

NOTE: This order is nonprecedential.

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

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**SANOFI-AVENTIS, SANOFI-SYNTHELABO, INC.,  
AND BRISTOL-MYERS SQUIBB SANOFI  
PHARMACEUTICALS HOLDING PARTNERSHIP,**  
*Plaintiffs-Appellees,*

v.

**APOTEX INC. AND APOTEX CORP.,**  
*Defendants-Appellants.*

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2011-1048

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Appeal from the United States District Court for the  
Southern District of New York in case no. 02-CV-2255,  
Judge Sidney H. Stein.

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**ON MOTION**

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Before RADER, *Chief Judge.*

**O R D E R**

Apotex Inc. and Apotex Corp. move to take judicial  
notice of three documents filed in a district court proceed-  
ing, *FTC v. Bristol-Myers Squibb Company*, No. 1:09-cv-  
00576 (D.D.C., March 26, 2009), and for leave to file a

supplemental appendix with those three documents. Sanofi-Synthelabo et al. oppose in part.

Judicial notice may be appropriate with respect to public documents and decisions of other courts. However, the relevance of such materials is left to the discretion of the merits panel.

Accordingly,

IT IS ORDERED THAT:

The motion to take judicial notice and for leave to file a supplemental appendix is granted. A copy of this order shall be transmitted to the merits panel assigned to hear this case.

FOR THE COURT

APR 11 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Robert B. Breisblatt, Esq.  
Evan R. Chesler, Esq.

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

**APR 11 2011**

**JAN HORBALY**  
**CLERK**