

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAYER HEALTHCARE LLC and BAYER)
HEALTHCARE PHARMACEUTICALS)
INC.,)
)
Plaintiffs,)
) C.A. No. 16-1221 (LPS)
v.) CONSOLIDATED
)
APOTEX INC. and APOTEX CORP.,)
)
Defendants.)
)

STIPULATION & PROPOSED ORDER TO AMEND SCHEDULING ORDER

WHEREAS, the Court previously entered an amended scheduling order requiring that the parties file the joint proposed final pretrial order on November 1, 2019 (D.I. 106, ¶ 16), with the pretrial conference on November 8, 2019 (*Id.*), and trial commencing on November 18, 2019 (D.I. 106, ¶ 18);

WHEREAS, in light of current challenges recognized by the Court in adhering to the trial schedule (D.I. 136), the parties are simultaneously herewith jointly requesting a new trial date:
and

WHEREAS, the parties have agreed to set a date for the submission of the joint proposed final pretrial order while they work with chambers to finalize rescheduling of the pretrial conference and trial;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that the date for the parties to submit the joint proposed final pretrial order is extended to December 13, 2019, and the November 2019 pretrial conference and trial dates are postponed.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

MORRIS JAMES LLP

/s/ Anthony D. Raucci

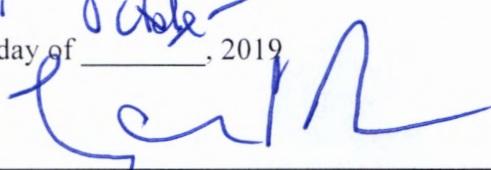
/s/ Kenneth L. Dorsney

Jack B. Blumenfeld (#1014)
Derek J. Fahnestock (#4705)
Anthony D. Raucci (#5948)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
dfahnestock@mnat.com
araucci@mnat.com
*Attorneys for Plaintiffs
Bayer Healthcare LLC and
Bayer Healthcare Pharmaceuticals Inc.*

Kenneth L. Dorsney (#3726)
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801-1494
(302) 888-6855
kdorsney@morrisjames.com
*Attorneys for Defendants
Apotex Inc. and Apotex Corp.*

October 30, 2019

SO ORDERED this 31st day of October, 2019



Chief United States District Judge