

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT****NOTICE OF DOCKETING****18-1320 - Salix Pharmaceuticals, Inc. v. Mylan Pharmaceuticals Inc.**

**Date of docketing:** December 21, 2017

**Appeal from:** United States District Court for the Northern District of West Virginia case no. 1:15-cv-00109-IMK

**Appellant(s):** Dr. Falk Pharma GmbH, Salix 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 Northern District of West Virginia  
Mary W. Bourke  
Robert Florence

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
AT CLARKSBURG**

SALIX PHARMACEUTICALS, INC. and  
DR. FALK PHARMA GmbH,

Plaintiffs,

v.

MYLAN PHARMACEUTICALS INC., and  
MYLAN INC.,

Defendants.

C. A. No. 1:15-CV-00109-IMK

**PLAINTIFFS' AMENDED NOTICE OF APPEAL,**  
**USCA FEDERAL CIRCUIT CASE NO. 2017-2636**

NOTICE IS HEREBY GIVEN that Salix Pharmaceuticals, Inc. and Dr. Falk Pharma GmbH (collectively, "Salix"), plaintiffs in the above-referenced case, hereby appeal to the United States Court of Appeals for the Federal Circuit from the district court's entry of final judgment under Fed. R. Civ. P. 54(b) of non-infringement of claim 1 of United States Patent No. 8,865,688 ("the '688 patent") (ECF No. 269), entered in this action on November 29, 2017, and all findings, rulings, determinations, conclusions, orders, opinions, proceedings, and decisions leading thereto, underlying, or incorporated therein, including the Findings of Fact and Conclusions of Law Granting Judgment in Favor of the Defendants (ECF No. 255). A copy of the Order Granting Unopposed Motion for Entry of Final Judgment (ECF No. 268) and Judgment in a Civil Action (ECF No. 269) are attached as Exhibits A and B, respectively.

On September 12, 2017, the district court issued Findings of Facts and Conclusions of Law granting judgment of non-infringement in favor of Mylan Pharmaceuticals Inc. and Mylan

Inc. (collectively, “Mylan”), and entered a Judgment in a Civil Action (“Non-infringement Judgment”). ECF Nos. 255, 256. On September 27, 2017, Salix appealed the Non-infringement Judgment to the Federal Circuit, docketed as Appeal No. 2017-2636. ECF No. 258. On November 7, 2017, the Federal Circuit subsequently ordered that Appeal No. 2017-2636 and Appeal No. 2017-2312 (which is an appeal by Dr. Falk Pharma GmbH from the Patent Trial and Appeal Board’s final written decision that claims 1 and 16 of the ’688 patent are unpatentable) shall be considered companion cases and assigned to the same merits panel.

On November 29, 2017, Mylan filed an unopposed motion requesting the district court to direct entry of final judgment under Fed. R. Civ. P. 54(b) of its September 17, 2017 judgment of non-infringement of claim 1 of the ’688 patent. ECF No. 267. On November 29, 2017, the district court granted Mylan’s unopposed motion (Ex. A) and entered final judgment under Fed. R. Civ. P. 54(b) of non-infringement of claim 1 of the ’688 patent (Ex. B).

In conjunction with the filing of this Amended Notice of Appeal, Salix and Mylan are filing a joint motion in Appeal No. 2017-2636, requesting that the Federal Circuit accept this Amended Notice of Appeal without issuing a new appeal number, maintain the current briefing schedule, and continue to consider Appeal Nos. 2017-2636 and 2017-2312 as companion cases assigned to the same merits panel.

Date: December 11, 2017

Respectfully submitted,

/s/ James F. Companion

James F. Companion (#790)

SCHRADER BYRD & COMPANION, PLLC

The Maxwell Centre, 32-20th Street, Suite 500

Wheeling, WV 26003

jfc@schraderlaw.com

*Counsel for Plaintiffs*

OF COUNSEL:

Mary W. Bourke

Kristen Healey Cramer

Dana K. Severance

Daniel M. Attaway

WOMBLE BOND DICKINSON (US) LLP

222 Delaware Avenue, Suite 1501

Wilmington, DE 19801

Mary.Bourke@wbd-us.com

Kristen.Cramer@wbd-us.com

Dana.Severance@wbd-us.com

Daniel.Attaway@wbd-us.com

John W. Cox

WOMBLE BOND DICKINSON (US) LLP Atlantic  
Station

271 17<sup>th</sup> Street, NW, Suite 2400

Atlanta, GA 30363

John.Cox@wbd-us.com

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of December, 2017, a true and correct copy of the aforesaid document was filed with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to the following counsel of record:

Gordon H. Copland  
William J. O'Brien  
Shawn A. Morgan  
Christopher Lauderman  
STEPTOE & JOHNSON, PLLC  
400 White Oaks Blvd.  
Bridgeport, WV 26330  
(304) 933-8162  
*gordon.copland@steptoe-johnson.com*  
*william.obrien@steptoe-johnson.com*  
*shawn.morgan@steptoe-johnson.com*  
*chris.lauderman@steptoe-johnson.com*

Adam S. Ennis  
STEPTOE & JOHNSON, PLLC  
11 Grandview Circle, Suite 200  
Canonsburg, PA 15317  
*adam.ennis@steptoe-johnson.com*

Joseph M. Janusz  
Deepro Mukerjee  
Lance Soderstrom  
ALSTON & BIRD LLP  
90 Park Avenue  
New York, NY 10016  
*joe.janusz@alston.com*  
*deepro.mukerjee@alston.com*  
*lance.soderstrom@alston.com*

James Grant  
ALSTON & BIRD LLP  
1201 West Peachtree St., Suite 4900  
Atlanta, GA 30309  
*jgrant@alston.com*

Robert L. Florence  
Micheal L. Binns  
Karen L. Carroll  
PARKER POE ADAMS & BERSTEIN LLP  
1180 Peachtree Street, N.E., Suite 1800  
Atlanta, GA 30309  
*robertflorence@parkerpoe.com*  
*michealbinns@parkerpoe.com*  
*karencarroll@parkerpoe.com*

Melanie Black Dubis  
Catherine R.L. Lawson  
Christopher M. Thomas  
PARKER POE ADAMS & BERSTEIN LLP  
301 Fayetteville Street, Ste. 1400  
Raleigh, NC 27601  
*melaniedubis@parkerpoe.com*  
*catherinelawson@parkerpoe.com*  
*christhomas@parkerpoe.com*

/s/ James F. Companion  
James F. Companion (#790)

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
AT CLARKSBURG

FILED

NOV 29 2017

U.S. DISTRICT COURT-WVND  
CLARKSBURG, WV 26301

SALIX PHARMACEUTICALS, INC. and )  
DR. FALK PHARMA GmbH, )  
 )  
Plaintiffs, )  
v. )  
 )  
MYLAN PHARMACEUTICALS INC. and )  
MYLAN, INC., )  
 )  
Defendants. )  
 )

C.A. No. 1-15-CV-109-IMK  
(Judge Keeley)

ORDER GRANTING UNOPPOSED MOTION FOR ENTRY  
OF FINAL JUDGMENT

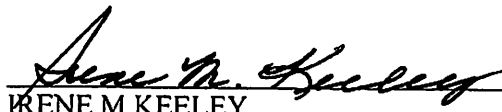
Defendants Mylan Pharmaceuticals Inc. and Mylan Inc. (collectively, "Mylan") have moved for entry of an order under Rule 54(b) of the Federal Rules of Civil Procedure of the Court's judgment of noninfringement dated September 12, 2017 (ECF No. 255). Plaintiffs Salix Pharmaceuticals, Inc. and Dr. Falk Pharma GmbH do not oppose Mylan's motion. Having reviewed the motion, the Court is of the opinion to GRANT the motion, for the reasons set forth therein.

The Court therefore FINDS that there is no just reason for delay in the entry of final judgment of the Court's judgment of noninfringement dated September 12, 2017 (ECF No. 255) and ORDERS that final judgment shall be entered thereon by the clerk.

It is so ORDERED.

The Court DIRECTS the Clerk to transmit copies of this Order to all counsel of record.

DATED: November 29, 2017

  
IRENE M KEELEY  
UNITED STATES DISTRICT JUDGE

# EXHIBIT B



UNITED STATES DISTRICT COURT  
for the  
Northern District of West Virginia

SALIX PHARMACEUTICALS, INC., et al.

\_\_\_\_\_  
*Plaintiff(s)*

v.

MYLAN PHARMACEUTICALS INC., et al.

Civil Action No. 1:15cv109

\_\_\_\_\_  
*Defendant(s)*

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that:

- Judgment award     Judgment costs     Other

This action was:

- tried by jury     tried by judge     decided by judge

decided by Judge Irene M. Keeley

It is ORDERED that the Court FINDS that there is no just reason for delay in the entry of final judgment of the Court's [255] judgment of non-infringement, dated 9/12/17.

Date: November 29, 2017

CLERK OF COURT  
Cheryl Dean Riley

By: s/s C. Daniels, Deputy Clerk  
*Signature of Clerk or Deputy Clerk*

APPEAL

**U.S. District Court  
Northern District of West Virginia (Clarksburg)  
CIVIL DOCKET FOR CASE #: 1:15-cv-00109-IMK**

Salix Pharmaceuticals, Inc et al v. Mylan Pharmaceuticals, Inc. Date Filed: 06/26/2015  
et al Date Terminated: 09/12/2017  
Assigned to: District Judge Irene M. Keeley Jury Demand: None  
Case in other court: US Court of Appeals Federal Circuit, Nature of Suit: 830 Patent  
17-02636 Jurisdiction: Federal Question  
Cause: 35:271 Patent Infringement

**Plaintiff**

**Salix Pharmaceuticals, Inc**

represented by **Dana K. Severance**  
Womble Carlyle Sandridge & Rice, LLP  
222 Delaware Avenue  
Suite 1501  
Wilmington, DE 19801  
Email: [DSeverance@wcsr.com](mailto:DSeverance@wcsr.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Daniel M. Attaway**  
Womble Carlyle Sandridge & Rice, LLP  
222 Delaware Avenue  
Suite 1501  
Wilmington, DE 19801  
Email: [DAttaway@wcsr.com](mailto:DAttaway@wcsr.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**James F. Companion**  
Schrader, Byrd & Companion, PLLC –  
Wheeling  
The Maxwell Centre, Suite 500  
32 – 20th Street  
Wheeling, WV 26003  
304-233-3390  
Fax: 304-233-2769  
Email: [jfc@schraderlaw.com](mailto:jfc@schraderlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John W. Cox**  
Womble Carlyle Sandridge & Rice LLP  
Atlantic Station, 271 17th St., NW  
Atlanta, GA 30363-1017  
(404) 888-7432  
Fax: (404) 879-2910  
Email: [jwcox@wcsr.com](mailto:jwcox@wcsr.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kristen H. Cramer**  
Womble Carlyle Sandridge & Rice, LLP  
222 Delaware Avenue  
Suite 1501  
Wilmington, DE 19801  
Email: [KCramer@wcsr.com](mailto:KCramer@wcsr.com)  
*LEAD ATTORNEY*

*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Mary W Bourke**  
Womble Carlyle Sandridge & Rice, LLP  
222 Delaware Avenue  
Suite 1501  
Wilmington, DE 19801  
(302) 252-4333  
Fax: (302) 661-7733  
Email: [mbourke@wcsr.com](mailto:mbourke@wcsr.com)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Tryn T. Stimart**  
Womble Carlyle Sandridge & Rice LLP  
8065 Leesburg Pike, 4th Floor  
Tysons Corner, VA 22182  
Email: [TStimart@wcsr.com](mailto:TStimart@wcsr.com)  
*TERMINATED: 11/29/2016  
PRO HAC VICE*

**Yolonda G. Lambert**  
Schrader, Byrd & Companion, PLLC –  
Wheeling  
The Maxwell Centre, Suite 500  
32 – 20th Street  
Wheeling, WV 26003  
304-233-3390  
Fax: 304-233-2769  
Email: [ygl@schraderlaw.com](mailto:ygl@schraderlaw.com)  
*TERMINATED: 06/06/2017*

**Plaintiff**

**Dr. Falk Pharma GmbH**

represented by **Dana K. Severance**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Daniel M. Attaway**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**James F. Companion**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**John W. Cox**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Kristen H. Cramer**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Mary W Bourke**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Tryn T. Stimart**  
(See above for address)  
*TERMINATED: 11/29/2016*  
*PRO HAC VICE*

**Yolonda G. Lambert**  
(See above for address)  
*TERMINATED: 06/06/2017*

V.

**Defendant**

**Mylan Pharmaceuticals, Inc.**

represented by **Catherine R.L. Lawson**  
Parker Poe Adams & Bernstein LLP  
301 Fayetteville Street  
Suite 400  
Raleigh, NC 27601  
(919) 828-0564  
Fax: (919) 834-4564  
Email: [catherinelawson@parkerpoe.com](mailto:catherinelawson@parkerpoe.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christopher A. Lauderman**  
Steptoe & Johnson, PLLC – Morgantown  
PO Box 1616  
Morgantown, WV 26507-1616  
(304) 598-8173  
Fax: (304) 933-8717  
Email: [chris.lauderman@steptoe-johnson.com](mailto:chris.lauderman@steptoe-johnson.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Christopher M. Thomas**  
Parker Poe Adams & Bernstein LLP  
301 Fayetteville Street  
Suite 400  
Raleigh, NC 27601  
(919) 828-0564  
Fax: (919) 834-4564  
Email: [christhomas@parkerpoe.com](mailto:christhomas@parkerpoe.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Deepro Mukerjee**  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016  
(212) 210-9501  
Fax: (212) 210-9444  
Email: [deepro.mukerjee@alston.com](mailto:deepro.mukerjee@alston.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Gordon H. Copland**

Steptoe & Johnson PLLC – Bridgeport  
400 White Oaks Blvd  
Bridgeport, WV 26330  
304-933-8162  
Fax: 304-933-8183  
Email: [Gordon.Copland@steptoe-johnson.com](mailto:Gordon.Copland@steptoe-johnson.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James C. Grant**  
Alston & Bird, LLP  
1201 W. Peachtree Street  
Atlanta, GA 30309  
(404) 881-7859  
Fax: (404) 881-7777  
Email: [Jim.grant@alston.com](mailto:Jim.grant@alston.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Joseph M. Janusz**  
Alston & Bird LLP  
101 South Tryon Street  
Suite 4000  
Charlotte, NC 28280  
(704) 444-1338  
Fax: (704) 444-1111  
Email: [Joe.janusz@alston.com](mailto:Joe.janusz@alston.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Karen L. Carroll**  
Parker Poe Adams & Bernstein LLP  
1180 Peachtree Street, NE  
Suite 1800  
Atlanta, GA 30309  
(678) 690-5704  
Fax: (404) 869-6972  
Email: [karencarroll@parkerpoe.com](mailto:karencarroll@parkerpoe.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lance Soderstrom**  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016  
(212) 210-9464  
Fax: (212) 210-9444  
Email: [lance.soderstrom@alston.com](mailto:lance.soderstrom@alston.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Melanie Black Dubis**  
Parker Poe Adams & Bernstein LLP  
301 Fayetteville Street,  
Suite 1400  
Raleigh, NC 27601  
(919) 890-4158  
Fax: (919) 834-4564  
Email: [melaniedubis@parkerpoe.com](mailto:melaniedubis@parkerpoe.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Micheal L. Binns**

Parker Poe Adams & Bernstein LLP  
1180 Peachtree Street, NE  
Suite 1800

Atlanta, GA 30309

(704) 335-2719

Fax: (704) 334-3706

Email: [michaelbinns@parkerpoe.com](mailto:michaelbinns@parkerpoe.com)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Robert L. Florence**

Parker Poe Adams & Bernstein LLP  
1180 Peachtree Street, NE  
Suite 1800

Atlanta, GA 30309

(678) 690-5701

Fax: (404) 869-6972

Email: [robertflorence@parkerpoe.com](mailto:robertflorence@parkerpoe.com)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**William J O'Brien**

Steptoe & Johnson PLLC – Bridgeport  
400 White Oaks Blvd  
Bridgeport, WV 26330

(304) 933-8181

Fax: (304) 933-8183

Email: [William.O'Brien@Steptoe-Johnson.com](mailto:William.O'Brien@Steptoe-Johnson.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Adam S Ennis**

Steptoe & Johnson PLLC, Cannonsburg  
11 Grandview Circle, Suite 200  
Cannonsburg, PA 15317

(724) 873-3140

Fax: (724) 873-3143

Email: [Adam.Ennis@Steptoe-Johnson.com](mailto:Adam.Ennis@Steptoe-Johnson.com)

*ATTORNEY TO BE NOTICED*

**Anil H. Patel**

McGuireWoods LLP

1230 Peachtree Street N.E. Suite 2100

Atlanta, GA 30309-3534

(404) 443-5716

Fax: (404) 443-5699

Email: [apatel@mcguirewoods.com](mailto:apatel@mcguirewoods.com)

*TERMINATED: 01/15/2016*

*PRO HAC VICE*

**Cedric C.Y. Tan**

McGuireWoods LLP

1230 Peachtree Street N.E. Suite 2100

Atlanta, GA 30309-3534

(404) 443-5500

Fax: (404) 443-5599

Email: [CTan@mcguirewoods.com](mailto:CTan@mcguirewoods.com)

*TERMINATED: 01/15/2016*

*PRO HAC VICE*

**Christine I. Nam**  
McGuire Woods LLP  
1800 Century Park East  
Los Angeles, CA 90067  
(310) 315-8200  
Fax: (310) 315-8200  
Email: [cnam@mcguirewoods.com](mailto:cnam@mcguirewoods.com)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**George J Barry , III**  
McGuire Woods LLP  
1230 Peachtree Street, NE  
Promenade, Suite 2100  
Atlanta, GA 30309  
404-443-5734  
Fax: 404-443-5753  
Email: [gbarry@mcguirewoods.com](mailto:gbarry@mcguirewoods.com)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**Jessica M. Hauth**  
McGuireWoods LLP  
1230 Peachtree Street N.E. Suite 2100  
Atlanta, GA 30309-3534  
(404) 443-5743  
Fax: (404) 443-5775  
Email: [jhauth@mcguirewoods.com](mailto:jhauth@mcguirewoods.com)  
*TERMINATED: 10/15/2015*  
*PRO HAC VICE*

**Shawn A. Morgan**  
Steptoe & Johnson PLLC – Bridgeport  
400 White Oaks Blvd  
Bridgeport, WV 26330  
(304) 933-8119  
Fax: (304) 933-8183  
Email: [shawn.morgan@steptoe-johnson.com](mailto:shawn.morgan@steptoe-johnson.com)  
*ATTORNEY TO BE NOTICED*

**Timothy H. Kratz**  
McGuire Woods LLP – Atlanta  
1170 Peachtree St.  
Suite 2100  
Atlanta, GA 30309  
404-443-5500  
Fax: 404-443-5599  
Email: [tkratz@mcguirewoods.com](mailto:tkratz@mcguirewoods.com)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**Defendant**  
**Mylan, Inc.**

represented by **Catherine R.L. Lawson**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christopher A. Lauderman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Christopher M. Thomas**

(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Deepro Mukerjee**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Gordon H. Copland**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James C. Grant**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Joseph M. Janusz**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Karen L. Carroll**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lance Soderstrom**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Melanie Black Dubis**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Micheal L. Binns**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Robert L. Florence**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Adam S Ennis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Anil H. Patel**  
(See above for address)  
*TERMINATED: 01/15/2016*



*PRO HAC VICE*

**Cedric C.Y. Tan**  
(See above for address)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**Christine I. Nam**  
(See above for address)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**George J Barry , III**  
(See above for address)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**Jessica M. Hauth**  
(See above for address)  
*TERMINATED: 10/15/2015*  
*PRO HAC VICE*

**Shawn A. Morgan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Timothy H. Kratz**  
(See above for address)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**William J O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**Mylan, Inc.**  
*TERMINATED: 05/04/2017*

represented by **Catherine R.L. Lawson**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christopher A. Lauderman**  
(See above for address)  
*LEAD ATTORNEY*  
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**Christopher M. Thomas**  
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*ATTORNEY TO BE NOTICED*

**Deepro Mukerjee**  
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**Melanie Black Dubis**  
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**Micheal L. Binns**  
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*ATTORNEY TO BE NOTICED*

**Robert L. Florence**  
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**Anil H. Patel**  
(See above for address)  
*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

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*TERMINATED: 01/15/2016*  
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*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**Mylan Pharmaceuticals, Inc.**  
*TERMINATED: 05/04/2017*

represented by **Catherine R.L. Lawson**  
(See above for address)  
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*TERMINATED: 01/15/2016*  
*PRO HAC VICE*

**William J O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**Dr. Falk Pharma GmbH**  
*TERMINATED: 05/04/2017*

represented by **Dana K. Severance**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel M. Attaway**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James F. Companion**  
(See above for address)  
*LEAD ATTORNEY*  
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**John W. Cox**  
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**Kristen H. Cramer**  
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**Mary W Bourke**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tryn T. Stimart**  
(See above for address)  
*TERMINATED: 11/29/2016*

**Yolonda G. Lambert**  
(See above for address)  
*TERMINATED: 06/06/2017*

**Counter Defendant**

**Salix Pharmaceuticals, Inc**  
*TERMINATED: 05/04/2017*

represented by **Dana K. Severance**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel M. Attaway**  
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(See above for address)

TERMINATED: 11/29/2016

**Yolonda G. Lambert**  
(See above for address)  
TERMINATED: 06/06/2017

**Counter Claimant**

**Mylan Pharmaceuticals, Inc.**  
TERMINATED: 05/04/2017

represented by **Catherine R.L. Lawson**  
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**Counter Claimant**

**Mylan, Inc.**  
*TERMINATED: 05/04/2017*

represented by **Anil H. Patel**  
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*TERMINATED: 10/15/2015*

**William J O'Brien**  
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V.

**Counter Defendant**

**Dr. Falk Pharma GmbH**  
*TERMINATED: 05/04/2017*

represented by **Dana K. Severance**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel M. Attaway**  
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**Tryn T. Stimart**  
(See above for address)  
*TERMINATED: 11/29/2016*

**Yolonda G. Lambert**

(See above for address)  
 TERMINATED: 06/06/2017

**Counter Defendant**

**Salix Pharmaceuticals, Inc**  
 TERMINATED: 05/04/2017

represented by **Dana K. Severance**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Daniel M. Attaway**  
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**Tryn T. Stimart**  
 (See above for address)  
 TERMINATED: 11/29/2016

**Yolonda G. Lambert**  
 (See above for address)  
 TERMINATED: 06/06/2017

Date Filed	#	Docket Text
06/26/2015	<u>1</u>	COMPLAINT for Patent Infringement against Mylan Pharmaceuticals, Inc., Mylan, Inc., filed by Salix Pharmaceuticals, Inc, Dr. Falk Pharma GmbH. (Attachments: # <u>1</u> Exhibit A – US Patent, # <u>2</u> Exhibit B – US Patent, # <u>3</u> Exhibit C – US Patent, # <u>4</u> Exhibit D – US Patent, # <u>5</u> Supplemental Information, # <u>6</u> Civil Cover Sheet)(cnd) (Entered: 06/26/2015)
06/26/2015	<u>2</u>	Filing fee: \$ 400.00, receipt number WVNW001184. (cnd) (Entered: 06/26/2015)
06/26/2015	<u>3</u>	REPORT to USPTO on the filing or determination of an action regarding re <u>1</u> Complaint. (cnd) (Entered: 06/26/2015)
06/26/2015	<u>5</u>	Corporate Disclosure Statement by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc identifying Corporate Parent Salix Pharmaceuticals, Ltd., Corporate Parent Valeant Pharmaceuticals International, Corporate Parent Valeant Pharmaceuticals International, Inc. for Salix Pharmaceuticals, Inc.. (cnd) (Entered: 06/26/2015)
07/01/2015	<u>6</u>	VERIFICATION OF ATTORNEY ADMISSION as to Dana Severance, Daniel Attaway, Kristen Cramer, Mary Bourke, and Tryn Stimart re <u>1</u> Complaint. (cnd) (Entered: 07/01/2015)

07/09/2015	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Daniel Marcus Attaway</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 07/09/2015)
07/09/2015	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Dana K. Severance</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 07/09/2015)
07/09/2015	<u>9</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Tryn T. Stimart</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 07/09/2015)
07/09/2015	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Kristen Healey Cramer</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 07/09/2015)
07/09/2015	<u>11</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Mary W. Bourke</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 07/09/2015)
07/09/2015	<u>12</u>	SUMMONS Returned Executed as to Mylan Pharmaceuticals, Inc. – Secretary of service accepted service on 7/2/2015. (jss) (Entered: 07/09/2015)
07/09/2015	<u>13</u>	SUMMONS Returned Executed as to Mylan, Inc. – Secretary of State accepted service on 7/2/2015. (jss) (Entered: 07/09/2015)
07/09/2015	<u>14</u>	Pro Hac Vice Filing fee: \$ 1,000.00, receipt number WVNW001197, for Attorneys Daniel Marcus Attaway, Dana K. Severance, Tryn T. Stimart, Kristen Healey Cramer and Mary W. Bourke. (jmm) (Entered: 07/09/2015)
07/09/2015	<u>15</u>	ORDER granting Kristin Cramer's <u>10</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/9/15. (jss) (Entered: 07/09/2015)
07/09/2015	<u>16</u>	ORDER granting Tryn Stimart's <u>9</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/9/15. (jss) (Entered: 07/09/2015)
07/09/2015	<u>17</u>	ORDER granting Dana Severance's <u>8</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/9/15. (jss) (Entered: 07/09/2015)
07/09/2015	<u>18</u>	ORDER granting Daniel Attaway's <u>7</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/9/15. (jss) (Entered: 07/09/2015)
07/09/2015	<u>19</u>	ORDER granting Mary Bourke's <u>11</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/9/15. (jss) (Entered: 07/09/2015)
07/13/2015	<u>20</u>	ANSWER to <u>1</u> Complaint, , COUNTERCLAIM against Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc by Mylan, Inc., Mylan Pharmaceuticals, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(O'Brien, William) (Entered: 07/13/2015)
07/13/2015	<u>21</u>	NOTICE /Verification of Attorney Admission. (jss) (Main Document 21 replaced on 7/13/2015) (jss). Modified on 7/13/2015 replaced form and regenerated NEF (jss). (Entered: 07/13/2015)
07/14/2015	<u>22</u>	Corporate Disclosure Statement by Mylan Pharmaceuticals, Inc., Mylan, Inc. identifying Corporate Parent Abbott Laboratories, Corporate Parent Mylan N.V. for Mylan Pharmaceuticals, Inc., Mylan Pharmaceuticals, Inc., Mylan, Inc., Mylan, Inc... (O'Brien, William) (Entered: 07/14/2015)
07/21/2015	<u>23</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>George J. Barry III</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Entered: 07/21/2015)
07/21/2015	<u>24</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Micheal L. Binns</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Entered: 07/21/2015)
07/21/2015	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Jessica M. Hauth</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Entered: 07/21/2015)

07/21/2015	<u>26</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Timothy H. Kratz</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Entered: 07/21/2015)
07/21/2015	<u>27</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Anil H. Patel</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Entered: 07/21/2015)
07/22/2015	<u>28</u>	PHV fee for Timothy Kratz, George Barry, III, Jessica Hauth, Anil Patel, and Michael Binns: \$ 1000.00, receipt number WVNC001373. (cnd) (Entered: 07/22/2015)
07/23/2015	<u>29</u>	ORDER granting George J. Barry III's <u>23</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/23/15. (jss) (Entered: 07/23/2015)
07/23/2015	<u>30</u>	ORDER granting Michael L. Binns' <u>24</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/23/15. (jss) (Entered: 07/23/2015)
07/23/2015	<u>31</u>	ORDER granting Jessica M. Hauth's <u>25</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/23/15. (jss) (Entered: 07/23/2015)
07/23/2015	<u>32</u>	ORDER granting Timothy H. Kratz's <u>26</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 7/23/15. (jss) (Entered: 07/23/2015)
07/23/2015	<u>33</u>	ORDER granting Anil Patel's <u>27</u> Motion for Leave to Appear Pro Hac Vice. Signed by District Judge Irene M. Keeley on 7/23/15. (cnd) (Entered: 07/23/2015)
08/03/2015	<u>34</u>	REPLY by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc to <u>20</u> Answer to Complaint, Counterclaim,,. (Companion, James) (Entered: 08/03/2015)
08/03/2015	<u>35</u>	AMENDED ANSWER to <u>1</u> Complaint, , Amended COUNTERCLAIM against Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Copland, Gordon) (Entered: 08/03/2015)
08/10/2015	<u>36</u>	FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING:  <b>***NOTICE TO ATTORNEYS*** : Pursuant to <u>Rule 7.1</u> of the Federal Rules of Civil Procedure, ALL Non-governmental CORPORATE parties must file a DISCLOSURE STATEMENT with the Court. Forms are available on the Court's Web Site at <a href="http://www.wvnd.uscourts.gov/forms.htm">http://www.wvnd.uscourts.gov/forms.htm</a></b>  Rule 26 Meeting to be held by 8/26/2015. Rule 26 Meeting Report due by 9/9/2015. Scheduling Conference set for 9/23/2015 01:30 PM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley. Discovery due by 9/28/2015. Signed by District Judge Irene M. Keeley on 8/10/15. (cnd) (Entered: 08/10/2015)
08/12/2015	<u>37</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Cedric C.Y. Tan</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Entered: 08/12/2015)
08/13/2015	<u>38</u>	PHV Filing fee: C. Tan, \$ 200.00, receipt number WVNC001391 (mh) (Entered: 08/13/2015)
08/13/2015	<u>39</u>	ORDER: It is ORDERED that C. Y. Tan's <u>37</u> Motion for Leave to Appear Pro Hac Vice is hereby GRANTED. Signed by District Judge Irene M. Keeley on 8/13/15. (cnd) (Entered: 08/13/2015)
08/18/2015	<u>40</u>	REPLY by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc to <u>35</u> Amended Answer to Complaint,, Counterclaim,. (Companion, James) (Entered: 08/18/2015)
08/21/2015	<u>41</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Christine I. Nam</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <u>2</u> Text of Proposed Order)(O'Brien, William) (Attachment 2 replaced, modified docket text on 8/21/2015 – Filed in wrong case) (cnd). (Entered: 08/21/2015)
08/21/2015	<u>42</u>	Pro Hac Vice fee for Christine Nam: \$ 200.00, receipt number WVNC001399. (cnd) (Entered: 08/21/2015)

08/21/2015	<u>43</u>	Proposed Order re <u>41</u> MOTION for Leave to Appear Pro Hac Vice ( <i>Christine I. Nam</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (O'Brien, William) (Entered: 08/21/2015)
08/24/2015	<u>44</u>	ORDER: It is ORDERED that Christine Nam's <u>41</u> Motion for Leave to Appear Pro Hac Vice is hereby GRANTED. Attorney Christine Nam is added for Mylan Pharmaceuticals, Inc. and Mylan, Inc. Signed by District Judge Irene M. Keeley on 8/24/15. (cnd) (Entered: 08/24/2015)
08/25/2015	<u>45</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. ( <i>First Interrogatories to Plaintiffs</i> ). (O'Brien, William) (Entered: 08/25/2015)
08/25/2015	<u>46</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. ( <i>Request for Production of Documents and Things to Plaintiffs</i> ). (O'Brien, William) (Entered: 08/25/2015)
09/09/2015	<u>47</u>	REPORT of Rule 26(f) Planning Meeting. (Copland, Gordon) (Entered: 09/09/2015)
09/15/2015	<u>48</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' First Set of Interrogatories to Mylan Pharmaceuticals, Inc. and Mylan, Inc. (Nos. 1-7)</i> (Companion, James) (Entered: 09/15/2015)
09/15/2015	<u>49</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' First Set of Requests to Mylan Pharmaceuticals, Inc. and Mylan, Inc. For the Production of Documents and Things (Nos. 1-63)</i> (Companion, James) (Entered: 09/15/2015)
09/23/2015	<u>50</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley: Scheduling Conference held on 9/23/2015. (Court Reporter L Bachman.) (mh) (Entered: 09/23/2015)
09/28/2015	<u>51</u>	SCHEDULING ORDER: Discovery due by 4/1/2016. Dispositive Motions due by 10/7/2016. Proposed Pretrial Order/Memoranda due by 2/15/2017. Claim Construction hearing set for 3/9/2016 at 10:00 AM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley Final Pretrial Conference and Settlement Conference set for 2/24/2017 at 10:30 AM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley. Bench Trial set for 3/6/2017 at 09:30 AM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley. Signed by District Judge Irene M. Keeley on 9/28/15. (jss) Modified on 9/30/2015 – added Claim Construction Hearing (jss). (Entered: 09/28/2015)
09/28/2015	<u>52</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' Objections and Responses to Defendants First Interrogatories to Plaintiffs</i> (Companion, James) (Entered: 09/28/2015)
09/28/2015	<u>53</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' Objections and Responses to Defendants' Request for Production of Documents and Things to Plaintiffs</i> (Companion, James) (Entered: 09/28/2015)
09/28/2015		Set/Reset Hearings: Discovery Hearing /Claim Construction hearing set for 3/9/2016 at 10:00 AM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley – per <u>51</u> Scheduling Order (jss) (Entered: 09/30/2015)
09/30/2015	<u>54</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs Rule 26(a)(1)(A) Disclosures</i> (Companion, James) (Entered: 09/30/2015)
09/30/2015	<u>55</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Initial Disclosures</i> . (O'Brien, William) (Entered: 09/30/2015)
10/15/2015	<u>56</u>	MOTION to Withdraw ( <i>Jessica M. Hauth</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, William) (Entered: 10/15/2015)
10/15/2015	<u>57</u>	ORDER: It is ORDERED that Defendants' <u>56</u> Motion for Leave to Withdraw as Counsel is hereby GRANTED. Attorney Jessica M. Hauth terminated. Signed by



		District Judge Irene M. Keeley on 10/15/15. (cnd) (Entered: 10/15/2015)
10/19/2015	<u>58</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Responses and Objections to Plaintiffs' First Set of Interrogatories to Mylan Pharmaceuticals Inc. and Mylan Inc. (Nos. 107)</i> . (O'Brien, William) (Entered: 10/19/2015)
10/19/2015	<u>59</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Responses and Objections to Plaintiffs' First Set of Requests to Mylan Pharmaceuticals Inc. and Mylan Inc. for the Production of Documents and Things (Nos. 1-63)</i> . (O'Brien, William) (Entered: 10/19/2015)
10/23/2015	<u>60</u>	STIPULATION <i>on Discovery of Documents (Joint)</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 10/23/2015)
10/23/2015	<u>61</u>	Proposed <i>Stipulated Protective Order</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Exhibit A – Declaration of Acknowledgement and Agreement to be Bound by Protective Order, # <u>2</u> Exhibit B – Declaration of Acknowledgement and Agreement to be Bound by Protective Order)(Companion, James) (Entered: 10/23/2015)
10/23/2015	<u>62</u>	STIPULATED PROTECTIVE ORDER. Signed by District Judge Irene M. Keeley on 10/23/15. (jss) (Entered: 10/23/2015)
12/03/2015	<u>63</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Mylan's Proposed Claim Terms for Construction</i> . (Copland, Gordon) (Entered: 12/03/2015)
12/04/2015	<u>64</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re asserted claims pursuant to Paragraph 4 of Scheduling Order</i> (Companion, James) (Entered: 12/04/2015)
12/04/2015	<u>65</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re claim terms pursuant to Paragraph 6 of Scheduling Order</i> (Companion, James) (Entered: 12/04/2015)
12/17/2015	<u>66</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>regarding Mylan's proposed claim terms and claim construction</i> . (Copland, Gordon) (Entered: 12/17/2015)
12/18/2015	<u>67</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Plaintiffs' Proposed Claim Constructions and Preliminary Identification of Intrinsic and Extrinsic Evidence</i> (Companion, James) (Entered: 12/18/2015)
12/18/2015	<u>68</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>of Defendants' amended Proposed List of Identified Claim Terms and Proposed Construction</i> . (O'Brien, William) (Entered: 12/18/2015)
01/11/2016	<u>69</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Plaintiffs' Notice of Deposition of Defendants Mylan Pharmaceuticals, Inc. and Mylan, Inc. Pursuant to Rule 30(b)(6)</i> (Companion, James) (Entered: 01/11/2016)
01/14/2016	<u>70</u>	NOTICE of Change of Address by Gordon H. Copland (Copland, Gordon) (Entered: 01/14/2016)
01/14/2016	<u>71</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Robert L. Florence</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 01/14/2016)
01/14/2016	<u>72</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Melanie Black Dubis</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 01/14/2016)
01/14/2016	<u>73</u>	MOTION to Withdraw ( <i>Patel, Tan, Nam, Barry, and Kratz</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 01/14/2016)
01/14/2016	<u>74</u>	<i>Defendants' Opening Claim Construction Brief</i> Other Document filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Attachment, # <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> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T)(O'Brien, William) (Entered: 01/14/2016)
01/14/2016	<u>75</u>	<i>Plaintiffs' Opening Brief on Claim Construction</i> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Appendix A, # <u>2</u> Appendix B, # <u>3</u> Appendix C)(Companion, James) (Entered: 01/14/2016)
01/14/2016	<u>76</u>	<i>Declaration of Tryn T. Stimart, Esquire, in Support of Plaintiffs' Opening Brief on Claim Construction</i> Other Document re <u>75</u> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (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)(Companion, James) (Entered: 01/14/2016)
01/14/2016	<u>77</u>	<i>Declaration of Alan Victor Safdi, M.D., F.A.C.G.</i> Other Document re <u>75</u> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Exhibit 1)(Companion, James) (Entered: 01/14/2016)
01/15/2016	<u>78</u>	ORDER: Order granting <u>73</u> Motion to Withdraw. Attorney Christine I. Nam; Anil H. Patel; Cedric C.Y. Tan; George J Barry, III and Timothy H. Kratz terminated. Signed by District Judge Irene M. Keeley on 1/15/16. (jss) (Entered: 01/15/2016)
01/15/2016	<u>79</u>	Pro hac vice Filing fee for M. Dubis and R. Florence: \$ 400.00, receipt number WVNC001539 (jss) (Entered: 01/15/2016)
01/15/2016	<u>80</u>	ORDER granting Melanie Black Dubis' <u>72</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 1/15/16. (jss) (Entered: 01/15/2016)
01/15/2016	<u>81</u>	ORDER granting Robert L. Florence's <u>71</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 1/15/16. (jss) (Entered: 01/15/2016)
01/27/2016	<u>82</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Karen L. Carroll</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 01/27/2016)
01/28/2016	<u>83</u>	Pro Hac Vice Filing fee for K. Carroll: \$ 200.00, receipt number WVNC001558 (jss) (Entered: 01/28/2016)
01/29/2016	<u>84</u>	ORDER granting Karen L. Carroll's <u>82</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 1/29/16. (jss) (Entered: 01/29/2016)
02/04/2016	<u>85</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Defendants' Notice of Deposition of Peter Gruber.</i> (O'Brien, William) (Entered: 02/04/2016)
02/04/2016	<u>86</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Defendants' Notice of Deposition of William Forbes.</i> (O'Brien, William) (Entered: 02/04/2016)
02/04/2016	<u>87</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Defendants' Notice of Deposition of Norbert Otterbeck.</i> (O'Brien, William) (Entered: 02/04/2016)
02/04/2016	<u>88</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Notice of Deposition of Plaintiffs Salix Pharmaceuticals, Inc. and Dr. Falk Pharma GmbH Pursuant to Fed. R. Civ. P. 30(b)(6).</i> (O'Brien, William) (Entered: 02/04/2016)
02/04/2016	<u>89</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Notice of Deposition of David A. Mitchell</i> (Companion, James) (Entered: 02/04/2016)
02/04/2016	<u>90</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Notice of Deposition of Joseph Sobecki</i> (Companion, James) (Entered: 02/04/2016)
02/04/2016	<u>91</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Notice of Deposition of Abhijit Deshmukh</i> (Companion, James) (Entered: 02/04/2016)

02/04/2016	<u>92</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re Notice of Deposition of Ramakrishna Bangaru (Companion, James) (Entered: 02/04/2016)
02/04/2016	<u>93</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re Notice of Deposition of Santanu Chakraborty (Companion, James) (Entered: 02/04/2016)
02/04/2016	<u>94</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re Notice of Deposition of Ritish Kakaria (Companion, James) (Entered: 02/04/2016)
02/08/2016	<u>95</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. for Mylan Pharmaceuticals Inc.s and Mylan Inc.s Supplemental Responses and Objections To Plaintiffs First Set Of Interrogatories To Mylan Pharmaceuticals Inc. and Mylan Inc. (Nos. 1-7). (O'Brien, William) (Entered: 02/08/2016)
02/08/2016	<u>96</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. for Mylan Pharmaceuticals Inc.s and Mylan Inc.s Responses and Objections To Plaintiffs Notice of Deposition of Defendants Mylan Pharmaceuticals Inc. and Mylan Inc. Pursuant To Rule 30(b)(6). (O'Brien, William) (Entered: 02/08/2016)
02/10/2016	<u>97</u>	Joint MOTION for Extension of Time to File <i>Responsive Claim Construction Briefs</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 02/10/2016)
02/10/2016	<u>98</u>	ORDER granting Joint <u>97</u> Motion for Extension of Time: The Court GRANTS the motion and ORDERS the parties to file responsive claim construction briefs by February 12, 2016. Signed by District Judge Irene M. Keeley on 2/10/16. (jss) (Entered: 02/10/2016)
02/12/2016	<u>99</u>	RESPONSE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 02/12/2016)
02/12/2016	<u>100</u>	Other Document re <u>99</u> Response <i>Declaration of Tryn T. Stimart, Esquire in Support of Plaintiff's Responsive Brief on Claim Construction</i> filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6)(Companion, James) (Entered: 02/12/2016)
02/12/2016	<u>101</u>	MEMORANDUM of law by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Responsive Brief on Claim Construction</i> . (Copland, Gordon) (Entered: 02/12/2016)
03/02/2016	<u>102</u>	MOTION To Permit Local Counsel to Attend Depositions by Telephone <i>and Proposed Order Regarding Same</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 03/02/2016)
03/02/2016	<u>103</u>	ORDER DIRECTING DEFENDANTS TO RESPOND: The Court ORDERS the defendants to respond to the plaintiffs <u>102</u> Motion To Permit Local Counsel to Attend Depositions by Telephone no later than Monday, March 7, 2016 Signed by District Judge Irene M. Keeley on 3/2/16. (jss) (Entered: 03/02/2016)
03/02/2016	<u>104</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re Plaintiffs' First Set of Requests for Admission to Defendants (Nos. 1-60), Second Set of Interrogatories (No. 8), Second Notice of Deposition of Defendants Pursuant to Rule 30(b)(6) and Notice of Deposition of Shane C. Shupe (Companion, James) (Entered: 03/02/2016)
03/03/2016		Set/Reset Hearings: Markman Hearing set for 3/9/2016 10:00 AM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley set per <u>51</u> order. (jss) Modified on 3/3/2016 – corrected date and regenerated nef (jss). (Entered: 03/03/2016)
03/07/2016	<u>105</u>	RESPONSE to Motion re <u>102</u> MOTION To Permit Local Counsel to Attend Depositions by Telephone <i>and Proposed Order Regarding Same</i> filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 03/07/2016)
03/07/2016	<u>106</u>	ORDER GRANTING PLAINTIFFS MOTION TO PERMIT LOCAL COUNSEL TO ATTEND DEPOSITIONS BY TELEPHONE <u>102</u> . Signed by District Judge Irene M. Keeley on 3/7/16. (jss) (Entered: 03/07/2016)



03/09/2016	<u>107</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Markman Hearing held on 3/9/2016. (Court Reporter Linda Bachman) (dk) (Entered: 03/09/2016)
03/15/2016	<u>108</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' Objections and Responses to Defendants' Notice of Deposition of Plaintiffs Pursuant to Fed. R. Civ. P. 30(b)(6)</i> (Companion, James) (Entered: 03/15/2016)
03/15/2016	<u>109</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. regarding <i>Responses and Objections to Plaintiffs Second Notice of Deposition of Defendants Mylan Pharmaceuticals Inc. and Mylan Inc. Pursuant to Rule 30(b)(6)</i> . (O'Brien, William) (Entered: 03/15/2016)
04/01/2016	<u>110</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' Supplemental Objections and Responses to Defendants' First Interrogatories (Nos. 1-4, 11-14) to Plaintiffs</i> (Companion, James) (Entered: 04/01/2016)
04/01/2016	<u>111</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Responses to Plaintiffs' Second Set of Interrogatories</i> . (Copland, Gordon) (Entered: 04/01/2016)
04/01/2016	<u>112</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Responses to Plaintiffs' First Requests for Admission</i> . (Copland, Gordon) (Entered: 04/01/2016)
04/01/2016	<u>113</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Second Supp. Response to Plaintiffs' First Interrogatories</i> . (Copland, Gordon) (Entered: 04/01/2016)
04/11/2016	<u>114</u>	TRANSCRIPT of Markman Hearing Proceedings held on March 9, 2016, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 5/2/2016. Redacted Transcript Deadline set for 5/12/2016. Release of Transcript Restriction set for 7/11/2016. (llb) (Entered: 04/11/2016)
04/11/2016	<u>115</u>	TRANSCRIPT PURCHASE ORDER by Mylan Pharmaceuticals, Inc., Mylan, Inc. for proceedings held on March 9, 2016 before Judge Irene M. Keeley. (llb) (Entered: 04/11/2016)
04/11/2016	<u>116</u>	TRANSCRIPT PURCHASE ORDER by Salix Pharmaceuticals, Inc for proceedings held on March 9, 2016 before Judge Irene M. Keeley. (llb) (Entered: 04/11/2016)
04/12/2016	<u>117</u>	MEMORANDUM OPINION AND ORDER CONSTRUING PATENT CLAIMS. Signed by District Judge Irene M. Keeley on 4/12/16. (jss) (Entered: 04/12/2016)
04/18/2016	<u>118</u>	Joint MOTION Modifying Scheduling Order by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 04/18/2016)
04/19/2016	<u>119</u>	ORDER granting <u>118</u> Joint MOTION Modifying Scheduling Order. It is hereby ORDERED that the deadlines indicated from the Court's September 28, 2015 Scheduling Order DE <u>51</u> shall be extended pursuant to L.R. Civ. P. 16.01(F). Signed by District Judge Irene M. Keeley on 4/19/2016. copy counsel of record(jmm) Modified on 4/19/2016 linked DE <u>51</u> to docket text (jmm). (Entered: 04/19/2016)
04/28/2016	<u>120</u>	STIPULATION re <u>119</u> Order on Motion for Miscellaneous Relief,,, <i>Extending Deadlines for Exchange of Expert Reports</i> by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (O'Brien, William) (Entered: 04/28/2016)
05/27/2016	<u>121</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc re <i>Plaintiffs' Opening Expert Reports</i> (Companion, James) (Entered: 05/27/2016)

05/27/2016	<u>122</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>re Defendants' Opening Expert Reports.</i> (O'Brien, William) (Entered: 05/27/2016)
06/28/2016	<u>123</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Responsive Expert Report of Alan Victor Safdi, M.D., F.A.C.G.</i> (Companion, James) (Entered: 06/28/2016)
06/28/2016	<u>124</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Expert Report of Dr. Stanley S. ("Bob") Davis</i> (Companion, James) (Entered: 06/28/2016)
06/28/2016	<u>125</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Rebuttal Report of David Auslander.</i> (Copland, Gordon) (Entered: 06/28/2016)
07/12/2016	<u>126</u>	Other Document <i>Notice of Change of address – Micheal Binns, Robert Florence and Karen Carroll</i> filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 07/12/2016)
08/02/2016	<u>127</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Reply Expert Report of Martyn C. Davis, Ph.D. and Reply Expert Report of Alan Victor Safdi, M.D., F.A.C.G.</i> (Companion, James) (Entered: 08/02/2016)
08/02/2016	<u>128</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>for Expert Reply report of Dr. Korelitz.</i> (Copland, Gordon) (Entered: 08/02/2016)
08/08/2016	<u>129</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Notice of Deposition of David E. Auslander, Ph.D.</i> (Companion, James) (Entered: 08/08/2016)
08/08/2016	<u>130</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Notice of Deposition of Dr. Burton I. Korelitz, M.D.</i> (Companion, James) (Entered: 08/08/2016)
08/08/2016	<u>131</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Notice of Deposition of Steven H. Neau, Ph.D.</i> (Companion, James) (Entered: 08/08/2016)
08/19/2016	<u>132</u>	NOTICE of Appearance by Adam S Ennis on behalf of All Defendants (Ennis, Adam) (Entered: 08/19/2016)
08/22/2016	<u>133</u>	NOTICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Notice of Deposition of Dr. Stanley "Bob" Davis</i> (Lauderman, Christopher) (Entered: 08/22/2016)
08/22/2016	<u>134</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Notice of Deposition of Dr. Alan Safdi.</i> (Lauderman, Christopher) (Entered: 08/22/2016)
08/22/2016	<u>135</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Notice of Deposition of Dr. Pamela Golden.</i> (Lauderman, Christopher) (Entered: 08/22/2016)
08/22/2016	<u>136</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Notice of Deposition of Dr. Martyn Davies.</i> (Lauderman, Christopher) (Entered: 08/22/2016)
08/23/2016	<u>137</u>	CERTIFICATE OF SERVICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>Sur-Reply Expert Report of David E. Auslander, Ph.D..</i> (Lauderman, Christopher) (Entered: 08/23/2016)
10/05/2016	<u>138</u>	MOTION Joint Motion to Amend Dispositive Motion Schedule by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 10/05/2016)
10/07/2016	139	PAPERLESS ORDER (Status Conference re <u>138</u> set for 10/7/2016 at 5:00 PM before District Judge Irene M. Keeley. The status conference will be conducted by telephone.). Signed by District Judge Irene M. Keeley on 10/7/2016. (dk) (Entered: 10/07/2016)
10/07/2016	<u>140</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>

		Proceedings held before District Judge Irene M. Keeley. Status Conference held on 10/7/2016. (Court Reporter Linda Bachman) (dk) (Entered: 10/07/2016)
10/11/2016	<u>141</u>	ORDER FOLLOWING STATUS CONFERENCE: Order granting in part and denying in part the Joint Motion to Amend Scheduling Order <u>138</u> . Dispositive Motions are due by October 28, 2016 and Responses to Dispositive Motions are due by November 18, 2016. Signed by District Judge Irene M. Keeley on 10/11/16. (jss) (Entered: 10/11/2016)
11/28/2016	<u>142</u>	MOTION to Withdraw as Attorney <i>re Tryn T. Stimart</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 11/28/2016)
11/29/2016	<u>143</u>	ORDER: Order granting <u>142</u> Motion to Withdraw as Attorney. Attorney Tryn T. Stimart is hereby withdrawn as counsel for Plaintiffs Salix Pharmaceuticals, Inc. and Dr. Falk Pharma GmbH. Signed by District Judge Irene M. Keeley on 11/29/16. (jss) (Entered: 11/29/2016)
02/03/2017	<u>144</u>	NOTICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. <i>PURSUANT TO 35 U.S.C. § 282</i> (O'Brien, William) (Entered: 02/03/2017)
02/09/2017	<u>145</u>	MOTION for Leave to Appear Pro Hac Vice of <i>John Cox</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 02/09/2017)
02/09/2017	<u>146</u>	MOTION for Leave to Appear Pro Hac Vice for <i>Catherine Lawson</i> by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 02/09/2017)
02/09/2017	<u>147</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Christopher Thomas</i> by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 02/09/2017)
02/09/2017	<u>148</u>	Pro Hac Vice Filing fee for John Cox: \$ 200.00, receipt number WVNW001617 (jss) (Entered: 02/09/2017)
02/10/2017	<u>149</u>	ORDER granting <u>145</u> Motion for John Cox to Appear Pro Hac Vice. Signed by District Judge Irene M. Keeley on 2/10/17. (mh) (Entered: 02/10/2017)
02/10/2017	<u>150</u>	Exhibit List by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc.(Companion, James) (Entered: 02/10/2017)
02/10/2017	<u>151</u>	Witness List by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc.(Companion, James) (Entered: 02/10/2017)
02/10/2017	<u>152</u>	Exhibit List by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc.(Companion, James) (Entered: 02/10/2017)
02/10/2017	<u>153</u>	Other Document <i>Plaintiffs' Designation of Deposition Testimony and Written Discovery</i> filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 02/10/2017)
02/10/2017	<u>154</u>	Witness List by Mylan Pharmaceuticals, Inc., Mylan, Inc..(Copland, Gordon) (Entered: 02/10/2017)
02/10/2017	<u>155</u>	<i>Designation of Deposition and Discovery of Defendants</i> Other Document filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 02/10/2017)
02/13/2017	<u>158</u>	PHV Filing fee for Catherine Lawson and Christopher Thomas. \$ 400.00, receipt number WVNC001814 (mh) (Entered: 02/13/2017)
02/14/2017	<u>159</u>	ORDER granting <u>147</u> Motion for Christopher M. Thomas to Appear Pro Hac Vice on behalf of Mylan Defendants. Signed by District Judge Irene M. Keeley on 2/14/17. (mh) (Entered: 02/14/2017)
02/14/2017	<u>160</u>	ORDER granting <u>146</u> Motion for Catherine R. L. Lawson to Appear Pro Hac Vice on behalf of Mylan Defendants. Signed by District Judge Irene M. Keeley on 2/14/17. (mh) (Entered: 02/14/2017)

02/17/2017	<u>169</u>	<i>Expert Witness Biographical Sketches</i> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Companion, James) (Entered: 02/17/2017)
02/17/2017	<u>171</u>	<i>Defendants' Expert Biographical Sketches</i> Other Document filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Exhibit A – Dr. Auslander's CV, # <u>2</u> Exhibit B – Dr. Korelitz's CV, # <u>3</u> Exhibit C – Dr. Neau's CV)(O'Brien, William) (Entered: 02/17/2017)
02/24/2017	<u>173</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Pretrial Conference held on 2/24/2017. (Court Reporter Linda Bachman) (dk) (Entered: 02/24/2017)
02/24/2017	174	PAPERLESS ORDER (For the reasons set forth on the record, the Bench Trial previously set to begin on 3/6/2017 at 9:30 AM is RESCHEDULED to begin on 3/7/2017 at 9:30 AM in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley.). Signed by District Judge Irene M. Keeley on 2/24/2017. (dk) (Entered: 02/24/2017)
03/02/2017	<u>175</u>	TRANSCRIPT of Final Pretrial Conference Proceedings held on February 24, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 3/23/2017. Redacted Transcript Deadline set for 4/3/2017. Release of Transcript Restriction set for 5/31/2017. (llb) (Entered: 03/02/2017)
03/02/2017	<u>176</u>	TRANSCRIPT PURCHASE ORDER by Mylan Pharmaceuticals, Inc., Mylan, Inc. for proceedings held on February 24, 2017 before Judge Irene M. Keeley. (llb) (Entered: 03/02/2017)
03/02/2017	<u>177</u>	TRANSCRIPT PURCHASE ORDER by Salix Pharmaceuticals, Inc. for proceedings held on February 24, 2017 before Judge Irene M. Keeley. (llb) (Entered: 03/02/2017)
03/06/2017	<u>178</u>	MOTION Joint Request for Status Conference in Advance of Trial by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 03/06/2017)
03/06/2017	<u>179</u>	Joint MOTION TO PERMIT ENTRY TO THE COURTHOUSE WITH ELECTRONIC EQUIPMENT by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, William) (Entered: 03/06/2017)
03/06/2017	181	PAPERLESS ORDER (Telephonic Status Conference re <u>178</u> Joint Request for Status Conference in Advance of Trial set for 3/6/2017 at 1:00 PM, before District Judge Irene M. Keeley. Counsel for the Plaintiffs is directed to provide call-in information to all parties and the Court. Call-in information to the Court is to be sent by email to Candace_Levitsky@wvnd.uscourts.gov, no later than 12:30 p.m.). Signed by District Judge Irene M. Keeley on 3/6/2017. (dk) (Entered: 03/06/2017)
03/06/2017	<u>182</u>	ORDER GRANTING JOINT <u>179</u> MOTION TO PERMIT ENTRY TO THE COURTHOUSE WITH ELECTRONIC EQUIPMENT. Signed by District Judge Irene M. Keeley on 3/6/17. (jss) (Entered: 03/06/2017)
03/06/2017	<u>183</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Status Conference held on 3/6/2017. (Court Reporter Linda Bachman) (dk) (Entered: 03/06/2017)
03/06/2017	<u>184</u>	ORDER <b><u>***SEALED***</u></b> ; <b><u>***SEALED***</u></b> . (copies counsel and Court reporter) Signed by District Judge Irene M. Keeley on 3/6/17. (jss) (Entered: 03/06/2017)



03/07/2017	<u>185</u>	Disclaimer for Realtime Unedited Transcript. (jss) Modified on 3/9/2017 Signed by District Judge Irene M. Keeley on 3/7/17. (jss). (Entered: 03/07/2017)
03/07/2017	<u>186</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Bench Trial Day One held on 3/7/2017. (Court Reporter Jennifer Kirkbride) (dk) (Entered: 03/07/2017)
03/08/2017	<u>187</u>	TRANSCRIPT of Proceedings held on March 7, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman; Jennifer Kirkbride, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 3/29/2017. Redacted Transcript Deadline set for 4/10/2017. Release of Transcript Restriction set for 6/6/2017. (llb) (Main Document 187 replaced on 4/11/2017) (jss). (Additional attachment(s) added on 4/11/2017: # <u>1</u> Errata Sheet for Trial Day 1, March 7, 2017) (jss). (Entered: 03/08/2017)
03/08/2017	<u>188</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Bench Trial held on 3/8/2017. (Court Reporter Jennifer Kirkbride) (dk) (Entered: 03/08/2017)
03/09/2017	<u>189</u>	*SEALED* TRANSCRIPT of Sealed Hearing held on March 8, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman; Jennifer Kirkbride, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov.. (llb) (Main Document 189 replaced on 4/11/2017) (jss). (Entered: 03/09/2017)
03/09/2017	<u>190</u>	TRANSCRIPT of Proceedings held on March 8, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman; Jennifer Kirkbride, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 3/30/2017. Redacted Transcript Deadline set for 4/10/2017. Release of Transcript Restriction set for 6/7/2017. (llb) (Main Document 190 replaced on 4/11/2017) (jss). (Additional attachment(s) added on 4/11/2017: # <u>1</u> Errata Sheet for Trial Day 2, March 8, 2017) (jss). (Entered: 03/09/2017)
03/09/2017	<u>191</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Bench Trial Day 3 held on 3/9/2017. (Court Reporter Jennifer Kirkbride) (dk) (Entered: 03/09/2017)
03/09/2017	<u>192</u>	Clerk's Exhibit and Witness List for Trial held 3/7/17 - 3/9/17. (dk) (Main Document 192 replaced on 3/23/2017 to correct typographical error) (dk). (Entered: 03/09/2017)
03/09/2017	<u>193</u>	TRANSCRIPT of Proceedings held on March 9, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman; Jennifer Kirkbride, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 3/30/2017. Redacted Transcript Deadline set for 4/10/2017. Release of Transcript Restriction set for 6/7/2017. (llb) (Main Document 193 replaced on 4/11/2017) (jss). (Additional attachment(s) added on 4/11/2017: # <u>1</u> Errata Sheet for Trial Day 3, March 9, 2017) (jss). (Entered: 03/09/2017)

03/09/2017	<u>194</u>	TRANSCRIPT PURCHASE ORDER by Salix Pharmaceuticals, Inc for proceedings held on March 7–9, 2017 before Judge Irene M. Keeley. (llb) (Entered: 03/09/2017)
03/09/2017	<u>195</u>	TRANSCRIPT PURCHASE ORDER by Mylan Pharmaceuticals, Inc., Mylan, Inc. for proceedings held on March 7–9, 2017 before Judge Irene M. Keeley. (llb) (Entered: 03/09/2017)
03/15/2017	<u>196</u>	Redaction of <u>175</u> Transcript,.. hearing held February 24, 2017 (llb) (Entered: 03/15/2017)
03/17/2017	<u>197</u>	ORDER SCHEDULING CONCLUSION OF BENCH TRIAL: On or before Friday, March 31, 2017, the parties are to file a stipulation scheduling these dates, and also to include three dates on which they are available for an interim status conference prior to the resumption of trial. Signed by District Judge Irene M. Keeley on 3/17/17. (jss) (Entered: 03/17/2017)
03/17/2017	<u>198</u>	ORDER SETTING BRIEFING SCHEDULE: The parties opening briefs are due Monday, April 10, 2017. The parties responsive briefs are due Wednesday, May 10, 2017. Signed by District Judge Irene M. Keeley on 3/17/17. (jss) (Entered: 03/17/2017)
03/20/2017		Set/Reset Hearings: Continued Bench Trial set for 5/31/2017 and 6/1/2017, at 9:30 AM, each day, in Clarksburg District Judge Courtroom, 2nd Floor before District Judge Irene M. Keeley. (dk) (Entered: 03/20/2017)
03/22/2017	<u>199</u>	Joint MOTION Joint request for status conference by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 03/22/2017)
03/24/2017	<u>200</u>	ORDER SCHEDULING STATUS CONFERENCE: Finding good cause, the Court SCHEDULES a telephonic status conference for Tuesday, March 28, 2017, at 4:30 P.M. Signed by District Judge Irene M. Keeley on 3/24/17. (jss) (Entered: 03/24/2017)
03/28/2017	201	PAPERLESS ORDER CANCELING STATUS CONFERENCE. For reasons appearing to the Court, the Status Conference set for 3/28/2017 at 4:30 P.M., is CANCELED. Signed by District Judge Irene M. Keeley on 3/28/2017. (dk) (Entered: 03/28/2017)
03/29/2017	<u>202</u>	Joint MOTION to establish schedule for supplemental expert discovery by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 03/29/2017)
03/30/2017	<u>203</u>	ORDER GRANTING JOINT MOTION REGARDING SUPPLEMENTAL EXPERT DISCOVERY: It is ORDERED that the parties' <u>202</u> Joint Motion to Establish Schedule for Supplemental Expert Discovery is hereby GRANTED. The Interim Status Conference is set for 4/27/2017 02:30 PM in Judge Keeley Chambers before District Judge Irene M. Keeley, via telephone. Signed by District Judge Irene M. Keeley on 3/30/17. (cnd) (Entered: 03/30/2017)
04/03/2017	<u>204</u>	MOTION For Leave to Expand Page Limit ( <i>Unopposed</i> ) by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 04/03/2017)
04/03/2017	<u>205</u>	ORDER: Order granting <u>204</u> Plaintiffs' Unopposed Motion to Expand Page Limit and ORDERS that Plaintiffs opening post–trial brief is expanded from a 30–page limit to a 35–page limit. Signed by District Judge Irene M. Keeley on 4/3/17. (jss) (Entered: 04/03/2017)
04/03/2017	<u>206</u>	MOTION Enlargement of Page Limit for initial brief by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 04/03/2017)
04/04/2017	<u>207</u>	ORDER ENLARGING PAGE LIMIT: Order granting <u>206</u> Motion to Enlarge Page Limit and ORDERS that the page limit on Defendants opening post–trial brief is expanded from a 30–page limit to a 35–page limit. Signed by District Judge Irene M. Keeley on 4/4/17. (jss) (Entered: 04/04/2017)
04/10/2017	<u>208</u>	MEMORANDUM <i>Plaintiffs' Opening Brief Regarding Infringement of United States Patent Number 8,865,688</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc . (Companion, James) (Entered: 04/10/2017)

04/10/2017	<u>209</u>	Other Document <i>Proposed Findings of Fact and Conclusions of Laaw</i> filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 04/10/2017)
04/12/2017	<u>210</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Joseph M. Janusz, Esq.</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, William) (Entered: 04/12/2017)
04/12/2017	<u>211</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Deepro Mukerjee, Esq.</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, William) (Entered: 04/12/2017)
04/12/2017	<u>212</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>Lance Soderstrom, Esq.</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, William) (Entered: 04/12/2017)
04/12/2017	<u>213</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>James C. Grant, Esq.</i> ) by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, William) (Entered: 04/12/2017)
04/13/2017	<u>214</u>	Joint MOTION Regarding Expert Discovery by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 04/13/2017)
04/14/2017	<u>215</u>	ORDER: It is ORDERED that the parties' <u>214</u> Joint Motion Regarding Supplemental Expert Discovery is hereby GRANTED and the deposition date of Dr. Bloomfeld be extended through and including 4/23/17. Signed by District Judge Irene M. Keeley on 4/14/17. (cnd) (Entered: 04/14/2017)
04/19/2017	<u>216</u>	CERTIFICATE OF SERVICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc <i>re Plaintiffs' Notice of Deposition of Richard S. Bloomfeld, M.D.</i> (Companion, James) (Entered: 04/19/2017)
04/27/2017	<u>217</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Status Conference held on 4/27/2017. (Court Reporter Cindy Knecht) (dk) (Entered: 04/27/2017)
04/28/2017	<u>218</u>	PHV Filing fee, J. Janusz, D. Mukerjee, L. Soderstrom, J. Grant: \$ 800.00, receipt number WVNC001871 (mh) (Entered: 04/28/2017)
05/01/2017	<u>219</u>	ORDER granting James C. Grant's <u>213</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 5/1/17. (jss) (Entered: 05/01/2017)
05/01/2017	<u>220</u>	ORDER granting Joseph M. Janusz's <u>210</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 5/1/17. (jss) (Entered: 05/01/2017)
05/01/2017	<u>221</u>	ORDER granting Deepro Mukerjee's <u>211</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 5/1/17. (jss) (Entered: 05/01/2017)
05/01/2017	<u>222</u>	ORDER granting Lance Soderstrom's <u>212</u> Motion for Leave to Appear pro hac vice. Signed by District Judge Irene M. Keeley on 5/1/17. (jss) (Entered: 05/01/2017)
05/04/2017	<u>223</u>	STIPULATION ( <i>Joint</i> ) by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 05/04/2017)
05/04/2017	<u>224</u>	ORDER: The Court Orders that all claims, affirmative defenses and counterclaims in this action as they relate to the Otterbeck patents and Counterclaim patents are hereby dismissed with prejudice. Signed by District Judge Irene M. Keeley on 5/4/17. (jss) (Entered: 05/04/2017)
05/05/2017	<u>225</u>	Other Document <i>Defendants' Corrected Proposed Findings of Fact and Conclusions of Law</i> filed by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Copland, Gordon) (Entered: 05/05/2017)
05/05/2017	<u>226</u>	Other Document <i>Plaintiffs' Corrected Opening Post-Trial Brief Regarding Infringement of United States Patent Number 8,865,688</i> filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 05/05/2017)

05/09/2017	<u>227</u>	MOTION to Expand Page Limit ( <i>Unopposed</i> ) by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 05/09/2017)
05/09/2017	<u>228</u>	ORDER granting <u>227</u> Unopposed Motion to Expand Page Limit and ORDERS that the parties' closing post-trial briefs are expanded from a 20-page limit to a 25-page limit. Signed by District Judge Irene M. Keeley on 5/9/2017. (kac) (Entered: 05/09/2017)
05/10/2017	<u>229</u>	RESPONSE by Mylan Pharmaceuticals, Inc., Mylan, Inc. to <u>208</u> MEMORANDUM, <u>226</u> Other Document. (Copland, Gordon) (Entered: 05/10/2017)
05/10/2017	<u>230</u>	<i>Plaintiffs' Answering Post-Trial Brief Regarding Infringement of U.S. Patent No. 8,865,688</i> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Exhibit A)(Companion, James) (Entered: 05/10/2017)
05/19/2017	<u>231</u>	<i>Letter to Judge Irene M. Keeley re hyperlinked briefs</i> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 05/19/2017)
05/19/2017	<u>232</u>	NOTICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. of <i>Final PTAB Written Decision</i> (Attachments: # <u>1</u> Attachment Final Decision of PTAB)(Copland, Gordon) (Entered: 05/19/2017)
05/24/2017	<u>233</u>	ORDER SCHEDULING STATUS CONFERENCE: The Court SCHEDULES a telephonic status conference for Tuesday, May 30, 2017, at 9:00 A.M. Signed by District Judge Irene M. Keeley on 5/24/17. (jss) (Entered: 05/24/2017)
05/30/2017	<u>234</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Status Conference held on 5/30/2017. (Court Reporter Linda Bachman) (dk) (Entered: 05/30/2017)
05/30/2017	235	PAPERLESS ORDER: For reasons appearing to the Court, the continued bench trial scheduled for 5/31/2017, and 6/1/2017, is CANCELED. Signed by District Judge Irene M. Keeley on 5/30/2017. (dk) (Entered: 05/30/2017)
06/06/2017	<u>236</u>	MOTION to Withdraw <i>as counsel</i> by <i>Yolonda G. Lambert</i> by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Companion, James) (Entered: 06/06/2017)
06/06/2017	<u>237</u>	ORDER: Order granting <u>236</u> Motion to For Leave to Withdraw as Counsel and Orders Yolonda G. Lambert is hereby withdrawn as counsel. Signed by District Judge Irene M. Keeley on 6/6/17. (jss) (Entered: 06/06/2017)
06/07/2017	<u>238</u>	STIPULATION ( <i>Joint</i> ) by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 06/07/2017)
06/08/2017	<u>239</u>	TRANSCRIPT of Status Conference Proceedings held on May 30, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 6/29/2017. Redacted Transcript Deadline set for 7/10/2017. Release of Transcript Restriction set for 9/6/2017. (llb) (Entered: 06/08/2017)
06/08/2017	<u>240</u>	TRANSCRIPT PURCHASE ORDER by IPD Analytics for proceedings held on May 30, 2017 before Judge Irene M. Keeley. (llb) (Entered: 06/08/2017)
06/08/2017	<u>241</u>	TRANSCRIPT PURCHASE ORDER by Salix Pharmaceuticals, Inc for proceedings held on May 30, 2017 before Judge Irene M. Keeley. (llb) (Entered: 06/08/2017)
06/09/2017	<u>242</u>	TRANSCRIPT PURCHASE ORDER by Mylan Pharmaceuticals, Inc., Mylan, Inc. for proceedings held on May 30, 2017 before Judge Irene M. Keeley. (llb) (Entered: 06/09/2017)



06/22/2017	<u>243</u>	Proposed Order by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 06/22/2017)
06/22/2017	<u>244</u>	NOTICE by Mylan Pharmaceuticals, Inc., Mylan, Inc. re <u>238</u> Stipulation <i>-filing of proposed order implementing stipulation</i> (Attachments: # <u>1</u> Text of Proposed Order (proposed order by Mylan))(Copland, Gordon) (Entered: 06/22/2017)
06/23/2017	<u>245</u>	<i>Plaintiffs' Response to Mylan's Notice of Submission of Proposed Order</i> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 06/23/2017)
06/27/2017	<u>246</u>	ORDER SCHEDULING STATUS CONFERENCE: It is ORDERED that the Court SCHEDULES a Status Conference by telephone for 6/30/2017 at 03:00 PM. Signed by District Judge Irene M. Keeley on 6/27/17. (cnd) (Entered: 06/27/2017)
06/30/2017	<u>247</u>	NOTICE of Appearance by Shawn A. Morgan on behalf of All Defendants (Morgan, Shawn) (Entered: 06/30/2017)
06/30/2017	<u>248</u>	MINUTE ENTRY:  <b><u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u></b>  Proceedings held before District Judge Irene M. Keeley. Status Conference held on 6/30/2017. (Court Reporter FTR Gold cbg keeley salix v mylan 1 15 cv 109 6 30 2017.) (dk) (Entered: 06/30/2017)
07/10/2017	<u>249</u>	ORDER IMPLEMENTING JOINT STIPULATION: The Court ORDERS as follows: With respect to the product described in the MPI Apriso ANDA, any and all claims by Plaintiffs alleging infringement of claim 2 of the 688 patent are DISMISSED WITH PREJUDICE; Except for the limited purpose of maintaining jurisdiction over MPIs invalidity counterclaims in order to enter a consent judgment based on the PTABs Determination respecting the invalidity of claim 1 of the 688 patent, and consistent with the provisions of paragraph 3 below, Mylans affirmative defenses and counterclaims of invalidity with respect to the 688 patent are DISMISSED WITH PREJUDICE; Should the United States Court of Appeals for the Federal Circuit affirm the PTABs Determination regarding claim 1 of the 688 patent, or in the event there is no appeal from the PTABs Determination, the Court will enter a final consent judgment in this action in Mylans favor as to the invalidity of claim 1 of the 688 patent; and Each party shall bear its own attorneys fees and costs relating to these issues. Signed by District Judge Irene M. Keeley on 7/10/17. (jss) (Entered: 07/10/2017)
07/19/2017	<u>250</u>	Corporate Disclosure Statement by Mylan Pharmaceuticals, Inc., Mylan, Inc. identifying Corporate Parent Mylan N.V. for Mylan Pharmaceuticals, Inc., Mylan, Inc... (O'Brien, William) (Entered: 07/19/2017)
07/31/2017	<u>251</u>	TRANSCRIPT of Status Hearing Proceedings held on June 30, 2017, before Judge Irene M. Keeley. Court Reporter/Transcriber Linda Bachman, Telephone number (304) 282-0395; Linda_Bachman@wvnd.uscourts.gov. Tape Number: FTR Gold. Parties have five business days to file a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will become available via PACER to the public without redaction after 90 calendar days.. Redaction Request due 8/21/2017. Redacted Transcript Deadline set for 8/31/2017. Release of Transcript Restriction set for 10/30/2017. (llb) (Entered: 07/31/2017)
07/31/2017	<u>252</u>	TRANSCRIPT PURCHASE ORDER for proceedings held on June 30, 2017 before Judge Irene M. Keeley. (llb) (Entered: 07/31/2017)
07/31/2017	<u>253</u>	TRANSCRIPT PURCHASE ORDER by Mylan Pharmaceuticals, Inc., Mylan, Inc. for proceedings held on June 30, 2017 before Judge Irene M. Keeley. (llb) (Entered: 07/31/2017)
07/31/2017	<u>254</u>	TRANSCRIPT PURCHASE ORDER by Salix Pharmaceuticals, Inc for proceedings held on June 30, 2017 before Judge Irene M. Keeley. (llb) (Entered: 07/31/2017)
09/12/2017	<u>255</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW GRANTING JUDGMENT IN FAVOR OF THE DEFENDANTS. The plaintiffs have not carried their burden to

		prove by a preponderance of the evidence that Mylans ANDA product will infringe each element of claim 1 of the 688 Patent either directly or indirectly. The Court DIRECTS the Clerk to transmit copies of this Order to counsel of record, to enter a separate judgment order, and to terminate as moot the pending motions (Dkt. Nos. 163 ; 166 ). Signed by District Judge Irene M. Keeley on 9/12/17. (jss) (Entered: 09/12/2017)
09/12/2017	<u>256</u>	JUDGMENT in favor of Mylan Pharmaceuticals, Inc. and Mylan, Inc. against Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. Signed by Clerk of Court on 9/12/17. (jss) Modified on 9/13/2017 to correct signature (jss). (Entered: 09/12/2017)
09/12/2017	<u>257</u>	REPORT to USPTO on the filing or determination of an action regarding a Patent or Trademark. (jss) (Entered: 09/12/2017)
09/27/2017	<u>258</u>	NOTICE OF APPEAL as to <u>256</u> Judgment, <u>255</u> Sealed Motion,, Findings of Fact & Conclusions of Law, Order Dismissing Case,,,,,, by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. Filing fee \$; 505, receipt number 0424-2435022. (Companion, James) Modified on 9/29/2017 – untermiated notice of appeal (jss). (Entered: 09/27/2017)
09/27/2017	<u>259</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>258</u> Notice of Appeal. (jss) (Entered: 09/27/2017)
09/28/2017	<u>260</u>	NOTICE OF DOCKET CORRECTION re <u>258</u> Notice of Appeal. This notice of appeal was to be filed in the United States Court of Appeals for the Federal Circuit. Attorney was advised to filed Appeal directly with the United States Court of Appeals for the Federal Circuit. (jss) (Entered: 09/28/2017)
09/29/2017	<u>261</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals Federal Circuit re <u>258</u> Notice of Appeal. ( emailed to ChiefDeputyClerk@cafc.uscourts.gov) (Attachments: # <u>1</u> Docket Sheet, # <u>2</u> Findings of Fact, # <u>3</u> Judgment Order)(jss) Modified on 9/29/2017 (emailed along with de <u>258</u> Notice of appeal to appeal@cafc.uscourts.gov) (jss). (Entered: 09/29/2017)
09/29/2017	<u>262</u>	USCA Appeal Fees received \$ 505.00 receipt number WVNE011577 re <u>258</u> Notice of Appeal, filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (cnd) (Entered: 09/29/2017)
09/29/2017	<u>263</u>	USCA NOTICE OF APPELLATE CASE OPENING: re <u>258</u> Notice of Appeal, filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. US Court of Appeals Federal Circuit USCA Case Number: 17-2636. Clerk of Court Peter R. Marksteiner. (Attachments: # <u>1</u> Case as docketed – Notice of Appeal)(jss) (Entered: 09/29/2017)
10/11/2017	<u>264</u>	<i>Transcript Purchase Order</i> Other Document filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. (Companion, James) (Entered: 10/11/2017)
11/01/2017	<u>265</u>	NOTICE by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc of <i>Firm Name Change</i> (Companion, James) (Entered: 11/01/2017)
11/07/2017	<u>266</u>	ORDER of USCA Federal Circuit as to <u>258</u> Notice of Appeal filed by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. Appeal No. 2017-2312 and Appeal No. 2017-2636 shall be considered companion cases and assigned to the same merits panel. (njz) (Entered: 11/08/2017)
11/28/2017	<u>267</u>	Consent MOTION for Certificate of Appealability – <i>Unopposed motion for certification as final under Rule 54(b)</i> by Mylan Pharmaceuticals, Inc., Mylan, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Copland, Gordon) (Entered: 11/28/2017)
11/29/2017	<u>268</u>	ORDER GRANTING UNOPPOSED MOTION FOR ENTRY OF FINAL JUDGMENT: It is ORDERED that Mylans' <u>267</u> Consent Motion for Certificate of Appealability is hereby GRANTED and final judgment shall be entered by the Clerk. Signed by Senior Judge Irene M. Keeley on 11/29/17. (cnd) (Entered: 11/29/2017)
11/29/2017	<u>269</u>	CLERK'S FINAL JUDGMENT in favor of Mylan Pharmaceuticals, Inc., Mylan, Inc. against Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. Signed by Clerk of Court on 11/29/17. (cnd) (Entered: 11/29/2017)

12/11/2017	<u>270</u>	NOTICE OF APPEAL by Dr. Falk Pharma GmbH, Salix Pharmaceuticals, Inc. Filing fee \$; 505, receipt number 0424-2486044. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Companion, James) (Entered: 12/11/2017)
12/12/2017	271	Transmission of Amended Notice of Appeal and Docket Sheet to US Court of Appeals re <u>270</u> Notice of Appeal. (email to appeal@cafc.uscourts.gov) (jss) Modified on 12/13/2017 to correct email address (jss). (Entered: 12/12/2017)