

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ST. JUDE MEDICAL, INC. and
ST. JUDE MEDICAL PUERTO RICO, LLC

PLAINTIFFS

VS. CASE NO. 08-CV-4101

ACCESS CLOSURE, INC. DEFENDANT

JUDGMENT

This matter came on for jury trial in this Court, the Honorable Harry F. Barnes, United States District Judge, presiding, on December 13, 2010. On December 21, 2010, the jury finished deliberating and returned a completed Verdict Form. (ECF No. 265). On November 8, 2011, this Court entered Findings Of Fact And Conclusions Of Law (ECF No. 307) regarding Defendant's double-patenting defense, following a one-day bench trial on June 22, 2011. A full and complete accounting has not yet been made.

Having reviewed and considered the jury's Verdict Form, the trial record, and the Court's own Findings Of Fact And Conclusions Of Law, as well as all pleadings, papers, and other matters that have come before the Court in connection with this matter, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That judgment is entered in favor of Plaintiff St. Jude Medical Puerto Rico, LLC ("SJMPR") and against Defendant Access Closure, Inc. ("ACI") on SJMPR's claims for infringement of claim 14 of U.S. Patent No. 5,275,616 (the "'616 Patent") and claim 21 of U.S. Patent No. 5,716,375 (the "'375 Patent").

2. That judgment is entered in favor of Plaintiffs St. Jude Medical, Inc. ("SJM") and SJMPR, and against ACI, on St. Jude's claims for infringement of claims 7 and 8 of U.S. Patent No. 7,008,439 (the "'439 Patent").

3. That ACI's infringement has been willful.

4. That judgment is entered in favor of ACI and against SJMPR on SJMPR's claims for infringement of claims 38, 40, and 44 of U.S. Patent No. 5,601,602 (the "'602 Patent").

5. That judgment is entered in favor of ACI and against SJM and SJMPR on St. Jude's claim for infringement of claim 9 of the '439 Patent.

6. That judgment is entered in favor of SJMPR, and against ACI, on ACI's counterclaims for declaratory judgment of invalidity and unenforceability with respect to the '616 Patent, the '375 Patent, and the '602 Patent.

7. That judgment is entered in favor of SJM and SJMPR, and against ACI, on ACI's counterclaims for declaratory judgment of invalidity and unenforceability with respect to the '439 Patent.

8. Although a full and complete accounting has not yet been made, that SJMPR shall recover from ACI the sum of twenty seven million one hundred thousand dollars (\$27,100,000.00) in compensatory damages for infringement of claim 14 of the '616 Patent and claim 21 of the '375 Patent.

9. Compensatory damages for ACI's infringement of the '439 Patent have not yet been determined. In addition to such damages for the '439 Patent, SJM and SJMPR are also seeking supplemental damages for infringement of the '439 Patent, the '616 Patent and the '375 Patent; pre-judgment interest; costs; enhanced damages based on ACI's willful infringement; attorney fees

on the ground that this case is exceptional; post-judgment interest, and such other further relief as the Court may deem appropriate. All of these issues remain for an accounting, and the Court will receive any motions for such awards in connection with the accounting after ACI's anticipated interlocutory appeal.

10. The Court retains jurisdiction to, *inter alia*, determine all post-trial motions, including St. Jude Medical's anticipated motion for a permanent injunction and any motions for judgment as a matter of law, conduct an accounting, and enforce any and all aspects of this Judgment and Order.

IT IS SO ORDERED this 23rd day of January, 2012.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge