Motion,, <u>258</u> Declaration,, <u>293</u> Certification in Opposition to Motion,, <u>260</u> Brief,, <u>287</u> Certification in Opposition to Motion,, <u>279</u> Brief in Opposition to Motion,, <u>262</u> Brief,, <u>250</u> Brief in Support of Motion,, <u>248</u> Declaration,, <u>283</u> Brief in Support of Motion,, <u>281</u> Brief in Opposition to Motion,, <u>244</u> Brief in Support of Motion,, <u>255</u> Declaration,, <u>243</u> MOTION in Limine , <u>288</u> Brief in Opposition to Motion,, <u>280</u> Brief in Opposition to Motion,, <u>284</u> Brief in Opposition to Motion,, <u>291</u> Certification in Opposition to Motion,, <u>253</u> Declaration,, by All Plaintiffs. (Attachments: # <u>1</u> Deni Declaration, # <u>2</u> Deni Appendix A, # <u>3</u> Lattimore Declaration, # <u>4</u> Lattimore Appendix A, # <u>5</u> Luria Declaration, # <u>6</u> Luria Appendix A, # <u>7</u> Proposed Findings of Fact, Conclusions of Law, and Order, # <u>8</u> Certificate of Service)(DENI, WILLIAM) (Entered: 05/14/2018)
05/15/2018		Set/Reset Hearings: TELEPHONE CONFERENCE CALL Set for 5/16/2018 01:00 PM before Judge Stanley R. Chesler REGARDING DOC 315. COUNSEL SHALL INITIATE THE CALL TO CHAMBERS WITH ALL PARTIES PRESENT. (tt, ) (Entered: 05/15/2018)
05/15/2018		Set Deadlines as to <u>316</u> MOTION to Seal Document <u>246</u> Exhibit (to Document),, <u>257</u> Declaration,, <u>282</u> Brief in Opposition to Motion,, <u>286</u> Brief in Opposition to Motion,, <u>258</u> Declaration,, <u>293</u> Certification in Opposition to Motion,, <u>260</u> Brief,, <u>287</u> C. Motion set for 6/18/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (ek) (Entered: 05/15/2018)
05/15/2018	<u>317</u>	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney LAUREN BROPHY COOPER terminated. (COOPER, LAUREN) (Entered: 05/15/2018)
05/15/2018	<u>318</u>	NOTICE of Appearance by CYMETRA MONIQUE WILLIAMS on behalf of PROGENICS PHARMACEUTICALS, INC., SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC., WYETH LLC (WILLIAMS, CYMETRA) (Entered: 05/15/2018)
05/16/2018		Minute Entry for proceedings held before Judge Stanley R. Chesler: Telephone Conference held on 5/16/2018. MOTIONS IN LIMINE WITHDRAWN WITHOUT PREJUDICE AND TERMINATED. TRIAL WITHOUT JURY ADJOURNED WITHOUT DATE. (tt, ) (Entered: 05/16/2018)

05/22/2018	<u>319</u>	Letter from Amy Luria. (LURIA, AMY) (Entered: 05/22/2018)
05/23/2018	<u>320</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW; ORDER granting Plaintiffs' <u>316</u> Motion to seal documents; the material identified in Appendix A to the Declaration of William P. Deni, Jr., Appendix A to the Declaration of Jason B. Lattimore, Appendix A to the Declaration of Amy Luria in Support of Motion to Seal Documents, etc. Signed by Magistrate Judge Cathy L. Waldor on 05/22/2018. (ek) (Entered: 05/23/2018)
05/23/2018	<u>321</u>	JUDGMENT in favor of Plaintiffs, VALEANT PHARMACEUTICALS INTERNATIONAL, INC., SALIX PHARMACEUTICALS, INC., PROGENICS PHARMACEUTICALS, INC., WYETH LLC against Defendants, ACTAVIS LLC., MYLAN PHARMACEUTICALS, INC., MYLAN INC., MYLAN LABORATORIES LTD., etc. Signed by Judge Stanley R. Chesler on 05/23/2018. (ek, ) (Entered: 05/23/2018)
05/23/2018		***Civil Case Terminated. (ek) (Entered: 05/23/2018)
05/24/2018	<u>322</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re <u>311</u> Letter,, (DENI, WILLIAM) (Entered: 05/24/2018)
05/24/2018	<u>323</u>	Letter from Amy Luria re: Case Termination. (LURIA, AMY) (Entered: 05/24/2018)
05/25/2018	<u>324</u>	NOTICE OF APPEAL as to <u>321</u> JUDGMENT to Federal Circuit by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. Filing fee \$ 505, receipt number 0312-8767066. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. Appeal Record due by 6/8/2018. (LURIA, AMY) (Entered: 05/25/2018)
05/25/2018	<u>325</u>	MOTION to Disqualify Counsel <i>Katten Muchin Rosenman LLP</i> by SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(DENI, WILLIAM) (Entered: 05/25/2018)
05/25/2018	<u>326</u>	BRIEF in Support filed by SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC. re <u>325</u> MOTION to Disqualify Counsel <i>Katten Muchin Rosenman LLP</i> (Attachments: # <u>1</u> Declaration of John F. LaFave, # <u>2</u> Declaration of Holly Smith, # <u>3</u> Declaration of Bryan C. Diner, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17)(DENI, WILLIAM)  <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 05/25/2018)
05/29/2018		Set Deadlines as to <u>325</u> MOTION to Disqualify Counsel <i>Katten Muchin Rosenman LLP</i> . Motion set for 6/18/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (ek) (Entered: 05/29/2018)
05/29/2018	<u>327</u>	Letter from William P. Deni, Jr. to Honorable Stanley R. Chesler, U.S.D.J.. (Attachments: # <u>1</u> [Proposed] Stipulated Consent Judgment and Injunction)(DENI, WILLIAM) (Entered: 05/29/2018)
05/29/2018	<u>328</u>	REDACTION to <u>326</u> Brief in Support of Motion,,, by SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC.. (Attachments: # <u>1</u> Declaration of John F. LaFave, # <u>2</u> Declaration of Holly Smith, # <u>3</u> Declaration of Bryan C. Diner, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17)(DENI,

		WILLIAM) (Entered: 05/29/2018)
05/31/2018	<u>329</u>	STIPULATION CONSENT JUDGMENT AND INJUNCTION, etc. Signed by Judge Stanley R. Chesler on 05/31/2018. (ek) (Entered: 05/31/2018)
06/01/2018	<u>330</u>	Letter from William P. Deni, Jr. to the Honorable Cathy L. Waldor, U.S.M.J. re: Stipulation and Proposed Order Consolidating Cases for Purposes of Trial. (Attachments: # <u>1</u> Stipulation and Proposed Order Consolidating Cases for Purposes of Trial)(DENI, WILLIAM) (Entered: 06/01/2018)
06/04/2018	<u>331</u>	MOTION to Withdraw as Attorney <i>on behalf of Hidetada James Abe and Andrew Ligotti</i> by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Declaration of Amy Luria, # <u>2</u> Notice of Withdrawal, # <u>3</u> Statement in Lieu of Brief, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LURIA, AMY) (Entered: 06/04/2018)
06/04/2018	<u>332</u>	MEMORANDUM in Opposition filed by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. re <u>325</u> MOTION to Disqualify Counsel <i>Katten Muchin Rosenman LLP</i> (Attachments: # <u>1</u> Declaration of Deepro R. Mukerjee, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Declaration of Doron S. Goldstein, # <u>7</u> Declaration of Thomas W. Jenkins, # <u>8</u> Declaration of Michael I. Verde, # <u>9</u> Certificate of Service)(LURIA, AMY)  <a href="#">NOTICE TO COUNSEL</a> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 06/04/2018)
06/04/2018	<u>333</u>	Exhibit to <u>332</u> Memorandum in Opposition of Motion,,, by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (LURIA, AMY) (Entered: 06/04/2018)
06/04/2018	<u>334</u>	Exhibit to <u>332</u> Memorandum in Opposition of Motion,,, by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (LURIA, AMY) (Entered: 06/04/2018)
06/05/2018	<u>335</u>	ORDER REOPENING CASE, etc. Signed by Judge Stanley R. Chesler on 06/05/2018. (ek) (Entered: 06/05/2018)
06/05/2018		Set Deadlines as to <u>331</u> MOTION to Withdraw as Attorney <i>on behalf of Hidetada James Abe and Andrew Ligotti</i> . Motion set for 7/2/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (ek) (Entered: 06/05/2018)
06/05/2018	<u>336</u>	REDACTION to <u>332</u> Memorandum in Opposition of Motion,,, by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Declaration Of Deepro R. Mukerjee, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Declaration Of Doron S. Goldstein, # <u>5</u> Declaration Of Thomas W. Jenkins, # <u>6</u> Declaration Of Michael I. Verde, # <u>7</u> Certificate of Service)(LURIA, AMY) (Entered: 06/05/2018)
06/05/2018	<u>337</u>	STIPULATION AND ORDER CONSOLIDATING Civil Action No. 15-8180 (Consolidated) and Civil Action No. 17-6714(Consolidated) for purposes of trial only, etc. Signed by Magistrate Judge Cathy L. Waldor on 06/04/2018. (ek) (Entered: 06/06/2018)
06/06/2018	<u>338</u>	ORDER granting Defendants' <u>331</u> Motion to Withdraw as Pro Hac Vice Attorney of Hidetada James Abe and Andrew Ligotti, etc. Signed by Magistrate Judge Cathy L. Waldor on 06/05/2018. (ek) (Entered: 06/06/2018)
06/06/2018	<u>339</u>	Letter from William P. Deni, Jr. to Honorable Cathy L. Waldor, U.S.M.J. re: Motion to Withdraw of Alston & Bird LLP re <u>338</u> Order on Motion to Withdraw as Attorney. (Attachments: # <u>1</u> Text of Proposed Order)(DENI, WILLIAM) (Entered: 06/06/2018)

06/06/2018	340	TEXT ORDER: The order granting the Mylan Defendants' Motion to Withdraw Counsel Admitted Pro Hac Vice (ECF No. 331) was entered in error. Please disregard the order (ECF No. 338).. So Ordered by Magistrate Judge Cathy L. Waldor on 6/6/18. (tjg, ) (Entered: 06/06/2018)
06/08/2018	<u>341</u>	MOTION for Leave to Appear Pro Hac Vice <i>for the Limited Purpose of Addressing Plaintiffs' Motion to Disqualify</i> by MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Certification of Amy Luria, # <u>2</u> Declaration of Michael I. Verde, # <u>3</u> Exhibit A, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LURIA, AMY) (Entered: 06/08/2018)
06/08/2018	<u>342</u>	NOTICE of Appearance by JONATHAN ROTENBERG on behalf of MYLAN INC., MYLAN LABORATORIES LTD., MYLAN PHARMACEUTICALS, INC. (Attachments: # <u>1</u> Certificate of Service)(ROTENBERG, JONATHAN) (Entered: 06/08/2018)
06/11/2018		Set Deadlines as to <u>341</u> MOTION for Leave to Appear Pro Hac Vice <i>for the Limited Purpose of Addressing Plaintiffs' Motion to Disqualify</i> . Motion set for 7/2/2018 before Judge Stanley R. Chesler. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (ek) (Entered: 06/11/2018)
06/11/2018	<u>343</u>	ORDER granting <u>341</u> Motion for Leave to Appear Pro Hac Vice of Michael I. Verde, Esq., etc. Signed by Magistrate Judge Cathy L. Waldor on 06/11/2018. (ek) (Entered: 06/11/2018)
06/11/2018	<u>344</u>	REPLY BRIEF to Opposition to Motion filed by SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC. re <u>325</u> MOTION to Disqualify Counsel <i>Katten Muchin Rosenman LLP</i> (Attachments: # <u>1</u> Supplemental Declaration of Bryan C. Diner, # <u>2</u> Exhibit A, # <u>3</u> Exhibit A-1, # <u>4</u> Exhibit A-2, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit D-1, # <u>9</u> Exhibit D-2, # <u>10</u> Exhibit E, # <u>11</u> Exhibit F, # <u>12</u> Declaration of Robert Gorman, # <u>13</u> Exhibit A, # <u>14</u> Exhibit B, # <u>15</u> Exhibit C, # <u>16</u> Exhibit D, # <u>17</u> Exhibit E, # <u>18</u> Supplemental Declaration of John F. LaFave, # <u>19</u> Certificate of Service)(DENI, WILLIAM) <hr/> <u>NOTICE TO COUNSEL</u> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 06/11/2018)
06/12/2018	<u>345</u>	REDACTION to <u>344</u> Reply Brief to Opposition to Motion,,,, by SALIX PHARMACEUTICALS, INC., VALEANT PHARMACEUTICALS INTERNATIONAL, INC.. (Attachments: # <u>1</u> Supplemental Declaration of Bryan C. Diner, # <u>2</u> Exhibit A, # <u>3</u> Exhibit A-1, # <u>4</u> Exhibit A-2, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit D-1, # <u>9</u> Exhibit D-2, # <u>10</u> Exhibit E, # <u>11</u> Exhibit F, # <u>12</u> Declaration of Robert Gorman, # <u>13</u> Exhibit A, # <u>14</u> Exhibit B, # <u>15</u> Exhibit C, # <u>16</u> Exhibit D, # <u>17</u> Exhibit E, # <u>18</u> Supplemental Declaration of John F. LaFave, # <u>19</u> Certificate of Service)(DENI, WILLIAM) (Entered: 06/12/2018)
06/15/2018		Pro Hac Vice fee as to Michael I. Verde, Esq. : \$ 150, receipt number NEW036707. (ek) (Entered: 06/15/2018)

CL

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

VALEANT PHARMACEUTICALS  
INTERNATIONAL, INC.; SALIX  
PHARMACEUTICALS, INC.; PROGENICS  
PHARMACEUTICALS, INC.; and  
WYETH LLC, formerly known as WYETH,

Plaintiffs,

v.

MYLAN PHARMACEUTICALS, INC.;  
MYLAN LABORATORIES LTD.; MYLAN  
INC.; and ACTAVIS LLC.

Defendants.

Civil Action No. 15-8180 (SRC) (CLW)  
(consolidated)

*Document Electronically Filed*

**[PROPOSED] ORDER FOR FINAL  
JUDGMENT UNDER  
FED. R. CIV. P. 54(B)**

**WHEREAS**, this is an action for patent infringement having been brought by Plaintiffs Valeant Pharmaceuticals, Inc., Salix Pharmaceuticals, Inc., Wyeth LLC, and Progenics Pharmaceuticals, Inc. (collectively, "Plaintiffs") against Defendants Actavis LLC ("Actavis") and Mylan Pharmaceuticals Inc., Mylan Laboratories Ltd., and Mylan Inc. (collectively, "Mylan") (Actavis and Mylan together, "Defendants");

**WHEREAS**, on May 1, 2018, the Court issued its Opinion and Order, granting Plaintiffs' motion for partial summary judgment as to Defendants' defense to infringement of claim 8 of U.S. Patent No. 8,552,025 ("the '025 patent") of invalidity due to obviousness;

**WHEREAS**, Actavis has stipulated to infringement of, *inter alia*, claim 8 of the '025 patent with respect to Actavis's Abbreviated New Drug Application ("ANDA") Nos. 208038 and 208112;

**WHEREAS**, Mylan has stipulated to infringement of, *inter alia*, claim 8 of the '025 patent with respect to Mylan's ANDA Nos. 208592 and 208594;

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. This Court has jurisdiction over the Parties and subject matter of this action.
2. This Court, for the reasons stated herein and in the Court's May 1, 2018, Opinion and Order (ECF No. 300), finds that said Opinion and Order is effectively a final adjudication of Plaintiffs' claims of patent infringement against Defendants as to claim 8 of the '025 patent, and of Defendants' affirmative defenses and/or counterclaims as to such claims, and that pursuant to Federal Rule of Civil Procedure 54(b) there is no just reason for delay in entering a final judgment that allows for an appeal of this ruling.
3. JUDGMENT is hereby entered under Federal Rule of Civil Procedure 54(b) in favor of Plaintiffs and against Actavis and Mylan as to claim 8 of the '025 patent.
4. ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A) the effective date of any approval of Actavis's ANDA No. 208038 be a date that is not earlier than the date of expiration, including any extensions by the FDA, of the '025 patent.
5. ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A) the effective date of any approval of Actavis's ANDA No. 208112 be a date that is not earlier than the date of expiration, including any extensions by the FDA, of the '025 patent.
6. ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A) the effective date of any approval of Mylan's ANDA No. 208592 be a date that is not earlier than the date of expiration, including any extensions by the FDA, of the '025 patent.
7. ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A) the effective date of any approval of Mylan's ANDA No. 208594 be a date that is not earlier than the date of expiration, including any extensions by the FDA, of the '025 patent.

8. This Court shall retain jurisdiction of these actions and over the Parties for purposes of enforcement of the provisions of this Judgment and Order, and for all remaining asserted claims, defenses, and counterclaims in this action.

IT IS SO ORDERED this 23<sup>rd</sup> day of MAY 2018.



THE HONORABLE STANLEY R. CHESLER  
UNITED STATES DISTRICT JUDGE  
United States District Court Judge



1. A stable pharmaceutical preparation comprising a solution of methylnaltrexone or a salt thereof, wherein the preparation comprises a pH between about 3.0 and about 4.0.
8. The pharmaceutical preparation of claim 1, wherein the preparation is stable to storage for 24 months at about room temperature.

Defendants contend that claim 8 is invalid due to obviousness. Defendants cite these prior art references:

1. “Foss 2001” (Deni Dec. Ex. 2). This journal article reports on clinical studies of methylnaltrexone, including intravenous administration. It is undisputed that Foss 2001 “does not explicitly mention storage stability or degradation issues for methylnaltrexone.” (Defs.’ 56.1 Stmt. at SOF #60.)
2. “Yuan 2000” (Deni Dec. Ex. 28.) This journal article reports on a clinical study of methylnaltrexone, including intravenous administration. It is undisputed that “Yuan 2000 does not explicitly mention storage stability or degradation issues for methylnaltrexone.” (Defs.’ 56.1 Stmt. at SOF #65.)
3. “Foss ’954” (Deni Dec. Ex. 3.) U.S. Patent No. 5,972,954 covers methods of use of methylnaltrexone for medical treatment. It is undisputed that “Foss ’954 does not explicitly mention storage stability or degradation issues for methylnaltrexone.” (Defs.’ 56.1 Stmt. at SOF #70.)
4. “Gibson” and “Remington” are general pharmaceutical formulation references. There is no dispute about Dr. Khan’s statement that Gibson and Remington “provide a number of ways to stabilize a parenteral preparation, such as optimizing the pH, adding antioxidants, chelating agents, and a variety of stabilizers.” (Khan Opening Report at ¶ 113; Defs.’ 56.1 Stmt. at SOF #75, #80.)
5. “Bahal ’154” (Deni Dec. Ex. 6.) U.S. Patent No. 5,866,154 discloses stable preparations of naloxone hydrochloride. The patent abstract states:

Physically and chemically stable pharmaceutical compositions useful for administering naloxone by injection are described. These compositions are essentially aqueous solutions having a pH between 3.0-3.5, and containing naloxone, an acidic or buffer component, a tonicity adjusting agent, and a stabilizing agent, said composition being optionally sterilized by autoclaving.

Defendants state: “The prior art Bahal ’154 reference disclosed a stable solution of naloxone that had a pH of 3.2 and contained a chelating agent (EDTA) as a

stabilizer.” (Defs.’ Opp. Br. 24.) “Bahal ’154 also teaches stabilizing the composition by using stabilizing agents such as sodium edetate, citrate, EDTA, and inert gas (e.g., nitrogen).” (Khan Opening Rpt. ¶ 148.) This reference was before the examiner during prosecution of the ’025 patent. (Defs.’ 56.1 Stmt. at SOF # 83.)

6. “Oshlack ’111” (Deni Dec. Ex. 7.) The abstract of U.S. Patent Publication No. 2003/0229111 states: “The present invention relates to compositions and methods of stabilizing naltrexone hydrochloride.” It discloses oral dosage forms, not injectables. (Defs.’ 56.1 Stmt. at SOF # 95.) This reference was before the examiner during prosecution of the ’025 patent. (Defs.’ 56.1 Stmt. at SOF # 93.)
7. “Fawcett 1997” (Abe Dec. Ex. 3.) This journal article reports on a clinical study of naltrexone which found, *inter alia*, that oral solutions have a shelf life of 60 days or less, under various conditions.

In moving for summary judgment, Plaintiffs make three arguments: 1) Defendants have failed to identify any motivation to modify the prior art methyl naltrexone products; 2) Defendants cannot establish that the “stable to storage for 24 months” element was known in the prior art; and 3) Defendants cannot prove their “obvious to try” theory.

As to the first argument, Plaintiffs contend that saline solutions of methyl naltrexone were known in the prior art, but that there is no evidence that the prior art recognized any stability problems with them. Plaintiffs assert that Defendants have defined the problem by its solution, revealing the operation of impermissible hindsight. In opposition, Defendants contend that the prior art had not attempted commercial development of methyl naltrexone saline solutions, and that it was the commercial development process that produced both recognition of the stability problem, and its solution in the ’025 patent. In reply, Plaintiffs contend that Defendants “have identified no credible motivation to modify the prior art.” (Pls.’ Reply Br. 1.) Plaintiffs’ point is unpersuasive. In fact, Defendants have pointed to the motive of commercial pharmaceutical development of a product known in the prior art to have utility as a pharmaceutical. It is

completely apparent – and Plaintiffs do not dispute this – that, in the prior art, skilled artisans were already actively engaged in a process of pharmaceutical development. Although this Court ultimately agrees with Plaintiffs that Defendants cannot prove invalidity due to obviousness, Plaintiffs’ first argument does not address Defendants’ point of failure. It is not as if pharmaceutical uses of methylnaltrexone saline solutions were unknown in the prior art: the title of the prior art Foss patent is “Use of methylnaltrexone and related compounds to treat chronic opioid use side affects [*sic*].” U.S. Patent No. 6,559,158. Plaintiffs do not contend that the ’025 patent covers a new use for methylnaltrexone saline solutions. The motivation to engage in commercial pharmaceutical development of known pharmaceuticals is, for lack of a better word, obvious. “[M]otivation to combine may be found explicitly or implicitly in market forces.” Plantronics, Inc. v. Aliph, Inc., 724 F.3d 1343, 1354 (Fed. Cir. 2013). People generally are motivated to make commercial use of inventions like the Foss patent. This is not the weak link in Defendants’ obviousness case.

Plaintiffs next contend that Defendants have no evidence that establishes that the element of “stable to storage for 24 months at about room temperature” was disclosed in the prior art. Plaintiffs argue that this alone is fatal to Defendants’ obviousness case “because to prove obviousness, the prior art references must set forth every element of the asserted claim.” (Pls.’ Br. 13.) This is an incorrect statement of the law of obviousness, which does not impose the “every element” requirement found in the law of anticipation. It may be correct that, as Plaintiffs contend, none of the prior art cited by Defendants discloses a pharmaceutical solution that is stable for 24 months at about room temperature. That is not, however, fatal to Defendants’ obviousness case. No one contends that the inventors invented a 24-month shelf life, which was previously

unknown in the art.<sup>1</sup> As the Supreme Court explained in KSR:

As our precedents make clear, however, the analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ. . . . The obviousness analysis cannot be confined by a formalistic conception of the words teaching, suggestion, and motivation, or by overemphasis on the importance of published articles and the explicit content of issued patents.

KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 418-19 (2007). Plaintiffs argue as if the law required Defendants to show precise teachings directed to every element of the challenged claim; it does not. KSR allows a court to “take account of the inferences and creative steps that a person of ordinary skill in the art would employ.” Id. As Defendants’ expert, Dr. Khan, stated:

A POSA would have known that a drug dissolved in saline and administered to patients for the purpose of evaluating drug efficacy, unlike commercial products, are not necessarily intended for the longer storage time. Thus, a POSA would consider storage and shipment stability as part of routine drug product development after clinical studies have shown the drug to be safe and effective.

(Khan Reply Rpt. ¶ 26.) Defendants thus have evidence that supports the inference that the skilled artisan, engaged in routine commercial drug development, would employ the creative step of formulating the drug product for a longer storage time.

While the absence of a prior art reference disclosing this element of claim 8, “stable to storage for 24 months at about room temperature,” is not fatal to Defendants’ obviousness case, as Plaintiffs contend, it does point to a particular challenge for Defendants. Based on the record

---

<sup>1</sup> Defendants point to the 2003 version of the ICH guidelines, “Stability Testing of New Drug Substances and Products,” which requires studies of long-term storage stability, with a minimum duration of twelve months, and contemplates a longer duration if needed to cover the proposed shelf life. (Abe Dec. Ex. 6 at § 2.2.7.) This is sufficient, at summary judgment, to support the inference that long-term stability testing of new pharmaceutical products was well-known in the prior art.

before this Court, the prior art did not teach how to formulate an injectable pharmaceutical solution that is stable for 24 months. Defendants have offered no evidence to the contrary. Thus, while the *idea* of an injectable pharmaceutical solution stable for 24 months seems unlikely to have been unknown, there is no evidence before this Court that the art taught how to make one. The evidence of record shows that the prior art taught a variety of techniques for improving the stability of such solutions, but there is no evidence that anyone had ever achieved an injectable pharmaceutical solution stable for 24 months. This frames the challenge for Defendants: to show the path that a skilled artisan, faced with the problem of formulating an injectable solution of methylnaltrexone with long-term stability, would take, in order to reach the invention of claim 8, in the absence of prior art that taught how to stabilize an injectable pharmaceutical solution for that length of time.

With that in mind, we turn to Plaintiff's third argument, which succeeds. Plaintiffs contend that Defendants rely on an "obvious to try" theory, but lack the evidence to support such a theory. Within this argument, Plaintiffs make two principal points: 1) Defendants have failed to prove a reasonable expectation of success; and 2) Defendants have failed to show a finite number of identified, predictable solutions.

Defendants, in opposition, agree that their defense of invalidity due to obviousness relies on an "obvious to try" theory. Defendants argue, however, that material disputes about underlying facts preclude a grant of summary judgment.

In KSR, the Supreme Court held that obviousness may be proven using an "obvious to try" theory when certain conditions are present:

When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has

good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense. In that instance the fact that a combination was obvious to try might show that it was obvious under § 103.

KSR, 550 U.S. at 421. The Federal Circuit has further explained:

To be sure, to have a reasonable expectation of success, one must be motivated to do more than merely to vary all parameters or try each of numerous possible choices until one possibly arrived at a successful result, where the prior art gave either no indication of which parameters were critical or no direction as to which of many possible choices is likely to be successful.

Pfizer, Inc. v. Apotex, Inc., 480 F.3d 1348, 1365 (Fed. Cir. 2007).

Defendants first argue that factual disputes exist regarding the obviousness of the claimed pH range of 3-4. Defendants cite In re Peterson, 315 F.3d 1325, 1329 (Fed. Cir. 2003), which held: “A prima facie case of obviousness typically exists when the ranges of a claimed composition overlap the ranges disclosed in the prior art.” Defendants contend that the pH range of 3-4 overlaps the ranges disclosed in the prior art, pointing to Dr. Khan’s opening expert report. In that report, Dr. Khan pointed to the pH ranges in three pieces of prior art: Bahal ’154, Oshlack ’111, and Fawcett 1997. (Khan Rpt. ¶¶ 98-102.) Dr. Khan states that Bahal ’154 discloses a solution of naloxone for parenteral administration (¶ 99), Oshlack ’111 discloses a solution of naltrexone for oral administration (¶ 102), and Fawcett 1997 discloses a solution of naltrexone for oral administration (Id.).

On this point, Defendants’ opposition brief offers no discussion of the law, or the facts, or the application of the law to the facts; this Court is not persuaded. Not one of the three cited pieces of prior art teaches the use of methylnaltrexone in any form. The Court wonders: does *any* piece of prior art teaching *any* composition with a pH range of 3-4 raise a *prima facie* case of obviousness? The answer is no, because you do not have an overlapping range when the prior art

composition is not the same composition. In Haynes, the Federal Circuit clearly articulated the method for comparison: “when the difference between the claimed invention and the prior art is the range or value of a particular variable, then a prima facie rejection is properly established when the difference in range or value is minor.” Haynes Int’l, Inc. v. Jessop Steel Co., 8 F.3d 1573, 1577 n.3 (Fed. Cir. 1993). Thus, for the principle of overlapping ranges to apply, the difference between the claimed invention and the prior art must be the range or value of a particular variable.<sup>2</sup> The differences between claim 8 and each of the prior art references (Bahal ’154, Oshlack ’111, and Fawcett 1997) is greater than the value of the pH variable. This Court is not persuaded, as a matter of law, that any of the cited prior art references which teach the use of naloxone and naltrexone presents an overlapping pH range sufficient to make out a *prima facie* case of obviousness.

Next, Defendants next make a series of points that can be addressed briefly because they are peripheral: 1) “a POSA would test for pH related stability and would be motivated to optimize the pH profile” (Defs.’ Opp. Br. 9); 2) “a POSA would understand that saline solutions are not intended for long term storage” (Defs.’ Opp. Br. 10); “pH is known to affect stability and other properties of solution;” (Def’s Opp. Br. 12); and “[t]he structures of naloxone and naltrexone differ from methylnaltrexone only in the substituents attached to the tertiary amine.”<sup>3</sup> (Defs.’ Opp.

---

<sup>2</sup> See also Iron Grip Barbell Co. v. USA Sports, Inc., 392 F.3d 1317, 1322 (Fed. Cir. 2004) (“where there is a range disclosed in the prior art, and the claimed invention falls within that range, there is a presumption of obviousness.”) Defendants have here presented no evidence that the claimed invention – a methylnaltrexone solution – can be said to fall within the pH ranges for naloxone or naltrexone solutions in the prior art.

<sup>3</sup> It is undisputed that the chemical structure of methylnaltrexone differs from both that of naloxone and that of naltrexone. (Defs.’ 56.1 Stmt. # 35, 37.) At the same time, it is also undisputed that, according to Defendant’s chemistry expert, Dr. Hunter, other than enantiomers

Br. 16.) The Court need not closely examine these points because they are not essential to the “obvious to try” analysis – they form the foundation, not the main point. In any case, Defendants have certainly offered evidence in support of these points. For purposes of this motion, the Court infers all of these facts in favor of the non-movant, Defendants.

With this foundation, Defendants proceed to their main argument: a pH range of 3 to 4 would have been obvious to try. Defendants argue first that the possible approaches to solving the problem of long-term storage of methylalantrexone solutions were known and finite.<sup>4</sup> Defendants argue: “A pH of 3 to 4 was just one of a finite number of options of pH ranges falling between 3 and 7.” (Defs.’ Opp. Br. 20.) This is simply false: given any two unequal numbers, the quantity of number ranges falling between the two is infinite, not finite. This is basic math.

Defendants assert: “the fact remains that adjusting pH would be the first variable most experienced formulators would consider.” (Defs.’ Opp. Br. 20 n.7.) Defendants then cite to a number of pieces of evidence, none of which supports the assertion. First, Defendants quote from the Gibson treatise: “[S]olution pH is one of the major determinants of the stability of the

---

(which are not implicated in this case), active pharmaceutical ingredients with different chemical structures have different physical and chemical properties. (Defs.’ 56.1 Stmt. # 40.)

<sup>4</sup> The Court recognizes that, in the decision that Defendants cite, the Federal Circuit stated: “The [Supreme] Court explained that when the problem is known, *the possible approaches to solving the problem are known and finite*, and the solution is predictable through use of a known option, then the pursuit of the known option may be obvious even absent a ‘teaching, suggestion, or motivation’ concerning that option.” *Abbott Labs. v. Sandoz, Inc.*, 544 F.3d 1341, 1351 (Fed. Cir. 2008) (italics added). This Court need not today deal with the matter of the difference in word choice (where *KSR* speaks of a finite number of “solutions,” *Abbott* speaks of a finite number of “approaches.”) In *Abbot*, the Federal Circuit stated clearly that “the *KSR* standard [is] whether the patents in suit represented an ‘identified, predictable solution’ and ‘anticipated success.’ *Id.* at 1352; see also *Rolls-Royce, PLC v. United Techs. Corp.*, 603 F.3d 1325, 1339 (Fed. Cir. 2010) (“The important question is whether the invention is an ‘identified, predictable solution’ and an ‘anticipated success.’”)

compound.” (Deni Dec. Ex. 4 at 35.) This statement manifestly does not say anything about the formulation process. A few sentences later, Gibson states: “it is prudent to adjust the pH to the desired value to optimize stability.” (*Id.*) This statement deals with the formulation process, but cannot reasonably be understood to assert that adjusting pH would be the *first* variable formulators would consider to improve stability; Gibson calls it “prudent,” not “primary.” Defendants next cite to a paragraph in Dr. Hunter’s expert report which says only: “The pH of a pharmaceutical formulation can have an impact on the stability of the formulation.”<sup>5</sup> (Abe Dec. Ex. 2 at ¶ 40.) Lastly, Defendants cite to a paragraph in the reply report of Dr. Khan, which states that development of a stable commercial product “would include optimizing the pH and using excipients.” (Abe Dec. Ex. 9 at ¶ 27.) Defendants here have pointed to no evidence that “adjusting pH would be the first variable most experienced formulators would consider.”

A related problem appears in Defendants’ Rule 56.1 Statement. Defendants there contend that Dr. Khan expressed the opinion “that optimizing the pH would be one of the leading candidates to resolve stability issues.” (Defs.’ 56.1 Stmt # 46, citing Deni Dec. Ex. 25 at 157:4-10.) This is not false, but it is misleading. Here is the cited exchange:

Q: It is your opinion that one of ordinary skill in the art would have expected pH to be one of the leading candidates for resolving stability issues along with excipients, such as stabilizers, antioxidants, and chelating agents, correct?

A: Correct.

(Deni Dec. Ex. 25 at 157:4-10.) In the testimony Defendants rely on, Dr. Khan stated that pH, stabilizers, antioxidants, and chelating agents form the group of leading candidates for resolving

---

<sup>5</sup> Moreover, Dr. Hunter is a chemist, not a formulator.

stability issues. This is consistent with his statement in his opening report: “A POSA would know of several established means to keep the degradation amount below the claimed amount.” (Deni Dec. Ex. 8 at ¶ 148.) The Khan Report then lists, as established means: using antioxidants or chelating agents, stabilizers, and optimizing the pH. (*Id.*) The point here is that, in the cited testimony, Dr. Khan did not identify adjusting pH as the primary approach to adjusting formulation stability. Instead, he placed it in a group of leading approaches with a number of other members.<sup>6</sup>

Defendants next argue: “Arriving at a pH of 3.0 to 4.0 (acidic) for the long-term stability of a methylnaltrexone solution was a predictable result.” (Defs.’ Opp. Br. 21.) This is a crucial underlying factual proposition for Defendants’ obviousness case. In support, Defendants rely heavily on paragraph 76 in the Khan Reply Report:

76. Dr. Williams asserts that a POSA would not have had a reasonable expectation of success that the pH ranges for naloxone or naltrexone would stabilize methylnaltrexone. Williams Rebuttal Report at ¶¶ 105, 119. I disagree. As discussed above and in my opening report, a POSA would have found relevant the teachings of Bahal ’154, Oshlack ’111, and Fawcett 1997, because of 1) the structural similarities of these compounds, 2) the common potential for hydrolytic degradation, 3) understanding that naloxone or naltrexone formulations were stable at acidic pH, and 4) quaternary ammonium compounds were also known to degrade in basic pH. Thus, a POSA would have expected that formulations of methylnaltrexone with an acidic pH would provide stable formulations. See *supra*

---

<sup>6</sup> The parties agree that adjusting pH was one of a number of options in the prior art for improving stability under these circumstances. The parties’ L. Civ. R. 56.1 factual statements show that it is undisputed that a skilled artisan, faced with the problem of formulating a stable injectable methylnaltrexone solution, would have at least six options to consider: pH, stabilizers, antioxidants, chelating agents, container closure system, and preservatives. (Defs.’ 56.1 Stmt # 46; Deni Dec. Ex. 25 at 157:4-158:11.) Defendants seem to suggest that adjusting pH was the leading option, but no evidence supports this. In the absence of evidence that optimizing pH was the leading option for improving stability, as Plaintiffs contend, Defendants have “retraced the path of the inventor with hindsight.” *Ortho-McNeil Pharm., Inc. v. Mylan Labs., Inc.*, 520 F.3d 1358, 1364 (Fed. Cir. 2008).

¶¶ 20-53; Khan Opening Report at ¶¶ 98-105, 120-26, 176-82.

The Court need not examine Dr. Khan's reasoning here in detail because Dr. Khan's conclusion falls way short of showing that the invention was a predictable result. Dr. Khan concludes here that "a POSA would have expected that formulations of methylnaltrexone with an acidic pH would provide stable formulations." This is insufficient in two ways. First, "formulations of methylnaltrexone with an acidic pH" does not equate to "a pH between about 3.0 and about 4.0," as stated in claim 1. Second, "stable formulations" does not equate to "stable to storage for 24 months at about room temperature," as stated in claim 8. Even if a finder of fact were to fully credit Dr. Khan's conclusion, as expressed in paragraph 76, this would not be sufficient evidence to support a finding that the invention of claim 8 was a predictable result. Dr. Khan's conclusion does not go farther than to say that the skilled artisan would have expected that formulations of methylnaltrexone with an acidic pH would have unspecified stability. There is a large gap between this expected result and claim 8, which is directed to a formulation of methylnaltrexone with a pH between about 3.0 and about 4.0 that is stable to storage for 24 months at about room temperature. Defendants also rely heavily on the deposition testimony of Dr. Williams. (Williams 1/16/18 Dep. Tr. at 70-77.) It is puzzling that Defendants offer this section of testimony, since Dr. Williams states that the skilled artisan would not have had any information on stability based on the two Foss prior art references. (Id. at 70:15-71:11.) Dr. Williams goes on to discuss what the skilled artisan would have understood from the teachings of Bahal '154, and he reads from the Bahal reference:

Ready to use injectable solution formulations of naloxone with improved chemical and physical stability are preferably composed of an effective amount of naloxone hydrochloride, an acid or a buffer to yield a final solution pH of 3 to 3.5, in one or more tonicity adjusting agents, and a stabilizing agent . . .

(Id. at 76:11-17.) Defendants offer this as evidence in support of the inference that “a POSA would have used the pH range for naloxone and naltrexone with methylnaltrexone and expect a similar, satisfactory stability for that product.” (Defs.’ Opp. Br. 22.) The cited deposition testimony does not support that inference. In the cited testimony, Dr. Williams pointed only to the disclosure in Bahal that a naloxone solution with a final solution pH of 3 to 3.5 would have “improved” stability. Dr. Williams points to nothing that further characterizes whatever stability was observed, and there is no basis for an inference that Bahal disclosed naloxone solutions with “satisfactory” stability (under any definition), much less stability for a 24-month period.

Nor do the prior art references themselves support the inference that “a POSA would have used the pH range for naloxone and naltrexone with methylnaltrexone and expect a similar, satisfactory stability for that product.” Three prior art references deal with naloxone or naltrexone: Bahal ’154, Oshlack ’111, and Fawcett 1997. Bahal ’154 teaches this discovery: “It has now been found that addition of a chelating agent, such as sodium edetate, to the commercial formulation prevents naloxone degradation, even in the presence of oxygen and after autoclaving.” (Bahal ’154, col.1 ll.54-57.) The “summary of the invention” section states: “More particularly, the compositions contain an effective amount of naloxone, an acidic or buffer component to give a pH of the final composition of 3-3.5, a stabilizing agent, and a tonicity-adjusting agent, said composition being autoclaved.” (Bahal ’154, col.1 l.67-col.2 l.4.) Bahal ’154 does not discuss at any point the role of pH in stability. Rather, Bahal ’154 discusses the effect of stabilizing agents, such as sodium edetate, on stability. Defendants have not pointed to any disclosure in Bahal ’154 which indicates that a pH of 3-4 improves the stability of a naloxone solution.

As to Oshlack ’111, it teaches the use of stabilizers and chelating agents to stabilize oral

dosage forms of naltrexone. Claims 34, 35, and 36 contain pH limitations. The only mention of pH in the specification appears in the “Detailed Description of the Invention.” After a series of disclosures about the use of stabilizers to inhibit the degradation of naltrexone, the reference states:

[0054] In certain embodiments, the stabilizer is dissolved or dispersed in a solution prior to mixing the stabilizer with the naltrexone hydrochloride. Thereafter, it may be necessary to adjust the pH of the solution or dispersion of the stabilizer to provide for a stabilized naltrexone hydrochloride composition. In certain preferred embodiments, the pH of the solution or dispersion of the stabilizer is adjusted to about 3 to about 5, preferably about 4.

(Oshlack '111 at ¶ [0054].) Oshlack '111 thus does not at any point disclose the use of pH alone to stabilize naltrexone solutions.

Fawcett 1997 describes a study which looked at the stability of a liquid for oral administration for a period of 90 days or less. The oral liquid was prepared from naltrexone tablets or powder, to which ascorbic acid, sodium benzoate, and glycerol were added. (Abe Dec. Ex. 3 at 1292.) The reference makes only one statement about pH: “In all cases the pH fell slightly from 3.5 to 3.2 over 90 days.” (*Id.* at 1293.) Defendants have not identified what Fawcett 1997 teaches that would have predicted the success of claim 8 in the patent at issue.

Defendants have not persuaded this Court that any of the prior art references dealing with naloxone and naltrexone – that is, Bahal '154, Oshlack '111, and Fawcett 1997 – taught something that would have made claim 8 a predictable result.

The cited evidence from Dr. Khan and Dr. Williams does not support a finding that, as Defendants assert, for the skilled artisan, “[a]rriving at a pH of 3.0 to 4.0 (acidic) for the long-term stability of a methyl naltrexone solution was a predictable result.” No reasonable trier of fact could

hear this evidence and arrive at that conclusion.<sup>7</sup> Nor do the contents of the cited pieces of prior art support that conclusion. This is a crucial underlying factual proposition for Defendants' obviousness case, and Defendants have failed to offer evidence from which a reasonable jury could find this to be true.

Third, Defendants contend that they have evidence that the skilled artisan had a reasonable expectation of success in formulating a methylnaltrexone solution that is stable to storage for 24 months at about room temperature. Defendants begin their discussion by claiming to have evidence which supports their assertion of a reasonable expectation of success, but the five pages of discussion that follow do not point it out. Defendants first criticize the absence of stability data in the '025 patent, which is irrelevant to their point.

Next, Defendants contend that Dr. Khan stated that, "based on the accelerated stability data in Bahal '154, a POSA would have reasonably expected that *such a formulation* would be able to achieve room temperature storage stability for a far longer period, including for at least 24 months." (Defs.' Opp. Br. 24; italics added) This sounds promising, but actually says far less than Defendants would like. It is fair to say that Dr. Khan opined that, based on the accelerated stability data in Bahal '154, a skilled artisan would have expected longer stability based on "such a formulation," *i.e.*, the formulations taught by Bahal '154. The problem is that Bahal '154 did not teach the use of pH 3-4 to stabilize naloxone solutions; rather, Bahal '154 taught the use of

---

<sup>7</sup> In this context, it bears repeating that, based on the evidence of record, the prior art did not teach injectable pharmaceutical solutions with 24-month stability. Thus, for the invention of claim 8 to have been contemplated as a predictable result, there must be evidence of a basis to predict that something that had never been accomplished before could be accomplished. In the absence of such evidence, calling claim 8 a predictable result shows the operation of hindsight.

stabilizers such as sodium edetate to stabilize naloxone solutions.<sup>8</sup> Defendants have not yet pointed to any statements from Dr. Khan which show how the skilled artisan, reading Bahal '154, would have reasonably expected success in achieving the formulation disclosed in claim 8.

Defendants next contend: "Dr. Khan explained that a POSA would have reasonably expected similar results from structurally similar compounds, such as methylnaltrexone." (Defs.' Opp. Br. 25.) Again, this statement says less than Defendants would like. Results similar to Bahal '154 would include stabilization of structurally similar compounds through the use of stabilizers such as sodium edetate. Defendants have not persuaded that, based on the Bahal reference, which teaches the use of sodium edetate to stabilize naloxone solutions, the skilled artisan would have expected a methylnaltrexone formulation lacking sodium edetate to be stable.

The bottom line is that this section of Defendants' brief points to no evidence supporting an inference that claim 8 was a predictable result or that a skilled artisan, looking at the prior art, would have reasonably expected success with the formulation in claim 8. Defendants' clearest statement, and the statement best supported by the evidence, is: "Formulation III of Bahal '154 (a naloxone solution with pH 3.2 and EDTA) was disclosed as being stable and would have suggested to a POSA at the very least that methylnaltrexone could also be formulated as a stable solution with a pH of 3.2 and EDTA." (Defs.' Opp. Br. 27.) This has evidentiary support but it does not, however, get Defendants where they need to go: it does not say that Bahal '154 would have suggested to a skilled artisan that methylnaltrexone could be formulated as a solution with 24-month stability with a pH of 3-4 without added stabilizers. Rather, as Plaintiffs contend in their

---

<sup>8</sup> If claim 8 taught that 24-month stability of methylnaltrexone solutions could be accomplished through the use of sodium edetate, Defendants might have a good point here.

reply brief, Bahal '154 can be read as contrary to Defendants' case. Bahal '154 reports on three naloxone formulations, all of which were prepared with a pH of 3.2. Bahal '154, col.3 ll.7-47. Formula I was the naloxone saline solution at pH 3.2, with nothing else added. Id. at col.3 ll.7-17. Formula II was the naloxone saline solution at pH 3.2, with parabens added. Id. at col.3 ll.20-33. Formula III was the naloxone saline solution at pH 3.2, with sodium edetate added. Id. at col.3 ll.35-46. Stability testing showed that Formula III was stable and Formula I showed substantial degradation. Id. at col.4 ll.43-53. This appears to teach that naloxone saline solutions at pH 3.2, without an added stabilizer, fail the stability test, and that it is the addition of sodium edetate that accounts for the improvement in stability.<sup>9</sup>

Defendants have not persuaded the Court that Dr. Khan's statements about Bahal '154 are supported by the evidence. Rather, they are "conclusory statements [which] do not raise any genuine issues of material fact." PC Connector Sols. LLC v. SmartDisk Corp., 406 F.3d 1359, 1364 (Fed. Cir. 2005). As the Federal Circuit has stated:

Rather, the expert's testimony on obviousness was essentially a conclusory statement that a person of ordinary skill in the art would have known . . . how to combine any of a number of references to achieve the claimed inventions. This is not sufficient and is fraught with hindsight bias.

ActiveVideo Networks, Inc. v. Verizon Communs., Inc., 694 F.3d 1312, 1327 (Fed. Cir. 2012).

That is true of Dr. Khan's cited testimony, as well.

---

<sup>9</sup> Dr. Hunter, Defendants' chemistry expert, supported this inference in his deposition testimony:

Q: But does Bahal ever attribute the stabilization of naloxone to the adjustment of pH to 3.2?

A: Bahal is silent on the effect of pH on the stability of naloxone.

(Deni Dec. Ex. 24 at 73:18 - 74:1.)

The heart of Defendants' obviousness case – and the major point on which they fail – is their argument that a pH range of 3 to 4 would have been obvious to try. The legal test this Court applies centers on the crucial question of “whether the invention is an ‘identified, predictable solution’ and an ‘anticipated success.’” Rolls-Royce, 603 F.3d at 1339. The bottom line is that Defendants have pointed to no evidence that claim 8 was either an ‘identified, predictable solution’ or an ‘anticipated success.’

Defendants have offered no evidence to support their assertion that “[a]rriving at a pH of 3.0 to 4.0 (acidic) for the long-term stability of a methylnaltrexone solution was a predictable result.” Defendants have failed to point to evidence from which a factfinder could conclude that a skilled artisan, before the critical date, would have identified claim 8 as a solution to the problem of formulating a methylnaltrexone injectable solution with 24-month stability, or that the skilled artisan would have predicted or anticipated the success of a formulation using only a pH of 3-4 to stabilize such a solution. Rather, there is nothing in the evidence of record that suggests that the art knew at all about the potential for a pH of 3-4, without added stabilizers, to be associated with 24-month stability in an injectable pharmaceutical solution. Indeed, conspicuous by its absence from the record is any prior art which discloses the idea which Defendants contend is obvious: that a pH of 3-4, without added stabilizers, results in 24-month stability in an injectable pharmaceutical solution. The prior art of record, on the whole, suggests that the prior art considered pH to be generally important in formulating pharmaceuticals, and to have an effect on stability, but the art was also pursuing the use of chemical additives, such as stabilizers or chelating agents, to improve stability of these compounds in injectable forms. Defendants have pointed to no evidence that indicates that anyone in the prior art had contemplated an injectable pharmaceutical solution made

stable over the long term by pH alone – or anything approximating that. Nor is there any evidence that the prior art had any knowledge about storage stability or degradation issues for methyl naltrexone.<sup>10</sup>

The evidence of record, viewed in the light most favorable to the non-movants, supports the inference that, at the time of the invention, the skilled artisan would have expected that the stability of methyl naltrexone solutions might be improved both by making the pH acidic, and by optimizing that acidic pH for peak stability. That does not provide a sufficient factual basis for a finding that, to the skilled artisan, the invention of claim 8 would have been a predictable result. There is still a substantial logical gap between that knowledge and the discovery that methyl naltrexone solutions are stable for 24 months when the pH is adjusted to the range of 3 to 4 without the use of other stabilizers. Defendants have pointed to no evidence that supports the inference that the skilled artisan had any basis to predict that that specific pH range would be associated with stability of that duration. Defendants' evidence, at best, says only that the skilled artisan, faced with the problem of developing a methyl naltrexone solution with a long shelf-life, would have expected that experimenting with acid pH might be one of a number of good places to start looking. Defendants have not shown more than that optimizing pH was a promising area for experimentation, along with others, such as the use of stabilizers, antioxidants, chelating agents, container closure system, and preservatives. This does not provide a basis to find that the invention of claim 8 was either an 'identified, predictable solution' or an 'anticipated success.' Defendants' evidence has raised no material factual disputes underlying the legal conclusion of

---

<sup>10</sup> The specification of the '025 patent states: "It was surprisingly discovered that pH alone can solve the problem of excessive methyl naltrexone degradation products." '025 patent, col.8 ll.47-49. Defendants have not cited any evidence that undermines this assertion.

nonobviousness. Plaintiffs have shown that they are entitled to Judgment as a matter of law.

The Federal Circuit has stated: “This court and obviousness law in general recognizes an important distinction between combining known options into ‘a finite number of identified, predictable solutions,’ *KSR*, 550 U.S. at 421, and ‘merely throwing metaphorical darts at a board in hopes of arriving at a successful result.” *Leo Pharm. Prods. v. Rea*, 726 F.3d 1346, 1357 (Fed. Cir. 2013). Continuing this metaphor, for claim 8, Defendants have shown only that the skilled artisan would have recognized adjusting pH as one dart among a number of others. Or, expressing these ideas without metaphor:

First, an invention would not have been obvious to try when the inventor would have had to try all possibilities in a field unreduced by direction of the prior art. When “what would have been ‘obvious to try’ would have been to vary all parameters or try each of numerous possible choices until one possibly arrived at a successful result, where the prior art gave either no indication of which parameters were critical or no direction as to which of many possible choices is likely to be successful” an invention would not have been obvious. *O’Farrell*, 853 F.2d at 903. This is another way to express the *KSR* prong requiring the field of search to be among a “finite number of identified” solutions. 550 U.S. at 421. . . Second, an invention is not obvious to try where vague prior art does not guide an inventor toward a particular solution. A finding of obviousness would not obtain where “what was ‘obvious to try’ was to explore a new technology or general approach that seemed to be a promising field of experimentation, where the prior art gave only general guidance as to the particular form of the claimed invention or how to achieve it.” *O’Farrell*, 853 F.2d at 903. This expresses the same idea as the *KSR* requirement that the identified solutions be “predictable.” 550 U.S. at 421.

*Bayer Schering Pharma AG v. Barr Labs., Inc.*, 575 F.3d 1341, 1347 (Fed. Cir. 2009). This quote expresses well the reasons why Defendants have failed to defeat Plaintiffs’ motion for partial summary judgment. Defendants’ evidence indicates that the skilled artisan, seeking to develop a methylaltrexone injectable solution with long-term stability, “would have had to try all possibilities in a field unreduced by direction of the prior art.” (*Id.*)

The motion for partial summary judgment will be granted and, as to Defendants’

affirmative defense to infringement of claim 8 of invalidity due to obviousness, Judgment will be entered in Plaintiffs' favor.

For these reasons,

**IT IS** on this 1st day of May, 2018,

**ORDERED** that Plaintiffs' motion for partial summary judgment (Docket Entry No. 197) is **GRANTED**, and, as to Defendants' affirmative defense to infringement of claim 8 of invalidity due to obviousness, Judgment is hereby entered in Plaintiffs' favor.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.