

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

<b>ALAN W. SCHMIDT, on behalf of</b>	:	
<b>himself and in a representative capacity</b>	:	
<b>on behalf of all others similarly situated</b>	:	
<b>and derivatively on behalf of Genaera</b>	:	
<b>Corporation and on behalf of the</b>	:	
<b>Genaera Liquidating Trust</b>	:	
<b>Plaintiffs,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>JOHN A. SKOLAS, et al.,</b>	:	<b>No. 12-3265</b>
<b>Defendants.</b>	:	

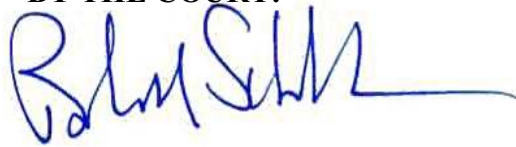
**ORDER**

**AND NOW**, this 10<sup>th</sup> day of **November, 2015**, upon consideration of Defendants Argyce LLC, John L. Armstrong, Jr., Zola B. Horovitz, Osagie O. Imasogie, Leanne Kelly, Robert F. Shapiro, John A. Skolas, and Paul K. Wotton’s Motion to Dismiss the Second Amended Complaint, Access Pharmaceuticals, Inc., Mark Alvino, Jeffrey Davis, MacroChem Corporation, Steve Rouhandeh, and SCO Financial Group’s Motion to Dismiss the Second Amended Complaint, Biotechnology Value Fund II, L.P., Biotechnology Value Fund, L.P., BVF Inc., and Mark Lampert’s Motion to Dismiss the Second Amended Complaint, Mitchell D. Kaye, XMark Capital Partners, LLC, XMark JV Investment Partners LLC, XMark Opportunity Fund Ltd., XMark Opportunity Fund, L.P., and XMark Opportunity Partners, LLC’s Motion to Dismiss the Second Amended Complaint, Robert DeLuccia, Dipexium Pharmaceuticals, Inc., and David Luci’s Motion to Dismiss the Second Amended Complaint, and John L. Higgins and Ligand Pharmaceuticals, Inc.’s Motion to Dismiss the Second Amended Complaint, Plaintiff’s responses thereto, and Defendants’ replies thereon, and following oral argument on September 30, 2015, and for the reasons stated in the Court’s Memorandum dated November 10, 2015, it is hereby

**ORDERED** that:

1. Trust and D&O Defendants' Motion to Dismiss (Document No. 158) is **GRANTED.**
2. Access Defendants' Motion to Dismiss (Document No. 159) is **GRANTED.**
3. BVF Defendants' Motion to Dismiss (Document No. 160) is **GRANTED.**
4. XMark Defendants' Motion to Dismiss (Document No. 161) is **GRANTED.**
5. Dipexium Defendants' Motion to Dismiss (Document No. 163) is **GRANTED.**
6. Ligand Defendants' Motion to Dismiss (Document No. 164) is **GRANTED.**
7. The Clerk of Court is directed to close this case.

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read "Berle M. Schiller", with a long horizontal flourish extending to the right.

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**Berle M. Schiller, J.**