

NOTE: This order is nonprecedential.

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

**IN RE CYCLOBENZAPRINE HYDROCHLORIDE
EXTENDED-RELEASE CAPSULE PATENT
LITIGATION**

**EURAND, INC. (NOW KNOWN AS APTALIS
PHARMATECH, INC.), CEPHALON, INC.,
AND ANESTA AG,
*Plaintiffs- Appellees,***

v.

**IMPAX LABORATORIES, INC.,
*Defendant-Appellant,***

AND

**MYLAN INC. AND MYLAN PHARMACEUTICALS,
INC.,
*Defendants-Appellees,***

AND

**PAR PHARMACEUTICAL INC. AND TWI
PHARMACEUTICALS INC.,
*Defendants.***

2012-1280

Appeal from the United States District Court for the District of Delaware in case no. 09-MD-2118, Judge Sue L. Robinson.

ON MOTION

ORDER

Eurand, Inc. et al. move to partially dismiss Impax Laboratories, Inc.'s appeal, and seek a stay of the briefing schedule. Impax opposes. Eurand replies.

The court notes that Eurand served its brief on May 22, 2012.

With respect to the motion for partial dismissal, we deem it the better course to deny the motion and for Eurand to put its jurisdictional arguments in its brief.

Accordingly,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

MAY 31 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Debra J. McComas, Esq.
John R. Lane, Esq.
James W. Wallace, Jr., Esq.

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

MAY 31 2012

JAN HORBALY
CLERK