

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: ALFUZOSIN HYDROCHLORIDE
PATENT LITIGATION

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) MDL No. 08-md-1941 (GMS)
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STIPULATION AND ORDER RE JUDGMENT

Defendants Aurobindo Pharma Ltd. and Aurobindo Pharma USA, Inc.

1. WHEREAS, sanofi-aventis filed an action for patent infringement in this Court against Defendants Aurobindo Pharma Ltd. and Aurobindo Pharma USA, Inc. (collectively, "Aurobindo") regarding Aurobindo Pharma Ltd.'s Abbreviated New Drug Application No. 79-060 submitted on June 12, 2007 and the proposed generic product defined therein, *sanofi-aventis v. Actavis South Atlantic LLC, et al.*, Civil Action No. 07-572 (D. Del.) (the "Aurobindo Action"), which action was consolidated for pretrial proceedings with other related suits in the MDL Action.
2. WHEREAS, pursuant to a Stipulation and Order entered on May 19, 2009 (D.I. 84), the Aurobindo Action was stayed with respect to the '491 patent and the parties agreed that if a judgment in favor of sanofi-aventis was entered in the MDL Action, that stay would be lifted and such a judgment would also be entered against Aurobindo.

Defendants Torrent Pharma, Inc. and Torrent Pharmaceuticals Limited

3. WHEREAS, sanofi-aventis filed an action for patent infringement in this Court against Defendants Torrent Pharma, Inc. and Torrent Pharmaceuticals Limited (collectively, "Torrent") regarding Torrent Pharmaceuticals Limited's Abbreviated New Drug Application

No. 79-054 submitted on June 12, 2007 and the proposed generic product defined therein, *sanofi-aventis v. Actavis South Atlantic LLC, et al.*, Civil Action No. 07-572 (D. Del.) (the "Torrent Action"), which action was consolidated for pretrial proceedings with other related suits in the MDL Action.

4. WHEREAS, pursuant to a Stipulation and Order entered on September 29, 2009 (D.I. 132), the Torrent Action was stayed with respect to the '491 patent and the parties agreed that if a judgment in favor of sanofi-aventis was entered against any Defendant in the MDL Action, that stay would be lifted and such a judgment would also be entered against Torrent.

Entry of Judgment in Favor of Sanofi-Aventis

5. WHEREAS, sanofi-aventis filed an action for patent infringement in this Court against Defendant Mylan Pharmaceuticals, Inc. ("Mylan") regarding Mylan's Abbreviated New Drug Application No. 79-014 ("ANDA 79-014") filed on June 12, 2007 and the proposed generic product defined therein, *sanofi-aventis v. Actavis South Atlantic LLC, et al.*, Civil Action No. 07-572 (D. Del.), which action was consolidated for pretrial proceedings with other related suits in the MDL Action.
6. WHEREAS, on August 3, 2010, the Court entered judgment that: (1) Mylan's proposed product described in ANDA 79-014 infringes the asserted claims of the '491 patent; (2) Mylan will induce infringement of the asserted claims of the '491 patent; (3) the asserted claims of the '491 patent are not invalid; (4) the effective approval date of Mylan's ANDA 79-014 shall not be earlier than the expiration date of the '491 patent, plus any exclusivities afforded by 21 U.S.C. § 355a(c)(1)(B)(iii); and (5) Mylan is enjoined from making, using, offering, or selling the product described in ANDA 79-014 within the United States or

importing the described product into the United States until after the expiration date of the '491 patent, plus any exclusivities afforded by 21 U.S.C. § 355a(c)(1)(B)(iii).

IT IS HEREBY STIPULATED, subject to the approval of the Court:

1. by sanofi-aventis and Aurobindo that the stay of the Aurobindo Action is lifted and a judgment in the form attached shall be entered; and
2. by sanofi-aventis and Torrent that the stay of the Torrent Action is lifted and a judgment in the form attached shall be entered.

DATED: August 13, 2010

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (# 1014)
Maryellen Noreika (# 3208)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
mnoreika@mnat.com

*Attorneys for Plaintiffs
sanofi-aventis and sanofi-aventis U.S. LLC*

Of Counsel:

Gerald J. Flattmann, Jr.
William T. Vuk
Gregory A. Morris
KIRKLAND & ELLIS, LLP
601 Lexington Ave.
New York, NY 10022
(212) 446-4800

MORRIS JAMES LLP

/s/ Mary B. Matterer

Mary B. Matterer (# 2696)
500 Delaware Avenue – Suite 1500
Wilmington, DE 19899
(302) 888-6800
mmatterer@morrisjames.com

*Attorney for Defendants
Aurobindo Pharma Ltd. and Aurobindo Pharma
USA Inc.*

Of Counsel:

Christine J. Siwik
William A. Rakoczy
Paul J. Molino
Deanne M. Mazzochi
RAKOCZY MOLINO MAZZOCHI SIWIK LLP
6 West Hubbard Street – Suite 500
Chicago, IL 60610
(312) 527-2157

MURPHY & LANDON

/s/ Francis J. Murphy

Francis J. Murphy (# 223)
1011 Centre Road, Suite 210
Wilmington, DE 19805
(302) 472-8100
fmurphy@msllaw.com

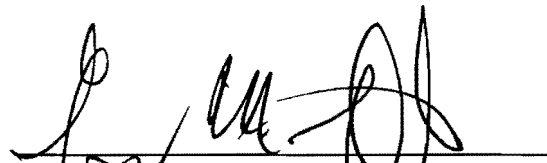
*Attorney for Defendants
Torrent Pharma Inc.
and Torrent Pharmaceuticals Ltd.*

Of Counsel:

Keith D. Parr
Kevin M. Nelson
David B. Abramowitz
LOCKE LORD BISSELL & LIDDELL LLP
111 South Wacker Drive
Chicago, IL 60606
(312) 443-0700

SO ORDERED:

This 16th day of August, 2010



HONORABLE GREGORY M. SLEET
UNITED STATES DISTRICT JUDGE