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December 22, 2008

**VIA FACSIMILE and ELECTRONIC MAIL**

Magistrate Judge Mark Falk  
Frank R. Lautenberg U.S.P.O. & Courthouse  
Room 457  
1 Federal Square  
Newark, NJ 07102

Re: *Gunvalson v. PTC Therapeutics, Inc.*  
Case No. 2:08-cv-03559-WJM-MF  
App. Case No. 08-3575

Dear Judge Falk:

My firm, along with Sidley Austin LLP, represents defendant PTC Therapeutics, Inc. ("PTC") in the above-referenced matter. Pursuant to our conversation with your chambers, I am submitting a proposed consent order setting the time for PTC to answer, move, or otherwise respond to plaintiffs' complaint following the resolution of appellate proceedings. This is also being electronically filed. Plaintiffs' have consented to the proposed order and provided us with authority to affix counsel's electronic signature. I respectfully request that you please enter this consent order.

Thank you for your consideration of this matter.

Respectfully submitted,

s/Kenneth R. Meyer (7523)

KRM:ks

Enc.

cc: John G. Hutchinson, Esq. (Via Electronic Mail)  
Marc E. Wolin, Esq. (Via Electronic Mail)  
Michael A. Hatch, Esq. (Via Electronic Mail)

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JACOB GUNVALSON, CHERI AND  
JOHN GUNVALSON, AS GUARDIANS  
FOR JACOB GUNVALSON, AND CHERI  
AND JOHN GUNVALSON,  
INDIVIDUALLY,

Plaintiffs,

v.

PTC THERAPEUTICS, INC.,

Defendants.

Civil Action No. 08-03559 (WJM) (MF)

**CONSENT ORDER SETTING THE TIME FOR  
PTC THERAPEUTICS, INC. TO ANSWER, MOVE  
OR OTHERWISE RESPOND TO PLAINTIFFS'  
COMPLAINT FOLLOWING THE RESOLUTION  
OF APPELLATE PROCEEDINGS**

**THIS MATTER** having been brought before this Court by Kenneth R. Meyer, Esq. of the firm of Porzio, Bromberg & Newman, P.C., attorneys for Defendant PTC Therapeutics, Inc. ("PTC"), and the plaintiffs having consented hereto, for an Order setting the time for PTC to answer, move, or otherwise respond with respect to the Complaint filed in the above-captioned matter in the United States District Court for the District of New Jersey, following the Opinion and Judgment entered by the Third Circuit Court of Appeals on December 16, 2008 (the

“Opinion and Judgment”), vacating the preliminary injunction entered in this action by the above-named Court on the 21st day of August, 2008 (the “Preliminary Injunction”),

**IT IS** on this                    day of December 2008,

**ORDERED** that, in the event that plaintiffs elect not to file a petition for rehearing of the Third Circuit’s Opinion and Judgment vacating the Preliminary Injunction, PTC shall answer, move, or otherwise respond with respect to plaintiffs’ Complaint in this matter within twenty (20) days after the expiration of the time to file a petition for rehearing; it is further

**ORDERED** that, in the event that plaintiffs do file a petition for rehearing of Third Circuit’s Opinion and Judgment vacating the Preliminary Injunction entered in this action by this Court on August, 21 2008, PTC shall answer, move or otherwise respond to plaintiffs’ Complaint in this matter within twenty (20) days after the final resolution of the petition for rehearing; and it is further

**ORDERED** that any discovery between the parties is hereby stayed until further Order of this Court.

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**HONORABLE MARK FALK**  
**UNITED STATES MAGISTRATE JUDGE**

The undersigned hereby consent to the form and entry of this Order.

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