Momenta Pharmaceuticals, Inc. et al v. Amphastar Pharmaceuticals, Inc. et al Doc. 1136

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MOMENTA PHARMACEUTICALS, INC. and SANDOZ INC., Plaintiffs, v. AMPHASTAR PHARMACEUTICALS, INC. and INTERNATIONAL MEDICATION SYSTEMS, LTD., Defendants.	Civil Action No. 1:11-cv-11681-NMG

PLAINTIFFS MOMENTA PHARMACEUTICALS, INC. AND SANDOZ INC.'S MOTION FOR JUDGMENT AS A MATTER OF LAW OR, IN THE ALTERNATIVE, A NEW TRIAL AS TO THE VALIDITY OF U.S. PATENT NO. 7,575,886

Pursuant to Fed. R. Civ. P. 50(b), plaintiffs Momenta Pharmaceuticals, Inc. and Sandoz Inc. hereby renew their Rule 50(a) motion for judgment as a matter of law dismissing Amphastar's written description and enablement defenses on the ground the evidence at trial was insufficient, as a matter of law, to support the jury's verdict. Alternatively, plaintiffs move, pursuant to Fed R. Civ. P. 59, for a new trial on the issues of written description and enablement because the jury's verdict was against the weight of the evidence and resulted in a miscarriage of justice.

The grounds for this motion are stated in the memorandum of law, filed herewith. For the convenience of the Court, plaintiffs are also filing an Appendix attaching the trial exhibits that are cited in the memorandum.

Motion denied. F.R.M. Gorton, USDJ 2/7/18

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