

No. 2017-1099

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

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FRESENIUS KABI USA, LLC,

*Plaintiff-Appellee,*

v.

FERA PHARMACEUTICALS, LLC; OAKWOOD LABORATORIES, LLC,

*Defendants-Appellants,*

MAIA PHARMACEUTICALS, INC.,

*Defendant.*

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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.

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**NON-CONFIDENTIAL BRIEF OF DEFENDANTS-APPELLANTS**

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SHASHANK UPADHYE  
JOSEPH E. CWIK  
YIXIN H. TANG  
ERIN R. CONWAY  
ADAM D. SUSSMAN  
AMIN TALATI UPADHYE LLP  
100 S. Wacker Drive, Suite 2000  
Chicago, IL 60606  
(312) 466-1033

Dated: December 23, 2016

*Counsel for Defendants-Appellants*  
*Fera Pharmaceuticals, LLC and Oakwood*  
*Laboratories, LLC*



**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:

Shashank Upadhye  
Joseph E. Cwik  
Yixin H. Tang  
Erin R. Conway  
Adam D. Sussman  
AMIN TALATI UPADHYE LLP  
100 S. Wacker Drive,  
Suite 2000  
Chicago, IL 60606  
Telephone: 312-466-1033

Eric I. Abraham  
Christina L. Saveriano  
HILL WALLACK LLP  
21 Roszel Road  
Princeton, NJ 08540  
Telephone: (609) 924-0808

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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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