

No. 2017-1099

In the
United States Court of Appeals
for the **Federal Circuit**

FRESENIUS KABI USA, LLC,

Plaintiff-Appellee,

v.

FERA PHARMACEUTICALS, LLC; OAKWOOD LABORATORIES, LLC,

Defendants-Appellants,

MAIA PHARMACEUTICALS, INC.,

Defendant.

Appeal from the United States District Court
for the District of New Jersey, Case No. 2:15-cv-03654-KM-MAH.
The Honorable **Kevin McNulty**, Judge Presiding.

NON-CONFIDENTIAL BRIEF OF DEFENDANTS-APPELLANTS

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CERTIFICATE OF INTEREST

1. The full name of every party represented by me is:

FERA PHARMACEUTICALS, LLC AND
OAKWOOD LABORATORIES, LLC.

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

N/A.

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party represented by me are:

NONE.

4. The names of all law firms and the partners or associates that appeared for the party now represented by me in the trial court or are expected to appear in this Court are:

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CONFIDENTIAL MATERIAL OMITTED

Pursuant to Federal Circuit Rule 28(d)(1)(B), Defendants-Appellants Fera Pharmaceuticals, LLC and Oakwood Laboratories, LLC (together, “Defendants-Appellants” or “Fera”) have prepared this public version of their brief in which they have redacted certain information designated confidential pursuant to the Protective Order, entered November 2, 2015. Specifically, the material omitted on page 23 references to Defendants-Appellants’ confidential information regarding formulation ingredients, and was designated confidential by Defendants-Appellants during discovery under the terms of a Protective Order entered by the district court. The material omitted on pages 27 and 31 references to information regarding stability data that was designated confidential by Plaintiff-Appellee.

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