

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

AVANIR PHARMACEUTICALS, INC.,  
AVANIR HOLDING COMPANY, AND  
CENTER FOR NEUROLOGIC STUDY,

Plaintiffs,

v.

ACTAVIS SOUTH ATLANTIC LLC,  
ACTAVIS, INC., PAR PHARMACEUTICAL,  
INC., PAR PHARMACEUTICAL  
COMPANIES, INC., IMPAX  
LABORATORIES, INC., WOCKHARDT,  
LTD., WOCKHARDT USA, LLC, WATSON  
PHARMACEUTICALS, INC., WATSON  
LABORATORIES, INC., AND WATSON  
PHARMA, INC.,

Defendants.

C.A. No. 11-704-LPS  
(CONSOLIDATED)

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**ORDER**

At Wilmington this **17th** day of **June, 2014**:

Having reviewed the parties’ briefs regarding the delisting of United States Patent No. RE38,115 (“the ‘115 patent”) from the “Orange Book” entry for Nuedexta®, pursuant to 21 U.S.C. § 355(j)(5)(C)(ii)(I), and the parties’ related filings, IT IS HEREBY ORDERED that:

1. Plaintiffs’ motion to strike and for sanctions (D.I. 501) is DENIED.
2. Defendants’ request for attorney’s fees (D.I. 505 at 9) is DENIED.
3. The parties shall make reasonable efforts to inform the Food and Drug

Administration (FDA) of the pending request for delisting and of this Court’s request that the FDA provide its views relating to that pending request.

  
UNITED STATES DISTRICT JUDGE