

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FRESENIUS KABI USA, LLC,)
)
<i>Plaintiff,</i>)
)
v.)
)
MYLAN LABORATORIES LTD.)
and MYLAN INC.,)
)
<i>Defendants.</i>)
)
)
)

C.A. No. 14-cv-1438-RGA

JOINT STIPULATION AND ORDER OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Fresenius Kabi USA, LLC (“Plaintiff”) and Defendants Mylan Laboratories Ltd. and Mylan Inc. (“Defendants”) (together, with Plaintiff, the “Parties”), through their undersigned counsel, that Plaintiff’s claim for infringement of U.S. Patent No. 8,476,010 set forth in the Complaint (D.I. 1) filed November 26, 2014, be dismissed with prejudice and the Parties shall each bear their own costs, expenses, and attorneys’ fees.

Dated: October 9, 2015

Respectfully submitted,

FARNAN LLP

MORRIS JAMES LLP

By: /s/ Brian E. Farnan
Brian E. Farnan (Bar No. 4089)
Michael J. Farnan (Bar No. 5165)
919 North Market Street, 12th Floor
Wilmington, DE 19801
(302) 777-0300
bfarnan@farnanlaw.com

By: /s/ Mary B. Matterer
Mary B. Matterer (I.D. #2696)
Richard K. Herrmann (I.D. #405)
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801-1494
(302) 888-6800
mmatterer@morrisjames.com

mfarnan@farnanlaw.com

rherrmann@morrisjames.com

Of Counsel:

Daryl L. Wiesen
John T. Bennett
Sundar Subramanyam
Srikanth K. Reddy
Todd Marabella
Jennifer L. Ford
GOODWIN PROCTER LLP
Exchange Place
53 State Street
Boston, MA 02109
(617) 570-1000
(617) 523-1231 (fax)
DWiesen@goodwinprocter.com
JBennett@goodwinprocter.com
SSubramanyam@goodwinprocter.com
SReddy@goodwinprocter.com
TMarabella@goodwinprocter.com
JFord@goodwinprocter.com


Attorneys for Plaintiff

IT IS SO ORDERED this 13 day of Oct, 2015.

Of Counsel:

Timothy H. Kratz
George J. Barry, III
Karen L. Carroll
Micheal L. Binns
Meghan M. Rachford
MCGUIRE WOODS LLP
1230 Peachtree Street N.E., Suite 2100
Atlanta, Georgia 30309-3534
404-443-5500
404-443-5599 (fax)
tkratz@mcguirewoods.com
gbarry@mcguirewoods.com
kcarroll@mcguirewoods.com
mbinns@mcguirewoods.com
mrachford@mcguirewoods.com

Attorneys for Defendants


The Honorable Richard G. Andrews