IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION

IN RE: AFLIBERCEPT PATENT LITIGATION **This Document Relates to:** No. 1:22-cv-61	MDL No.: 1:24-md-3103-TSK

STIPULATION AND ORDER VACATING PERMANENT INJUNCTION PREVIOUSLY ISSUED BY THE COURT IN THIS MATTER AND DISMISSING ALL CLAIMS AND COUNTERCLAIMS WITH PREJUDICE

Plaintiff Regeneron Pharmaceuticals, Inc. ("Regeneron") and Defendants Biocon Biologics Inc. and Mylan Pharmaceuticals Inc. (collectively, "Defendants"), subject to the approval of the Court, hereby enter into the following Stipulation to have certain prior judgments and orders vacated and to dismiss with prejudice.

WHEREAS, on June 11, 2024, this Court entered an Order Granting Motion for Permanent Injunction (ECF No. 162) and final judgment pursuant to Federal Rule of Civil Procedure 54(b) (ECF No. 163).

WHEREAS, on June 21, 2024, this Court issued its Final Order for Injunctive Relief against Defendants (ECF No. 189).

WHEREAS, on June 21, 2024, Defendants filed a timely Notice of Appeal to the United States Court of Appeals for the Federal Circuit, where the appeal was docketed as Case No. 2024-2002. Following the parties' joint stipulation of dismissal, the Federal Circuit dismissed the appeal and issued the mandate on April 16, 2025.

WHEREAS, on April 2, 2025, this Court entered the parties' Stipulation Regarding Notice (ECF No. 510).

WHEREAS, Regeneron and Defendants have reached an agreement that will resolve all issues between them without further litigation.

NOW THEREFORE Regeneron and Defendants, by and through their respective undersigned counsel in this Action, and subject to the approval of the Court, stipulate and agree as follows:

1. The Stipulation Regarding Notice (ECF No. 510), entered by this Court on April 2, 2025, is hereby vacated.
2. The Court's Order Granting Motion for Permanent Injunction (ECF No. 162) and Final Judgment (ECF No. 163), entered on June 11, 2024, are hereby vacated.
3. The Court's Final Order for Injunctive Relief (ECF No. 189), entered on June 21, 2024 is hereby vacated.
4. Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Regeneron's Case No. 1:22-cv-61 against Defendants (which was made a part of MDL No. 24-md-3103-TSK), including all claims and defenses asserted by Regeneron against Defendants and all counterclaims and defenses asserted by Defendants against Regeneron, are hereby dismissed, with prejudice.
5. All parties shall bear their own costs, disbursements, and attorneys' fees.

SO ORDERED this 22nd day of April, 2025.

Hon. Thomas S. Kleeh, Chief Judge

Date: April 21, 2025

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