

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ANACOR PHARMACEUTICALS, INC.,

Plaintiff,

v. // CIVIL ACTION NO. 1:18CV202  
(Judge Keeley)

MYLAN PHARMACEUTICALS, INC., and  
MYLAN, INC.,

Defendants.

**FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING**

Pursuant to Fed.R.Civ.P. 16(b) and 26(f) and Local Rules of Civil Procedure ("LR") 16.01 and 26.01, the Court **SCHEDULES** the case as follows:

INITIAL PLANNING MEETING:	January 17, 2019
REPORT FILING DATE:	January 31, 2019
SCHEDULING CONFERENCE DATE:	February 14, 2019
SCHEDULING CONFERENCE TIME:	1:30 P.M.
INITIAL DISCOVERY DISCLOSURES DUE DATE:	February 22, 2019

1. **INITIAL PLANNING MEETING**: Pursuant to Fed.R.Civ.P. 16 and 26(f) and LR 16.01(b), parties to this action shall meet in person or by telephone on or before **January 17, 2019**. At this meeting, they shall discuss all matters required by Fed.R.Civ.P. 16 and 26(f) and LR 16.01(b). The parties shall also consider the benefits of early mediation and advise in their report whether they wish the Court to schedule the matter for early mediation.

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2. **MEETING REPORT AND PROPOSED DISCOVERY PLAN**: Pursuant to Fed.R.Civ.P. 26(f) and LR 16.01(c), the parties shall submit a written report on the results of the initial discovery meeting on or before **January 31, 2019**. This report shall include the parties' report on those matters set forth in LR 16.01(b) and (c) and the parties' discovery plan as required by Fed.R.Civ.P. 26(f). The parties' report on their meeting shall be considered by this Court as advisory only. Parties and counsel are subject to sanctions as set forth in LR 37.01 for failure to participate in good faith in the development and submission of a meeting report and proposed discovery plan.

3. **SCHEDULING CONFERENCE/SCHEDULING ORDER**: Upon receipt of the meeting report and proposed discovery plan, the undersigned District Judge **WILL CONDUCT** a scheduling conference on **February 14, 2019** at **1:30 P.M.**, in the Clarksburg District Courtroom, Second Floor. See Fed.R.Civ.P. 16(b) and LR 16.01(d). (Please note that the Court conducts scheduling conferences in all cases.) The scheduling conference may be by telephone. If counsel elect to proceed by telephone, the Court directs lead counsel for the plaintiff to arrange the conference call and provide dial-in information to all parties and the Court, by email to

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**candace\_levitsky@wvnd.uscourts.gov**, no later than **February 7, 2019**.

If counsel elect to appear in person, counsel shall notify the Court, by email to **candace\_levitsky@wvnd.uscourts.gov**, no later than **February 7, 2019**. The Court notifies the parties that any pending motions in the case that are fully briefed **WILL BE ADDRESSED** at the scheduling conference.

4. **INITIAL DISCOVERY DISCLOSURES**: Pursuant to LR 26.01(a), each party shall provide to every other party the initial discovery disclosures required under Fed.R.Civ.P. 26(a)(1) on or before **February 22, 2019**.

The Court directs the Clerk to transmit copies of this Order to counsel of record.

DATED: December 4, 2018

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE