

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-1402

BOEHRINGER INGELHEIM INTERNATIONAL GMBH  
and BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.,

Plaintiffs-Appellants,

v.

MYLAN PHARMACEUTICALS, INC.  
and MYLAN INC.,

Defendants-Appellees.

Appeal from the United States District Court for the District of New Jersey in  
case no. 09-CV-366, Judge Faith S. Hochberg.

ON MOTION

Before PROST, Circuit Judge.

### ORDER

Boehringer Ingelheim International GmbH et al. and Mylan Pharmaceuticals, Inc. et al. jointly move to stay this appeal pending the court's disposition of 2009-1032. Boehringer also moves for a 30-day extension of time, until September 10, 2009, to file its brief.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to stay is granted. The parties are directed to inform the court within 30 days of the disposition of 2009-1032 concerning how they believe this appeal should proceed.

(2) The motion for an extension of time is moot.

FOR THE COURT

AUG 14 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Bruce M. Wexler, Esq.  
David J. Harth, Esq.

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

AUG 14 2009

JAN HORBALY  
CLERK