IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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

BAXTER'S UNOPPOSED MOTION FOR LEAVE TO FILE
<u>FIRST AMENDED COMPLAINT</u>

Pursuant to Federal Rule of Civil Procedure 15(a)(2) and District of Delaware Local Rule

15.1, Plaintiff Baxter Healthcare Corporation ("Baxter") respectfully moves this Court for leave

to file a First Amended Complaint against Defendants Hospira, Inc. and Orion Corp.

("Defendants"). A copy of the First Amended Complaint is attached hereto as Exhibit 1, and a

redline copy of the First Amended Complaint is attached as Exhibit 2. Defendants do not oppose

this Motion.

Baxter makes this Motion on the following grounds:

1.   Baxter filed its original Complaint (D.I. 1) on February 22, 2018.

2.   Baxter wishes to amend the original Complaint to assert additional patent and

antitrust claims against Defendants, including declaratory judgment of invalidity of U.S. Patent

No. 6,716,867 (the "'867 Patent), declaratory judgment of unenforceability of the '867 Patent,

patent misuse, monopolization, conspiracy to monopolize/combination in restraint of trade, sham

counterclaim, attempted monopolization, and *Walker Process* fraud.

3.   The deadline to amend pleadings as set forth in the Scheduling Order (D.I. 21) is

January 5, 2019.

Accordingly, Baxter respectfully requests that the Court grant its Unopposed Motion for Leave to File its First Amended Complaint.

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