

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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

**PLAINTIFFS MOMENTA PHARMACEUTICALS, INC. AND SANDOZ INC.’S  
MOTION FOR A NEW TRIAL ON  
WRITTEN DESCRIPTION, ENABLEMENT, AND DAMAGES**

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Pursuant to Fed. R. Civ. P. 59(a), plaintiffs Momenta Pharmaceuticals, Inc. and Sandoz Inc. hereby move for a new trial on the issues of written description, enablement, and damages. As implemented, defendants’ presentation of their equitable defense issues together with the issues that required jury determination resulted in unfair prejudice that affected the jury’s verdict. A new trial should be granted in order to prevent a miscarriage of justice.

The grounds for this motion are more fully set forth in the accompanying memorandum of law. For the convenience of the Court, plaintiffs are also filing an Appendix attaching the trial exhibits that are cited in the memorandum.

*Motion denied. JSM/Gorton, USDJ 2/7/18*