

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ALLERGAN SALES, LLC, AND  
QUALICAPS CO., LTD.,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

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Case No. 2:15-CV-01471-JRG-RSP (Lead)

**ORDER**


Plaintiffs object to Magistrate Judge Payne’s recommendation that Plaintiffs’ motion to dismiss Teva Pharmaceuticals USA, Inc. (“Teva”) for lack of subject matter jurisdiction be denied. Dkt. 218. Having reviewed Plaintiffs’ objections, and having considered Judge Payne’s Report and Recommendation de novo, the Court finds no reason to reject or modify the recommended disposition. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

Accordingly, it is **ORDERED**:

- (1) Plaintiffs’ objections, Dkt. 218, are **OVERRULED**.
- (2) Magistrate Judge Payne’s Report and Recommendation, Dkt. 197, is **ADOPTED**.
- (3) Plaintiffs’ motion to dismiss Teva for lack of subject matter jurisdiction, Dkt. 146, is **DENIED**.

**So Ordered this**

**Aug 10, 2017**

  
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 RODNEY GILSTRAP  
 UNITED STATES DISTRICT JUDGE