

NOTE: This order is nonprecedential.

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

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**SCIELE PHARMA INC. (NOW KNOWN AS  
SHIONOGI PHARMA INC.), ANDRX  
CORPORATION, ANDRX PHARMACEUTICALS  
INC. (DOING BUSINESS AS WATSON  
LABORATORIES INC. - FLORIDA), ANDRX  
PHARMACEUTICALS L.L.C., ANDRX  
LABORATORIES (NJ) INC., ANDRX EU LTD., AND  
ANDRX LABS L.L.C.,**  
*Plaintiffs-Appellees,*

v.

**LUPIN LTD. AND LUPIN PHARMACEUTICALS  
INC.,**  
*Defendants-Appellants,*

AND

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

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2012-1118

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Appeal from the United States District Court for the  
District of Delaware in consolidated case no. 09-CV-0037,  
Judge Robert B. Kugler.

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**ON MOTION**

Before LINN, *Circuit Judge*.

**ORDER**

Lupin Ltd. et al. submit a motion for a stay, pending appeal, of the preliminary injunction entered by the United States District Court for the District of Delaware on December 6, 2011. Lupin also moves to expedite the appeal. Lupin states that the appellees oppose.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The appellees are directed to respond to the motion for a stay no later than 5:00pm on January 9, 2012. Lupin's reply is due no later than January 13, 2012.

(2) The motion for expedited briefing on the merits is granted to the extent that Lupin's opening brief is due within seven days from the date of filing of this order, the appellees' response brief is due within twenty-one days from the date of service of Lupin's opening brief, and Lupin's reply brief is due within seven days from the date of service of the appellees' response brief. Expedited service should be used for the briefs.

DEC 29 2011

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Douglass C. Hochstetler, Esq.  
David B. Bassett, Esq.  
Mary B. Matterer, Esq.

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

DEC 29 2011

**JAN HORBALY**  
**CLERK**