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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

APR 14 2011

AT 8:30
WILLIAM T. WALSH
CLERK

WYETH LLC,

Plaintiff,

v.

ORGENUS PHARMA INC. and
ORCHID CHEMICALS
& PHARMACEUTICALS LTD.,

Defendants.

Civil Action No. 3:09-cv-03235
(FLW)(DEA)

**CONSENT ORDER ENTERING FINAL
JUDGMENT**

Filed Electronically

THIS MATTER, having been opened to the Court upon the Complaint of Plaintiff Wyeth LLC seeking Judgment in its favor and against Defendants Orgenus Pharma Inc. and Orchid Chemicals & Pharmaceuticals Ltd.; and the parties having mutually agreed to settle the above-referenced matter without further litigation; and the parties having agreed to jointly request the entry of a Consent Order Entering Final Judgment in this form; and the parties having agreed to abide by the terms of this Consent Order Entering Final Judgment and any other agreements between the parties related to this Consent Order Entering Final Judgment; and the Court having considered the parties' Stipulation of Dismissal dismissing all claims, counterclaims and affirmative defenses, with prejudice, and requesting the entry of this Consent Order Entering Final Judgment; and for other and good cause having been shown:

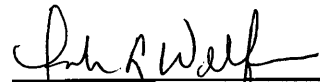
It is on this 14th day of April, 2011, **ORDERED** that:

1. Until the expiration of U.S. Patent Nos. 6,274,171 B1, 6,403,120 B1 and 6,419,958 B2, Defendants shall not, and shall cause their affiliates to not, make, use, sell, offer for sale in the United States, or import into the United States the extended release venlafaxine

hydrochloride capsules that are the subject of ANDA No. 91-123, except as and to the extent permitted under the License Agreement;

2. All claims, counterclaims and affirmative defenses are dismissed with prejudice;
3. Plaintiff has complied with the terms of the Decision and Order of the Federal Trade Commission, Docket No. 9297 (issued April 2, 2002);
4. Plaintiff and each Defendant shall abide by the terms of this Consent Order Entering Final Judgment and any other agreements between the parties related to this Consent Order Entering Final Judgment; and
5. Each party shall bear its own costs.
6. This Court retains jurisdiction to enforce this Consent Order Entering Final Judgment, and any other agreements between the parties related to this Consent Order Entering Final Judgment.

SO ORDERED, this 14th day of April, 2011



Honorable Freda L. Wolfson
United States District Judge

We hereby consent to the form, substance and entry of this Consent Order Entering Final Judgment.

CONNELL FOLEY LLP
Attorneys for Plaintiff



Liza M. Walsh

Dated: April 13, 2011

LATHAM & WATKINS LLP
Attorneys for Defendants



Jason B. Lattimore

Dated: April 13, 2011

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