

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

SANOFI-AVENTIS U.S. LLC, et al.,

Plaintiffs,

v.

FRESENIUS KABI USA, LLC, et al.,

Defendants.

Civil Action No. 14-7869 (MAS) (LHG)

ORDER

This consolidated action arises under the patent laws of the United States. The Court conducted an eight-day bench trial on September 18-20 and September 25-29, 2017. The parties submitted post-trial briefs on October 31, 2017 and the Court heard closing arguments on November 8, 2017. The parties filed supplemental correspondence on November 17, 2017, December 4, 2017, and December 11, 2017. Pursuant to Court order, the parties filed supplemental legal briefs on December 13, 2017. The Court has set forth its Findings of Fact and Conclusions of Law in an accompanying Opinion pursuant to Federal Rule of Civil Procedure 52(a)(1). For the reasons set forth in the accompanying Opinion, and for other good cause shown,

IT IS on this 17th day of December 2017 **ORDERED** that:

1. Claims 1 and 2 of U.S. Patent No. 5,847,170 are valid and are infringed by Defendants' proposed generic products.
2. Claims 7, 11, 14, 15, 16, 21, 26, and 30 of U.S. Patent No. 8,927,592 are invalid.
3. The parties shall meet and confer and shall provide to the Court a proposed form of judgment for each of the underlying cases by **December 27, 2017**.
4. The Clerk is directed to file the accompanying Opinion under temporary seal until further order of the Court.

5. To the extent that any party believes that portions of the Court's Opinion should be permanently sealed, that party shall file (or the parties may jointly file) a formal motion to seal. Any motion to seal shall be filed by **January 17, 2018**.

s/ Michael A. Shipp

MICHAEL A. SHIPP

UNITED STATES DISTRICT JUDGE