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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION – SANTA ANA

VALEANT PHARMACEUTICALS
INTERNATIONAL,

Plaintiff,

v.

KATHLEEN SEBELIUS, et al.,

Defendants,

and

SPEAR PHARMACEUTICALS, INC.

Intervenor Defendant.

) Case No. SACV08-449 AG (AGR_x)
)
) The Honorable Andrew J. Guilford
)
) **JUDGMENT**

The motions for summary judgment filed by: (a) Spear Pharmaceuticals, Inc. (“Spear”); (b) Kathleen Sebelius and Joshua M. Sharfstein, M.D. (the “FDA Defendants”); and (c) Valeant Pharmaceuticals International (“Valeant”) were heard on September 14, 2009, in Courtroom 10D of the above-referenced Court. The Honorable Judge Andrew J. Guilford presided.

The motions for summary judgment filed by Spear and the FDA Defendants were granted. The motion for summary judgment filed by Valeant was denied.

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Having considered all papers, pleadings, and evidence submitted and the oral arguments presented, and good cause appearing therefore, IT IS HEREBY ORDERED THAT:

1. Judgment is entered in favor of Spear and the FDA Defendants and against Valeant;
2. The Amended Complaint is dismissed with prejudice;
3. This Court retains jurisdiction to decide any motion under Fed. R. Civ. P. 65.1 for execution on the \$1 million bond posted by Valeant; and
4. Spear may submit papers in support of its motion for execution on the bond on or before October 12, 2009.

IT IS SO ORDERED.

Dated: October 01, 2009



Andrew J. Guilford, U.S.D.J.