

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SENJU PHARMACEUTICAL CO., LTD.,
BAUSCH & LOMB, INC., and
BAUSCH & LOMB PHARMA HOLDINGS
CORP.,

Plaintiffs,

v.

METRICS, INC., COASTAL
PHARMACEUTICALS, INC.,
MAYNE PHARMA GROUP LIMITED, and
MAYNE PHARMA (USA), INC.

Defendants.

HONORABLE JEROME B. SIMANDLE

Civil Action
No. 14-4964 (JBS/KMW)

ORDER

Plaintiffs Senju Pharmaceutical Co., Ltd. et al. and Defendants Metrics, Inc., et al. have filed a Corrected Joint Motion to Dismiss [Docket Item 20] all claims against Coastal Pharmaceuticals, Inc. ("Coastal") without prejudice and to terminate Coastal from the action because it is a DBA name of Metrics, Inc. The parties have agreed that Coastal would be subject to any judgment or order by this Court against Metrics, Inc. and would provide discovery as if it were a named defendant. The parties have also filed a Corrected Joint Motion to Stay Proceedings [Docket Item 19] pending the outcome of Defendants' motion to dismiss in an earlier-filed case before this Court, Senju Pharmaceutical Co., Ltd. v. Metrics, Inc., 14-cv-3962 (JBS-KMW), involving the same parties and the same

patents, in the interest of judicial efficiency. Plaintiffs and Defendants propose to file a joint status report with the Court within fourteen days after the Court resolves the motion to dismiss in that case.

THEREFORE, IT IS this 30th day of December, 2014, hereby

ORDERED that that all claims against Coastal Pharmaceuticals, Inc., be DISMISSED without prejudice, with the understanding that any judgment or order against Metrics, Inc. in this action would be equally binding as to Coastal Pharmaceuticals, Inc., and that Coastal shall provide discovery as if it were a named defendant; and it is further

ORDERED that Coastal Pharmaceuticals, Inc. shall be terminated from this action; and it is further

ORDERED that the above-captioned case be STAYED pending the outcome of Defendant Metrics, Inc., et al.'s motion to dismiss in the related action, Senju Pharmaceutical Co., Ltd. et al. v. Metrics, Inc. et al., 14-cv-3962; and it is further

ORDERED that within fourteen days of any decision in that case, Plaintiffs and Defendants shall submit a joint status report in this action.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge