

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 FOR LEAVE TO FILE A REPLY MEMORANDUM IN FURTHER SUPPORT  
OF ITS MOTION TO TRANSFER, OR, IF NOT TRANSFERRED, THEN TO  
STAY THIS LITIGATION PENDING *INTER PARTES* REVIEW**

Pursuant to Local Rule 7.1(b)(3), Defendant Eli Lilly and Company (“Lilly”), respectfully moves for leave to file a reply memorandum not exceeding ten (10) pages in further support of its Motion To Transfer, Or, If Not Transferred, Then To Stay This Litigation Pending Inter Partes Review [*Dkt* 18]. Lilly will be prepared to file such a reply within ten (10) days of any order by this Court granting leave.

In their opposition brief [*Dkt* 26], Plaintiffs raise for the first time various facts and new contentions regarding the purported relevance of Arteaus Therapeutics, LLC, including citing seven new documents. A reply brief is necessary in order to correct inaccuracies raised in Plaintiffs’ opposition brief and to properly address Plaintiffs’ characterization of the cited case law and arguments not discussed in Lilly’s opening brief.

Therefore, Lilly respectfully requests that the Court enter an order granting leave to file a ten (10) page reply to the opposition within ten (10) days of such an order.

Dated: December 12, 2018

Respectfully submitted,  
ELI LILLY AND COMPANY,

By Its Attorneys,

/s/Andrea L. Martin

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**LR 7.1(a)(2) CERTIFICATION**

I hereby certify that Lilly's counsel conferred with Plaintiffs' counsel by telephone and email on December 11, 2018. On December 12, 2018, Plaintiffs' counsel stated that they oppose this motion.

/s/Andrea L. Martin  
Andrea L. Martin

**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 December 12, 2018.

/s/Andrea L. Martin  
Andrea L. Martin