

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

INSPIRE MEDICAL SYSTEMS, INC.,

Plaintiff,

v.

NYXOAH, INC., and  
NYXOAH SA,

Defendants.

C.A. No. 25-cv-00667-RGA

**JURY TRIAL DEMANDED**

**DEFENDANTS NYXOAH, INC. AND NYXOAH SA'S MOTION TO DISQUALIFY  
PLAINTIFF'S COUNSEL**

Defendants Nyxoah, Inc. and Nyxoah SA (collectively, "Nyxoah") respectfully move for entry of an order disqualifying the law firm of Latham & Watkins from representing Plaintiff Inspire Medical Systems, Inc. in this action. The grounds for this motion are set forth in Nyxoah's Opening Brief in support thereof, which is being filed contemporaneously herewith.

Dated: August 15, 2025

Respectfully submitted,

**DUANE MORRIS LLP**

**OF COUNSEL:**

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**[PROPOSED] ORDER**

Having considered Defendants Nyxoah, Inc. and Nyxoah SA's Motion to Disqualify Plaintiff's Counsel, together with Plaintiff's opposition thereto, and all supporting briefing and papers;

IT IS HEREBY ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 2025, that:

1. The Motion is GRANTED.
2. The law firm of Latham & Watkins is disqualified from representing Plaintiff Inspire Medical Systems Inc. in this action.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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**DEFENDANTS NYXOAH, INC. AND NYXOAH SA'S D. DEL. LR 7.1.1 STATEMENT**

Pursuant the D. Del. LR 7.1.1, counsel for Defendants Nyxoah, Inc. and Nyxoah SA hereby state that a reasonable effort has been made to reach agreement with counsel for Plaintiff Inspire Medical Systems, Inc. on the matters set forth in the foregoing motion but that no agreement was reached.

Dated: August 15, 2025

Respectfully submitted,

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