

NOTE: This order is nonprecedential.

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

**SCIELE PHARMA INC. (NOW KNOWN AS
SHIONOGI PHARMA INC.),**
Plaintiff-Appellee,

AND

**ANDRX CORPORATION, ANDRX
PHARMACEUTICALS INC. (DOING BUSINESS AS
WATSON LABORATORIES INC. – FLORIDA),
ANDRX PHARMACEUTICALS L.L.C., ANDRX
LABORATORIES (NJ) INC., ANDRX EU LTD., AND
ANDRX LABS L.L.C.,**
Plaintiffs,

v.

**LUPIN LTD. AND LUPIN PHARMACEUTICALS
INC.,**
Defendants-Appellants,

AND

**MYLAN INC. AND MYLAN PHARMACEUTICALS
INC.,**
Defendants.

2012-1228

Appeal from the United States District Court for the District of Delaware in consolidated case no. 09-CV-0037, Judge Robert B. Kugler.

ON MOTION

O R D E R

Lupin Ltd. et al. submit a motion for a stay, pending appeal, of the preliminary injunction entered by the United States District Court for the District of Delaware on February 23, 2012. Lupin also moves to expedite the appeal. Lupin states that the appellee opposes.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The appellee is directed to respond to the motion for a stay no later than 5:00 p.m. on February 29, 2012.

(2) The motion for expedited briefing on the merits is granted to the extent that Lupin's opening brief is due within seven days from the date of filing of this order, the appellee's response brief is due within seven days from the date of service of Lupin's opening brief, and Lupin's reply brief and the joint appendix are due within seven days from the date of service of the appellee's response brief. Expedited service should be used for the briefs.

FOR THE COURT

FEB 27 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

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

FEB 27 2012

JAN HORBALY
CLERK

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cc: Douglass C. Hochstetler, Esq.
David B. Bassett, Esq.
Mary B. Matterer, Esq.

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