

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

_____	)	
SANDOZ INC.	)	
	)	
Plaintiff.	)	
	)	Case No. 3:10-cv-437-UATC-JBT
v.	)	
	)	The Honorable Timothy J. Corrigan
BOEHRINGER INGELHEIM	)	Magistrate Judge Joel B. Toomey
INTERNATIONAL GMBH, et al.,	)	
	)	
Defendants.	)	
_____	)	

**AGREED ORDER ENTERING PRELIMINARY INJUNCTION  
AND STIPULATION OF STAY AND DISMISSAL**

THIS MATTER having been brought before the Court on Boehringer Ingelheim International GmbH and Boehringer Ingelheim Pharmaceuticals, Inc.'s (collectively "Boehringer") Motion for Preliminary Injunction (doc. 7); and the Court having considered the written submissions of the parties in support and in opposition to the motion; having heard the arguments of counsel and issued a ruling from the bench on July 26, 2010 granting Boehringer's motion, which record is incorporated herein; and for good cause shown:

IT IS ON THIS <sup>29<sup>th</sup></sup> day of July, 2010. ORDERED THAT

Pursuant to 35 U.S.C. § 271(e)(4)(B), and subject to the provisions of 35 U.S.C. § 271(e)(1), Sandoz Inc., its officers, agents, attorneys and employees and those acting in privity or concert with them, are hereby restrained and enjoined from engaging in the

commercial manufacture, use, offer to sell, or sale within the United States, or importation into the United States, of any drug product containing pramipexole or a pharmaceutically acceptable salt thereof, including pramipexole dihydrochloride, as claimed in U.S. Patent No. 4,886,812 (“the ‘812 patent”), until and including the date of the expiration of the ‘812 patent on October 8, 2010.

Plaintiff Sandoz Inc. and Defendants Boehringer Ingelheim International GmbH and Boehringer Ingelheim Pharmaceuticals, Inc. further stipulate and agree as follows.

1. In the context of this civil action and stipulation only, the amount of security pursuant to Rule 65(c) of the Federal Rules of Civil Procedure is zero dollars and Boehringer shall not be required to post a bond.

2. The Parties shall take no further action in this civil action, and this action shall be STAYED through and including October 8, 2010. Sandoz agrees that it will not assert non-infringement, invalidity or unenforceability of the ‘812 patent.

3. This civil action shall be DISMISSED as MOOT as of October 9, 2010.

4. The Parties shall bear their own costs and fees in this action, including attorneys’ fees. Boehringer does not agree to bear its own costs and fees in any proceedings if necessary to enforce the relief entered by the Court.

IT IS HEREBY STIPULATED this 28th day of July, 2010.

s/ Jeffrey R. Gargano

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s/ Bruce M. Wexler

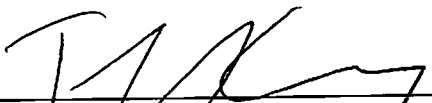
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IT IS SO ORDERED this 29<sup>th</sup> day of July 2010.

  
\_\_\_\_\_  
Timothy J. Corrigan  
United States District Judge

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