

NOTE: This order is nonprecedential

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

ELI LILLY AND COMPANY,
Plaintiff-Appellant,

v.

**SICOR PHARMACEUTICALS, INC.
(NOW KNOWN AS TEVA PARENTERAL
MEDICINES, INC.) and TEVA
PHARMACEUTICALS USA, INC.,**
Defendants-Cross Appellants.

2010-1342, -1343

Appeals from the United States District Court for the
Southern District of Indiana in case no. 06-CV-0238,
Judge Sarah Evans Barker.

ON MOTION

O R D E R

The parties jointly move to stay proceedings in this
appeal pending the court's disposition in *Sun Pharmaceu-
tical Industries v. Eli Lilly and Company*, 2010-1105.

The parties asserts that this case and *Sun* concern patent validity issues involving to the same patent.

We note that oral argument in *Sun* was held on May 7, 2010.

Accordingly,

IT IS ORDERED THAT:

(1) The motion to stay proceedings in 2010-1342, -1343 is granted. Eli Lilly and Company is directed to inform the court within 30 days of the issuance of the mandate in *Sun* concerning how it believes that 2010-1342, -1343 should proceed. Sicor Pharmaceuticals, Inc. et al. may also respond within that time.

(2) A copy of this order shall be transmitted to the merits panel assigned to hear *Sun*, to inform that panel of this related appeal.

FOR THE COURT

JUN 11 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Charles E. Lipsey, Esq.
Elizabeth J. Holland, Esq.

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

JUN 11 2010

JAN HORBALY
CLERK