

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-1499

AVENTIS PHARMA S.A.
and AVENTIS PHARMACEUTICALS, INC.,

Plaintiffs-Appellants,

v.

HOSPIRA, INC.,

Defendant-Appellee.

Appeal from the United States District Court for the Central District of California
in case no. 07-CV-08137, Senior Judge Mariana R. Pfaelzer.

Before DYK, Circuit Judge.

ORDER

Aventis Pharma S.A. notifies the court that a petition for writ of certiorari has been filed in Aventis v. Amphastar, Fed. Cir. no. 2007-1280. The court considers whether to stay proceedings in this appeal pending the United States Supreme Court's disposition in that case.

Upon consideration thereof,

IT IS ORDERED THAT:

Proceedings in this appeal are stayed pending the Supreme Court's disposition of the certiorari petition in Amphastar and, if the Supreme Court grants the certiorari petition, the Supreme Court's disposition on the merits in Amphastar. Aventis is

directed to notify this court within 21 days of the disposition in Amphastar how it believes this appeal should proceed. Hospira, Inc. may also respond within that time.

FOR THE COURT

MAR 05 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

cc: Donald R. Dunner, Esq.
James F. Hurst, Esq.

MAR 05 2009

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JAN HORBALY
CLERK