

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|--------------------------------|---|-----------------------|
| BAXTER HEALTHCARE CORPORATION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | C.A. No. 18-303-RGA |
| v. |) | |
| |) | DEMAND FOR JURY TRIAL |
| HOSPIRA, INC. and ORION CORP., |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS' UNOPPOSED MOTION FOR
LEAVE TO FILE FIRST AMENDED COUNTERCLAIM**

Pursuant to Federal Rule of Civil Procedure 15(a)(2) and District of Delaware Local Rule 15.1, Defendants Hospira, Inc. and Orion Corp. (collectively, "Defendants") respectfully move this Court for leave to file a First Amended Counterclaim against Plaintiff Baxter Healthcare Corporation ("Baxter"). A copy of the First Amended Counterclaim is attached hereto as Exhibit 1 (and a redline showing the changes to the original Counterclaim is attached hereto as Exhibit 2). Baxter does not oppose this motion.

Defendants make this motion on the following grounds:

1. Defendants filed the original Counterclaim (D.I. 10) on March 20, 2018.
2. Defendants wish to amend the original Counterclaim to add a request for damages for actual infringement and willful infringement, and to demand a jury trial on all issues so triable.
3. Accordingly, Defendants respectfully request the Court grant its Unopposed Motion for Leave to file its first Amended Counterclaim.

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Dated: September 27, 2018

/s/ Arthur G. Connolly, III

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