

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

In re:	:	MDL No. 2067
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CELEXA AND LEXAPRO MARKETING AND SALES PRACTICES LITIGATION	:	Master Docket No. 09-MD-2067 (NMG)
	:	
THIS DOCUMENT RELATES TO:	:	Judge Nathaniel M. Gorton
	:	
PAINTERS, KIOSSOVSKI	:	No. 13-CV-13113 (NMG)
	:	
	:	No. 14-CV-13848 (NMG)
	:	
	:	

**DEFENDANTS' REQUEST FOR ENTRY OF JUDGMENT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 58(D)**

Defendants Forest Laboratories, LLC and Forest Pharmaceuticals, Inc. ("Forest" or "Defendants") respectfully submit this Request for Entry of Judgment pursuant to Federal Rule of Civil Procedure 58(d). In support of this Request, Defendants state as follows:

1. In a Memorandum and Order dated January 26, 2018 (DE 858), this Court granted Defendants' Motions for Summary Judgment on All Claims in the *Painters* and *Kiossovski* actions (DE 797, 798), and granted in part Forest's Cross-Motion for Summary Judgment on All Claims in the *Painters* action (DE 676) with respect to Painters' state law claims.

2. The Court's Memorandum and Order dismissed all remaining claims asserted by the *Painters* and *Kiossovski* plaintiffs, and thus denied all relief to those plaintiffs. As a result, pursuant to Federal Rule of Civil Procedure 58(b)(1)(C), a separate judgment should be prepared.

3. Pursuant to Rule 58(d), Defendants request that judgment be entered for the Defendants in the *Painters* and *Kiossovski* actions. A proposed judgment for each action is attached hereto as Exhibit 1 (*Painters*) and Exhibit 2 (*Kiossovski*).

Request granted. *N M Gorton, USDJ 3/12/18*

Dated: February 9, 2018

Respectfully submitted,

/s/ Kristin D. Kiehn

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CERTIFICATE OF SERVICE

I, J. Robert Abraham, hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those attorneys still active indicated as non-registered participants on February 9, 2018.

/s/ J. Robert Abraham

J. Robert Abraham