

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

ARALEZ PHARMACEUTICALS INC.,	§	
ARALEZ PHARMACEUTICALS	§	
TRADING DAC, ARALEZ	§	Case No. 2:17-CV-00071-JRG-RSP
PHARMACEUTICALS US INC., POZEN	§	
INC.,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	
	§	
TEVA PHARMACEUTICALS USA, INC.,	§	
	§	
<i>Defendants.</i>	§	

**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Before the Court is the Report and Recommendation filed by Magistrate Judge Payne on July 17, 2017 (Dkt. No. 64) recommending that Defendant Teva Pharmaceuticals USA, Inc.’s (“Defendant” or “Teva”) Motion to Dismiss for Improper Venue (Dkt. No. 38) be denied. Defendant Teva has filed an objection seeking reconsideration of the Report and Recommendation. (Dkt. No. 67.) The Court has reviewed the Report and Recommendation *de novo* and finds no reason to reject or modify the recommended disposition. *See* Fed. R. Civ. P. 72(b); *Davidson v. Georgia-Pac., L.L.C.*, 819 F.3d 758, 762 (5th Cir. 2016); *United States v. Toney*, No. 16-CR-43-JPS, 2016 WL 3945358, at \*1 (E.D. Wis. July 19, 2016) (noting that a motion to dismiss for improper venue is a dispositive motion), *aff’d sub nom. United States v. Haslage*, 853 F.3d 331 (7th Cir. 2017).

Accordingly, it is **ORDERED**:


(1) Teva's objections (Dkt. No. 67) are **OVERRULED**.

(2) Magistrate Judge Payne's Report and Recommendation (Dkt. No. 64) is **ADOPTED**.

(3) Teva's Motion to Dismiss (Dkt. No. 38) is **DENIED**.

**So Ordered this**

**Aug 10, 2017**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE