

NOTE: This order is nonprecedential.

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

HOFFMANN-LA ROCHE INC.,
Plaintiff-Appellant,

v.

**TEVA PHARMACEUTICALS USA, INC. AND TEVA
PHARMACEUTICAL INDUSTRIES LTD.,**
Defendants-Appellees.

2012-1131

Appeal from the United States District Court for the
District of New Jersey in case no. 09-CV-5283, Judge
Esther Salas.

HOFFMANN-LA ROCHE INC.,
Plaintiff-Appellant,

v.

**ACCORD HEALTHCARE INC. AND INTAS
PHARMACEUTICAL LTD.,**
Defendants-Appellees.

2012-1195

Appeal from the United States District Court for the District of New Jersey in case no. 11-CV-1192, Judge Esther Salas.

ON MOTION

O R D E R

Hoffmann-La Roche Inc. moves to consolidate the above-captioned appeals.* Teva Pharmaceuticals USA, Inc. et al. (Teva) oppose. Accord Healthcare Inc. et al. (Accord) oppose consolidation and move to stay appeal no. 2012-1195 pending appeal no. 2012-1131 stating they agree to be bound by this court's decision in 2012-1131. Hoffmann-La Roche replies and consents to a stay of 2012-1195. Hoffmann-La Roche moves for an extension of time, until May 9, 2012, to file its opening brief in 2012-1131. Teva opposes. Hoffmann La Roche replies. Hoffmann La Roche also moves without opposition for an extension of time to file its opening brief in 2012-1195.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to consolidate is denied.

* Hoffmann La Roche also moved to consolidate these appeals with *Hoffmann-La Roche v. Roxane Labs*, No. 2012-1132, but this court subsequently granted Hoffmann LaRoche's motion to voluntarily dismiss that appeal.

(2) Appeal no. 2012-1195 is stayed pending issuance of the mandate in appeal no. 2012-1131. Within 14 days thereof, Hoffmann La Roche and Accord are directed to inform this court concerning how they believe 2012-1195 should proceed.

(3) A copy of this order will be forwarded to the merits panel in appeal no. 2012-1131.

(4) Hoffmann La Roche's motion for an extension of time is granted.

(5) Teva shall calculate the due date for its response brief from the date of filing of this order.

(6) Hoffmann La Roche's motion for an extension of time in 2012-1195 is moot in light of the stay.

FOR THE COURT

MAY 21 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Brian D. Coggio, Esq.
Jeffer Ali, Esq.
Kenneth G. Schuler, Esq.
Michael R. Dzwonczyk, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAY 21 2012

JAN HORBALY
CLERK