

NOTE: This disposition is nonprecedential.

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

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**ALLERGAN, INC., SAINT REGIS MOHAWK TRIBE,**  
*Plaintiffs-Appellants*

v.

**TEVA PHARMACEUTICALS USA, INC., AKORN,  
INC., MYLAN PHARMACEUTICALS INC., MYLAN,  
INC.,**  
*Defendants-Appellees*

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2018-1130

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Appeal from the United States District Court for the Eastern District of Texas in No. 2:15-cv-01455-WCB, Circuit Judge William C. Bryson.

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**JUDGMENT**

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JONATHAN ELLIOT SINGER, Fish & Richardson, PC, San Diego, CA, argued for all plaintiffs-appellants. Allergan, Inc. also represented by JUANITA ROSE BROOKS; JOSEPH HERRIGES, JR., DEANNA JEAN REICHEL, Minneapolis, MN; SUSAN E. MORRISON, ROBERT M. OAKES, Wilmington, DE.

MICHAEL W. SHORE, Shore Chan DePumpo LLP,

Dallas, TX, for plaintiff-appellant Saint Regis Mohawk Tribe. Also represented by RUSSELL J. DEPALMA, CHRISTOPHER LIIMATAINEN EVANS.

JOHN CHRISTOPHER ROZENDAAL, Sterne Kessler Goldstein & Fox, PLLC, Washington, DC, argued for all defendants-appellees. Teva Pharmaceuticals USA, Inc. also represented by MICHAEL E. JOFFRE, WILLIAM H. MILLIKEN, PAULINE PELLETIER, RALPH WILSON POWERS, III.

MICHAEL R. DZWONCZYK, Sughrue Mion PLLC, Washington, DC, for defendant-appellee Akorn, Inc. Also represented by MARK BOLAND, BENJAMIN CAPPEL.

DOUGLAS H. CARSTEN, Wilson, Sonsini, Goodrich & Rosati, PC, San Diego, CA, for defendants-appellees Mylan Pharmaceuticals Inc., Mylan, Inc. Also represented by CHRISTINA ELIZABETH DASHE; WENDY L. DEVINE, San Francisco, CA.

AARON STIEFEL, Arnold & Porter Kaye Scholer LLP, New York, NY, for amicus curiae Pharmaceutical Research and Manufacturers of America. Also represented by DAVID EVAN KORN, Pharmaceutical Research and Manufacturers Association of America, Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, REYNA and HUGHES, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

November 13, 2018  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court