

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

TEVA PHARMACEUTICALS)	
INTERNATIONAL GMBH and)	
TEVA PHARMACEUTICALS USA, INC.)	
)	
Plaintiffs,)	
)	Case No. 1:18-cv-12029-ADB
v.)	
)	
ELI LILLY AND COMPANY)	
)	
Defendant.)	

**DEFENDANT ELI LILLY AND COMPANY’S
MOTION TO TRANSFER, OR, IF NOT TRANSFERRED,
THEN TO STAY THIS LITIGATION PENDING *INTER PARTES* REVIEW**

Defendant Eli Lilly and Company (“Lilly”), through its undersigned counsel, hereby requests to transfer this action to the Southern District of Indiana pursuant to 28 U.S.C. § 1404(a). If not transferred, Lilly requests that the Court stay this action pending resolution of the *inter partes* review petitions for each of the nine patents at issue in this case, or in the alternative, grant a modest stay until April 16, 2019, the date by which the Board will have issued all institution decisions on the patents-in-suit. The grounds for this motion are set forth in the Memorandum submitted with this motion.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Lilly believes that oral argument may assist the Court and requests oral argument of this motion.

Dated: November 2, 2018

Respectfully submitted,
ELI LILLY AND COMPANY,

By Its Attorneys,

/s/Andrea L. Martin

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LOCAL RULE 7.1(a)(2) CERTIFICATION

I hereby certify that on October 30, 2018, counsel for Lilly and Teva conferred in good faith about this motion but were unable to resolve or narrow the issues raised in this motion.

/s/ Danielle A. Duszczyzyn
Danielle A. Duszczyzyn (*pro hac vice*)

CERTIFICATE OF SERVICE

I, Andrea L. Martin, hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies shall be served by first class mail postage prepaid on all counsel of record who are not served through the CM/ECF system on November 2, 2018.

/s/Andrea L. Martin
Andrea L. Martin

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