

NOTE: This order is nonprecedential.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-Appellees,

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.

MISCELLANEOUS DOCKET NO. 905

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

Petitioners.

On petition for writ of mandamus to 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, Circuit Judge.

ORDER

Sanofi-Aventis U.S. LLC et al. (Sanofi) submit a motion for a stay, pending appeal, of the judgment of the United States District Court for the District of New Jersey that held, inter alia, that certain defendants did not infringe Sanofi's patent. Sanofi requests an immediate stay of the judgment, pending disposition of the motion for a stay pending appeal. Sanofi also submits a petition for a writ of mandamus to direct the district court to vacate its judgment and moves for a stay, pending disposition of the mandamus petition, of the district court's judgment.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The appellees are directed to respond to the motion for a stay, pending appeal, and the petition for writ of mandamus no later than noon on July 7, 2009.

(2) The district court's judgment is temporarily stayed, pending the court's receipt of the responses and the court's consideration of the papers submitted.

FOR THE COURT

JUL 01 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

JUL 01 2009

JAN HORBALY
CLERK

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