

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
CIVIL ACTION NO. 7:16-CV-18-D**

**FREDRIC N. ESHELMAN,**

**Plaintiff,**

**v.**

**PUMA BIOTECHNOLOGY, INC.,**

**Defendant.**

**ORDER**

**THIS CAUSE**, being before the undersigned upon joint motion of Defendant Puma Biotechnology, Inc. (“Puma”) and Plaintiff Dr. Fredric N. Eshelman (“Plaintiff” and, with Puma, the “Parties”), for an order setting a scheduling order for certain post-trial motions; and

**IT APPEARS** to the Court there is good cause to grant the Parties’ motion;

**IT IS, THEREFORE, ORDERED THAT:**

1. Defendant’s Motion for Disallowance of Costs and supporting brief shall be due on April 22, 2019 pursuant to L.R. 54.1 (b);
2. Plaintiff’s Response in support of his Application for Costs shall be due on April 29, 2019 pursuant to L.R. 54.1 (b)(1);
3. Defendant’s response to Plaintiff’s Motion for Attorneys’ Fees (the “Fee Response”) shall be due on April 29, 2019, and any reply in support of the Fee Motion shall be due on May 13, 2019 pursuant to L.R. 7.1 (f) and (g);
4. If Plaintiff elects to file a Supplemental Fee Memorandum, Defendant’s response to the Supplemental Fee Memorandum shall be due twenty-one (21) days following service of the Supplemental Fee Memorandum, and any reply to such response shall

be due fourteen (14) days after the service of such response pursuant to L.R. 7.1 (f) and (g);

5. The Parties' anticipated Rule 59 motions will be due on April 22, 2019 pursuant to Fed.R.Civ.P. 59 (b) and (e);
6. The Parties' memoranda in support of any Rule 59 motions will be due five (5) days following receipt of the full volume of trial transcripts in accordance with the Court's prior Orders;
7. The Parties shall have twenty-one (21) and fourteen (14) days respectively, for any response and reply brief for any Rule 59 motion pursuant to L.R. 7.1 (f) and (g).

This the 16 day of April, 2019.



JAMES C. DEVER III  
~~Chief~~ United States District Judge