IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| KING DRUG COM et al., | : : : : : : : : : : : : : : : : : : : | CIVIL ACTION |
|--|---|------------------|
| | : | |
| v. | : | No. 2:06-cv-1797 |
| CEPHALON, INC | ., <u>et al</u> ., : Defendants. : | |
| VISTA HEALTHF | : PLAN, INC., <u>et al</u> ., : Plaintiffs, : | CIVIL ACTION |
| v. | : : | No. 2:06-cv-1833 |
| CEPHALON, INC | ., <u>et al</u> ., : Defendants. : | |
| APOTEX, INC., | : Plaintiff, : | CIVIL ACTION |
| v. | : : | No. 2:06-cv-2768 |
| CEPHALON, INC., et al., Defendants. | | |
| FEDERAL TRADE COMMISSION, : Plaintiff, : | | CIVIL ACTION |
| v. | : : | No. 2:08-cv-2141 |
| CEPHALON, INC., Defendant. | | |
| | | |

ORDER

AND NOW, this 13th day of March, 2014, upon consideration of the Direct Purchaser

Class Plaintiffs' Motion for Partial Summary Judgment on the Patent Issues (06-1797, doc. no.

518), the End Payor Class Plaintiffs' Motion for Partial Summary Judgment (06-1833, doc. no.

233), and Apotex's Motion for Partial Summary Judgment as to Antitrust Liability and

Monopoly Power (06-2768, doc. no. 601), Cephalon and the Generic Defendants' responses

thereto, and the replies, and for the reasons detailed in the accompanying Memorandum Opinion,

it is hereby **ORDERED** that:

- The Direct Purchasers' motion is **GRANTED IN PART**, as outlined in the

opinion.

- The End Payors' motion is **GRANTED IN PART**, as outlined in the opinion.

- Apotex's motion is **GRANTED IN PART**, as outlined in the opinion. The

monopoly power portion of Apotex's motion will be resolved separately.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.