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 15 **UNITED STATES DISTRICT COURT**
 16 **DISTRICT OF NEVADA**

17 SPECTRUM PHARMACEUTICALS, INC.)
 and UNIVERSITY OF STRATHCLYDE,)

Case No. 2:14-cv-00980-GMN-PAL

18)
 19 Plaintiffs, Counterdefendants,)

20 v.)

ORDER STAYING ACTION

21 WEST-WARD PHARMACEUTICAL CORP.)
 and EUROHEALTH INTERNATIONAL SARL)

22 Defendant, Counterclaimant.)
 23 _____)

1 WHEREAS, on June 18, 2014, Plaintiffs Spectrum Pharmaceuticals, Inc. and University
2 of Strathclyde (collectively "Plaintiffs") brought this action alleging infringement of U.S. Patent
3 No. 6,500,829 (the "829 Patent") under U.S.C. 271(a), (b), (c), and (e)(2)(A); and

4 WHEREAS Plaintiffs and Defendants West-Ward Pharmaceutical Corp. and Eurohealth
5 International Sarl (collectively "West-Ward") have jointly moved to stay the action pending
6 outcome of the appeal to the U.S. Court of Appeals for the Federal Circuit ("Federal Circuit") in
7 *Spectrum Pharmaceuticals, Inc. et al. v. Sandoz, Inc.*, Case No. 2:12-cv-00111 ("Sandoz
8 Action"), in accordance with the terms and conditions agreed to by the parties in the Joint
9 Motion To Stay (D.I. 61).

10 NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

11 1. This case, including all claims, counterclaims, and defenses as between Plaintiffs
12 and West-Ward, is hereby stayed in its entirety pending the outcome of the appeal to the Federal
13 Circuit in the Sandoz Action. Upon resolution of the appeal in the Sandoz Action, Plaintiffs and
14 West-Ward shall file a motion requesting the stay of this case be lifted for purposes as agreed in
15 the Joint Motion to Stay.

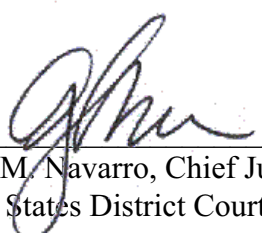
16 2. During the pendency of the stay of this case, the statutory 30 month stay under 21
17 U.S.C. § 355(j)(5)(B)(iii) will be tolled for: (i) the amount of time between the date of this Order
18 and the date the Federal Circuit issues its decision in the Sandoz Action (with or without a
19 written opinion) reversing or vacating the Court's February 20, 2015 judgment and remanding
20 the case to this Court, or (ii) four (4) months from the date of this Order, whichever is shorter.

21 3. Depositions taken in the Sandoz Action will be available for use in this action.
22 Upon lifting of the stay, the parties agree to use their best efforts to limit discovery to those
23 issues about which discovery has not already been taken in the Sandoz Action.

24 4. Each party shall bear its own costs and attorneys' fees in this action.

25 5. The parties shall file a joint status report with the Court every 90 days.

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27 Dated: June 23, 2015.

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Gloria M. Navarro, Chief Judge
United States District Court