IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: OZEMPIC (SEMAGLUTIDE) PATENT LITIGATION	MDL No. 22-MD-3038-CFC **ANDA CASE**
NOVO NORDISK INC. and NOVO NORDISK A/S, Plaintiffs, v. MYLAN PHARMACEUTICALS INC., Defendant.	C.A. No. 22-1040-CFC **ANDA CASE**

STIPULATION AND ~~[PROPOSED]~~ ORDER
REGARDING TRIAL OF THE MPI OZEMPIC LITIGATION

WHEREAS, on March 18, 2022, Novo Nordisk Inc. and Novo Nordisk A/S ("Plaintiffs") sued Mylan Pharmaceuticals Inc. ("MPI") in the United States District Court for the Northern District of West Virginia in a case captioned *Novo Nordisk Inc. and Novo Nordisk A/S v. Mylan Pharmaceuticals Inc.*, No. 1:22-cv-23-JPB (N.D.W. Va.) ("MPI Ozempic Litigation"), D.I. 1;

WHEREAS, the MPI Ozempic Litigation is currently pending in the District of Delaware as Case No. 22-1040 (CFC) because, on August 5, 2022, the United States Judicial Panel on Multidistrict Litigation transferred the MPI Ozempic Litigation to the United States District Court for the District of Delaware "for

Novo Nordisk Exhibit 2004
Dr. Reddy's Laboratories v. Novo Nordisk A/S
IPR2024-00009
Page 00001

coordinated or consolidated pretrial proceedings." *In re Ozempic (Semaglutide) Patent Litigation*, MDL No. 3038 (J.P.M.L.), D.I. 1;

WHEREAS on March 21, 2023, Plaintiffs filed a First Amended Complaint against MPI in the MPI Ozempic Litigation (*In re: Ozempic (Semaglutide) Patent Litigation*, No. 22-md-3038 (D. Del.), D.I. 111);

WHEREAS, for purposes of this case only, MPI will not dispute that the District of Delaware has personal jurisdiction and subject matter jurisdiction over the claims and counterclaims asserted in the MPI Ozempic Litigation under §§ 1331, 1338(a), 2201, and/or 2202;

WHEREAS, for purposes of this case only, MPI will not dispute that venue is proper in the District of Delaware;

WHEREAS, based on the unique facts of this case, Plaintiffs and MPI agree all claims and counterclaims between them should remain in the District of Delaware for trial;

WHEREAS, for purposes of this case only, MPI waives its ability to seek a remand of the MPI Ozempic Litigation to the Northern District of West Virginia following the conclusion of coordinated pretrial proceedings in *In re Ozempic (Semaglutide) Patent Litigation*, MDL No. 3038 (J.P.M.L.) and agrees that the MPI Ozempic Litigation shall remain in the District of Delaware for trial as part of *In re Ozempic (Semaglutide) Patent Litigation*, MDL No. 22-MD-3038 (CFC).

Novo Nordisk Exhibit 2004
Dr. Reddy's Laboratories v. Novo Nordisk A/S
IPR2024-00009
Page 00002

IT IS HEREBY STIPULATED, subject to the approval of the Court, that Plaintiffs and MPI will remain in the District of Delaware for trial of all claims and counterclaims raised in *In re Ozempic (Semaglutide) Patent Litigation*, MDL No. 3038 (J.P.M.L.) and in the MPI Ozempic Litigation, which was originally filed as *Novo Nordisk Inc. and Novo Nordisk A/S v. Mylan Pharmaceuticals Inc.*, No. 1:22-cv-23-JPB (N.D.W. Va.), and is presently pending as Case No. 22-1040 (CFC) (D. Del.). All such claims and counterclaims shall be tried as part of the trial presently scheduled to begin in Delaware on September 30, 2024 in *In re Ozempic (Semaglutide) Patent Litigation*, MDL No. 22-MD-3038 (CFC), which includes the consolidated cases pending under Lead Case No. 22-294 (CFC) and the MPI Ozempic Litigation.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Travis J. Murray

Jack B. Blumenfeld (#1014)
Brian P. Egan (#6227)
Travis J. Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
began@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Plaintiffs Novo Nordisk Inc. and Novo Nordisk A/S

STAMOULIS & WEINBLATT LLC

/s/ Stamatios Stamoulis

Stamatios Stamoulis (#4606)
Richard C. Weinblatt (#5080)
800 North West Street, 3rd Floor
Wilmington, DE 19801
(302) 999-1540
stamoulis@swdelaw.com
weinblatt@swdelaw.com

Attorneys for Defendant Mylan Pharmaceuticals Inc.

Novo Nordisk Exhibit 2004
Dr. Reddy's Laboratories v. Novo Nordisk A/S
IPR2024-00009
Page 00003

SO ORDERED this 31st day of October, 2023.

The Honorable Colm F. Connolly
Chief, United States District Judge