

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
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NOVO NORDISK INC. and NOVO NORDISK A/S,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 22-294 (CFC)
	)	CONSOLIDATED
RIO BIOPHARMACEUTICALS INC.,	)	ANDA CASE
et al.,	)	
	)	
Defendants.	)	
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NOVO NORDISK INC. and NOVO NORDISK A/S,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 22-1040 (CFC)
	)	ANDA CASE
	)	
MYLAN PHARMACEUTICALS INC.,	)	
	)	
	)	
Defendant.	)	
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**JOINT STIPULATION AND ORDER
AMENDING SCHEDULING ORDER**

WHEREAS, Plaintiffs Novo Nordisk Inc. and Novo Nordisk A/S and Defendants Alvogen, Inc., Dr. Reddy’s Laboratories, Ltd., Dr. Reddy’s Laboratories, Inc., Mylan Pharmaceuticals, Inc., Sun Pharmaceutical Industries Ltd.,

Sun Pharmaceutical Industries Inc., Rio Pharmaceuticals, Inc., EMS SA, Zydus Worldwide DMCC, Zydus Pharmaceuticals (USA) Inc., and Zydus Lifesciences Limited (collectively, the “Defendants”) have agreed, subject to the approval of the Court, to extend certain deadlines set forth in the Scheduling Order (D.I. 22, as amended by D.I. 214).

IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel, subject to the approval of the Court, that the following dates set forth in the Scheduling Order shall be amended consistent with the table set forth below:

Event	Current Deadline	Amended Deadline
Close of Fact Discovery (limited to the completion of all previously-noticed fact depositions)	December 1, 2023	December 15, 2023
Final Deadline to Supplement the Preliminary Disclosure of Asserted Claims and Preliminary Disclosure of Prior Art, ¶ 11.	December 1, 2023	For the '953 and '383 patents, within one week after the Court's ruling on supplemental Markman or agreement by the parties, whichever is earlier. No further supplementation shall be permitted with respect to the '343, '122 and '462 patents absent an order of the Court.
Defendants serve on Plaintiffs a “Final Election of Asserted Prior Art” relating to the '953 and	28 days after Court issues a Claim Construction Order	Within 4 days after the final deadline to Supplement the Preliminary Disclosure of Asserted Claims and Preliminary Disclosure of Prior Art, or by agreement of the parties.

Event	Current Deadline	Amended Deadline
'383 patents, ¶ 23.		
Plaintiffs serve on Defendants a "Final Election of Asserted Claims" relating to the '953 and '383 patents, ¶23.	14 days after service of the Final Election of Asserted Prior Art	Within 4 days after the service of Final Election of Asserted Prior Art, or by agreement of the parties.
Final Deadline to Supplement Infringement Contentions and Invalidity Contentions, ¶ 11.	December 1, 2023	January 12, 2024 for the '343, '122, and '462 patents. February 1, 2024 for the '953 and '383 patents.
Final Deadline to Supplement Noninfringement Contentions and Responses to Invalidity Contentions, ¶ 11.	December 15, 2023	February 9, 2024 for the '343, '122, and '462 patents. February 22, 2024 for the '953 and '383 patents.
Opening Expert Reports (including Plaintiffs' Secondary Indicia Opinions), ¶24.	January 19, 2024	March 1, 2024
Rebuttal Expert Reports (including Defendants' Secondary	March 1, 2024	April 5, 2024

Event	Current Deadline	Amended Deadline
Indicia Opinions), ¶24.		
Reply Expert Reports, ¶ 24.	April 5, 2024	May 3, 2024
Close of Expert Discovery, ¶24.	May 24, 2024	June 7, 2024

No other deadlines set forth in the Scheduling Order are altered by way of this stipulation.

Counsel certify that a copy of this stipulation has been sent to their respective clients pursuant to D. Del. LR 16.4.

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Dated: November 30, 2023

SO ORDERED, this 1st day of December, 2023.

/s/ Colm F. Connolly

CHIEF, UNITED STATES DISTRICT COURT JUDGE
DISTRICT OF DELAWARE