

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE MEDICINES COMPANY,	:	CIVIL ACTION
	:	NO. 09-750-ER
Plaintiff,	:	
	:	
v.	:	
	:	
TEVA PARENTERAL MEDICINES,	:	
INC., et al.,	:	
	:	
Defendants.	:	

O R D E R

AND NOW, this **19th** day of **July, 2011**, upon consideration of Special Master Vincent J. Poppiti's Amended Report and Recommendation (doc. no. 444; DM 2), Plaintiff's Objections (doc. no. 451),¹ and Defendants APP Pharmaceuticals' Response to Plaintiff's Objections (doc. no. 466),² it is hereby **ORDERED** that Special Master Vincent J. Poppiti's Amended Report

¹ Plaintiff's objections seem to miss the point as the appropriate analysis is whether Defendant APP's amended pleadings are legally sufficient under Therasense, Inc. v. Beckton Dickinson & Co. to assert unenforceability defenses and counterclaims for alleged inequitable conduct, not whether APP will ultimately be able to prove that Medco engaged in the alleged inequitable conduct with the requisite intent.

² The Court also reviewed Special Master Vincent J. Poppiti's Report and Recommendation (doc. no. 298), Plaintiff's Objections (doc. no. 321), and Defendants APP Pharmaceuticals Response to Plaintiff's Objections (doc. no. 336), as well as letters submitted to the Court by Medco.

and Recommendation (doc. no. 444) is **ADOPTED** and **APPROVED**.

AND IT IS SO ORDERED.

S/Eduardo C. Robreno
EDUARDO C. ROBRENO, J.