

NOTE: This order is nonprecedential.

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

2009-1427

SANOFI-AVENTIS U.S. LLC, SANOFI-AVENTIS, and  
DEBIOPHARM S.A.,

Plaintiffs-Appellants,

v.

SANDOZ, INC.,

Defendant-Appellee,

and

TEVA PARENTERAL MEDICINES, INC., TEVA PHARMACEUTICALS USA, INC., and  
PHARMACHEMIE BV,

Defendants-Appellees,

and

MAYNE PHARMA LIMITED, MAYNE PHARMA (USA) INC., HOSPIRA AUSTRALIA  
PTY LTD., and HOSPIRA, INC.,

Defendants-Appellees,

and

BARR LABORATORIES, INC. and PLIVA-LACHEMA A.S.,

Defendants-Appellees,

and

W.C. HERAEUS GMBH,

Defendant-Appellee,

and

APP PHARMACEUTICALS, INC. and ABRAXIS BIOSCIENCE, INC.,

Defendants-Appellees,

and

ACTAVIS TOTOWA LLC, ACTAVIS, INC., and ACTAVIS GROUP HF,

Defendants-Appellees,

and

FRESENIUS KABI ONCOLOGY PLC (formerly known as Dabur Oncology plc) and  
FRESENIUS KABI PHARMA LIMITED (formerly known as Dabur Pharma Limited),

Defendants-Appellees,

and

SUN PHARMACEUTICAL INDUSTRIES LTD. and CARACO PHARMACEUTICAL  
LABORATORIES, LTD.,

Defendants-Appellees,

and

EBEWE PHARMA GES.M.B.H. NFG KG,

Defendants,

and

MUSTAFA NEVZAT ILAC SANAYII A.S. (also known as MN Pharmaceuticals), PAR  
PHARMACEUTICAL COMPANIES, INC., and PAR PHARMACEUTICAL, INC.,

Defendants-Appellees.

On appeal from the United States District Court for the District of New Jersey in case  
no. 3:07-cv-2762, Judge Joel A. Pisano.

ON MOTION

Before MAYER, CLEVINGER, and RADER, Circuit Judges.

MAYER, Circuit Judge.

ORDER

Mayne Pharma Limited et al. (Mayne) and Teva Parenteral et al. (Teva) move for clarification of the court's July 10, 2009 order granting Sanofi-Aventis U.S. LLC et al.'s (Sanofi) motion for a stay, pending appeal, of the judgment of the United States District Court for the District of New Jersey entered on June 30, 2009 and also move for a conditional limited remand to the district court for the purpose of fixing the amount of a supersedeas bond. Sandoz, Inc. responds. Mayne and Teva move for a 14-day extension of time, until August 7, 2009, to file a petition for panel rehearing and/or rehearing en banc of the court's July 10 order. Ebewe Pharma Ges.m.b.H. Nfg.KG moves for leave to be removed from this appeal due to a consent judgment entered by the district court resolving the litigation between Ebewe and Sanofi.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion for clarification is denied.
- (2) The motion for a limited remand is deemed moot.
- (3) The motion for an extension of time to file a rehearing petition is granted.
- (4) The motion to remove Ebewe from this appeal is granted to the extent that Ebewe is no longer designated as an appellee in the court's caption. The revised official caption is reflected above.

FOR THE COURT

JUL 24 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

JUL 24 2009

JAN HORBALY  
CLERK

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