

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

APOTEX INC.,

Plaintiff,

v.

EISAI INC. & EISAI CO., LTD.,

Defendants.

1:09CV477

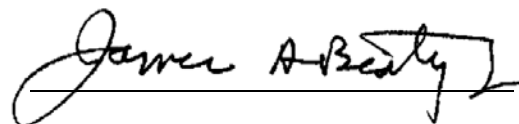
ORDER AND JUDGMENT

BEATY, Chief Judge.

For the reasons set forth in the Memorandum Opinion filed contemporaneously
herewith,

IT IS ORDERED, ADJUDGED AND DECREED that Defendants' Motion to
Dismiss Pursuant to Rule 12(b)(1) [Doc. #13] is GRANTED, and this case is hereby
DISMISSED.

This, the 27th day of August, 2010.



United States District Judge