



September 29, 2014

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Hon. Tonianne J. Bongiovanni, U.S.M.J.
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Federal Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608
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AT 3:30 _____ M
WILLIAM T. WALSH CLERK

Cynthia S. Betz
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**Re: *Warner Chilcott Company, LLC v. Mylan Inc., et al.*,
Civil Action No. 3:13-cv-6560 (JAP-TJB)**

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Dear Judge Bongiovanni:

Pursuant to Your Honor's direction during the August 21, 2014 teleconference, we write on behalf of both parties to submit the enclosed proposed schedule to govern the remainder of this case.

As the attached schedule reflects, the parties have determined that at this time, claim construction will not be necessary and, therefore, propose bypassing the various claim construction proceedings provided by the Local Patent Rules.

The parties also propose a four-month stay, following the submission of Plaintiff's infringement contentions and responses to Defendants' invalidity contentions. The stay, from November 1, 2014, to March 2, 2015, should allow time for the Federal Circuit to resolve the appeal of the district court's judgment in favor of Warner Chilcott in the consolidated cases of *Warner Chilcott Co., LLC v. Amneal Pharm., LLC* (12-cv-02928) and *Warner Chilcott Co., LLC v. Lupin Ltd.* (11-cv-05048). Because the appeal involves the same patent and generic versions of the same Lo Loestrin product that is the subject of Warner Chilcott's NDA No. 22-501 at issue in this case, the parties agree that the Federal Circuit's resolution of that case could impact the issues here. The Federal Circuit appeal is fully briefed and scheduled for oral argument on October 9,

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2014. To the extent the Federal Circuit renders its decision during the pendency of the parties' stay or alternatively the other generic companies settle their respective, related actions, either party can request to have the stay lifted.

If the proposed schedule meets with Your Honor's approval, we ask that a scheduling order be entered accordingly. The parties are available to discuss the schedule or any other matter at the Court's convenience.

Respectfully submitted,

/s/ Cynthia S. Betz

Cynthia S. Betz

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cc: Counsel of record (via email)

Attachment

So Ordered
LJ Bong
10/2/14

Proposed Case Schedule

Task	Plaintiff's Proposed Dates
Plaintiff to provide Defendants with "Responses to Invalidity Contentions" with disclosures as required by L. Pat. R. 3.4A	October 20, 2014
Plaintiff to provide Defendants with "Disclosures of Infringement Contentions" with disclosures required by L. Pat. R. 3.1 (L.Pat. R. 3.6(g))	October 20, 2014
Motions for leave to amend pleadings to add claims or parties	October 29, 2014
Temporary Stay of Case	November 1, 2014- March 2, 2015
Close of fact discovery	May 15, 2015
Opening expert reports (for party bearing the burden of proof)	May 28, 2015
Responsive expert reports	July 14, 2015
Reply expert reports	August 7, 2015
Close of expert discovery	August 21, 2015
Dispositive motions deadline	September 3, 2015
Responses to dispositive motions due	September 24, 2015
Reply to dispositive motions due	October 8, 2015
Pretrial conference	To be determined by the Court at a later time
Trial	To be determined by the Court at a later time

*Telephone status conference
Plaintiff to initiate
The Plaintiff is to advise*

*March 5, 2015
at 10:30 AM*