

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

**ASTRAZENECA AB and ASTRAZENECA
PHARMACEUTICALS LP,**

Plaintiffs,

v.

CIVIL ACTION NO. 1:22-CV-35
Judge Bailey

**MYLAN PHARMACEUTICALS, INC. and
KINDEVA DRUG DELIVERY L.P.,**

Defendants.

ORDER

Pending before this Court are defendants' Motion for Leave to File Under Seal [Doc. 155], filed October 20, 2022; defendants' Motion for Leave to File Under Seal [Doc. 157], filed October 20, 2022; plaintiffs' Motion for Leave to File Under Seal [Doc. 158], filed October 20, 2022; and plaintiffs' Motion for Leave to File Under Seal [Doc. 159], filed October 20, 2022.

In defendants' Motion to Seal, defendants request this Court for leave to file under seal the attached Defendants' Opening *Markman* Brief because the Brief would disclose to potential competitors confidential information and protected information regarding Mylan's ANDA product, and also discusses an expert report provided pursuant to this Court's protective order. See [Doc. 155].

In defendants' second Motion to Seal, defendants request this Court for leave to file under seal the attached Memorandum of Law in Support of Defendants' Motion for Partial

Summary Judgment because some exhibits filed with and relied on contain confidential information and protected information regarding Mylan's ANDA product and the proceedings in the ANDA. See [Doc. 157].

In plaintiffs' Motion to Seal, plaintiffs request this Court for leave to file under seal plaintiffs' Opening Claim Construction Brief, and the documents and exhibits referenced therein because they contain information that plaintiffs and/or defendants have designated as confidential and proprietary. See [Doc. 158].

In plaintiffs' second Motion to Seal, plaintiffs request this Court for leave to file under seal plaintiffs' Motion for Summary Judgment, Memorandum of Points and Authorities in Support of AstraZeneca's Motion for Summary Judgment, and the documents and exhibits referenced therein because they contain information that plaintiffs and/or defendants have designated as confidential and proprietary. See [Doc. 159].

The Motions [Docs. 155, 157, 158 & 159] are **GRANTED**. The Clerk is hereby **DIRECTED to FILE UNDER SEAL:**

- Defendants' Opening *Markman* Brief [Doc. 155-1] and attached exhibits [Docs. 155-2 through 155-15];
- Defendants' Memorandum of Law in Support of Defendants' Motion for Partial Summary Judgment [Doc. 157-1] and attached exhibits [Docs. 157-2 through 157-13];
- Plaintiffs' Opening Claim Construction Brief [Doc. 158-1] and attached exhibits [Docs. 158-2 through 158-32]; and

- Plaintiffs' Motion for Summary Judgment and Memorandum in Support of Summary Judgment [Docs. 159-1 & 159-2] and attached exhibits [Docs. 159-3 through 159-18].

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record.

DATED: October 21, 2022.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT COURT