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17 Attorneys for *Lupin Pharmaceuticals, Inc. and  
Lupin Ltd.*

18 IN THE UNITED STATES DISTRICT COURT  
19 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA  
20 OAKLAND DIVISION

21 DEPOMED, INC., a California  
Corporation,

22 Plaintiff,

23 v.

24 LUPIN PHARMACEUTICALS, INC., a  
25 Virginia Corporation, and LUPIN  
26 LIMITED, an Indian Corporation,

27 Defendants.

No. 09-CV-05587 PJH

**STIPULATION FOR WITHDRAWAL OF PLAINTIFF’S  
MOTION FOR LEAVE TO AMEND COMPLAINT AND  
DISMISS THE CAUSE OF ACTION, COUNTERCLAIMS,  
AND AFFIRMATIVE DEFENSES RELATED TO U.S.  
PATENT No. 6,723,340, AND WITHDRAWAL OF  
DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT  
OF NONINFRINGEMENT OF THE ‘340 PATENT**



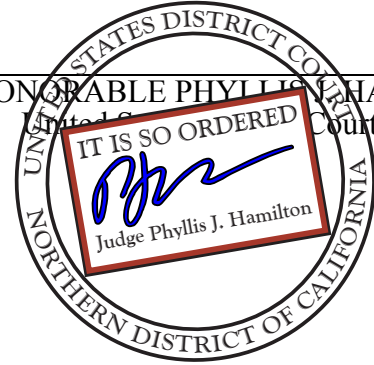
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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 9/7/10

HONORABLE PHYLLIS J. HAMILTON  
United States District Court Judge



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