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AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

SHIRE LLC,

Plaintiff,

v.

NOSTRUM PHARMACEUTICALS, INC.,  
AND NOSTRUM PHARMACEUTICALS,  
LLC,

Defendants.

CIVIL ACTION NO. 08-03309  
(MLC)(DEA)

JUDGMENT AND ORDER OF PERMANENT INJUNCTION

This action for patent infringement having been brought by Plaintiff Shire Laboratories Inc (“Shire”) against Defendants Nostrum Pharmaceuticals, Inc. and Nostrum Pharmaceuticals, LLC (collectively “Nostrum”) for infringement of United States Patent Nos. 5,326,570 and 5,912,013 (“the ‘570 Patent” and “the ‘013 Patent” and collectively the “Shire Patents”);

Nostrum and Shire have entered into a Settlement Agreement, under which Shire will grant Nostrum a license to the Shire Patents (the “License”), pursuant to the terms and conditions in the Settlement Agreement and License;

Nostrum acknowledges that all the claims in the Shire Patents are valid and enforceable in all respects; and

Nostrum acknowledges that the filing of Abbreviated New Drug Application (“ANDA”) No. 76-697 (the “Nostrum ANDA”) infringed the ‘570 Patent and, in the absence of the License, that selling, offering for sale, using and/or importing into the United States a product under or described in the Nostrum ANDA (the “Nostrum Product”) would infringe the ‘570 Patent.

Shire and Nostrum now consent to this Judgment and Order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Court has jurisdiction over the parties and subject matter of this action.
2. Nostrum admits that the Shire Patents are valid and enforceable in all respects.
3. All affirmative defenses, claims and counterclaims, which have been or could have been raised by Nostrum in this action with respect to the validity or enforceability of the Shire Patents, are dismissed with prejudice.
4. In any other or future cause of action or litigation, Nostrum shall not dispute that the Shire Patents is valid and enforceable.
5. Nostrum admits that the sale, use or import of the Nostrum Product would constitute infringement of the ‘570 Patent in the absence of the License.
6. Nostrum is hereby also enjoined and estopped during the term of the ‘570 Patent from making any challenge as to the infringement of the Nostrum Product of the ‘570 Patent.
7. The foregoing injunctions against Nostrum shall take effect immediately upon entry of this Judgment and Order by the Court, and shall continue generally until the expiration of the Shire Patents.
8. This Judgment and Order is binding upon and constitutes claim preclusion and issue preclusion with respect to validity and enforceability of the Shire Patents and infringement

by the Nostrum Product between the parties in this action or in any other action between the parties.

9. The parties waive all right to appeal from this Judgment and Order.

10. This Court shall retain jurisdiction of this action and over the parties for purposes of enforcement of the provisions of this Judgment and Order.

11. Each party is to bear its own costs and attorneys' fees.

Dated: \_\_\_\_\_  
\_\_\_\_\_

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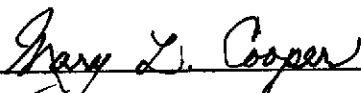
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SO ORDERED

Dated: MAR. 22, 2010

  
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THE HON. MARY L. COOPER  
UNITED STATES DISTRICT JUDGE