

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION**

HOSPIRA, INC.

Plaintiff,

v.

FRESENIUS KABI USA, LLC,

Defendants.

C.A. No. 1:16-cv-00651

JOINT MOTION TO REQUEST A STATUS CONFERENCE

Plaintiff Hospira, Inc. and Defendant Fresenius Kabi USA, LLC, by their undersigned attorneys, jointly respectfully request that the Court hold a status conference on Tuesday, September 19, 2017, or anytime thereafter at the convenience of the Court. In support of this Motion, the Parties state as follows:

1. After written submissions by both parties, the Court held the Claim Construction Hearing on December 20, 2016. (D.I. 64.)
2. At the conclusion of the hearing, the Court reserved judgment and took the issues of claim construction under advisement. The Court has not issued a ruling or order construing the disputed terms of the patents-in-suit.
3. Pursuant to the Local Patent Rules, discovery has been stayed in this matter pending entry of a claim construction ruling. LPR 1.3; LPR 5.1.
4. Recently, in late August, Hospira completed a bench trial in a separate matter concerning the same patents-in-suit. The trial was conducted before Judge Richard G. Andrews in *Hospira, Inc. v. Amneal Pharmaceuticals LLC* (D. Del. No. 15-697-RGA). The parties' post-trial briefing is scheduled to be complete in late October; the Court indicated that it intends to

issue a ruling by late December.

5. The Parties agree that holding a status conference may allow the Parties to provide information needed to the Court to resolve the outstanding claim construction issues and provide guidance about possible additional discovery that may be needed upon entry of a claim construction ruling. Hospira can also provide information regarding the recent trial should the Court have questions.

WHEREFORE, Plaintiff Hospira, Inc. and Defendant Fresenius Kabi USA, LLC jointly request that this Court hold a status conference on Tuesday, September 19, 2017.

Dated: September 14, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of September, 2017, I caused a true and correct copy of the foregoing JOINT MOTION TO REQUEST A STATUS CONFERENCE via the Court's CM/ECF system on all counsel of record.

Date: September 14, 2017

/s/ Joel M. Wallace