

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
WARNER CHILCOTT COMPANY, LLC, and)	
HOFFMANN-LA ROCHE INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 08-cv-627-LPS
)	C.A. No. 11-cv-81-LPS
TEVA PHARMACEUTICALS USA, INC.)	
)	
Defendant.)	
_____)	
WARNER CHILCOTT COMPANY, LLC, and)	REDACTED
HOFFMANN-LA ROCHE INC.,)	PUBLIC VERSION
)	
Plaintiffs,)	
)	
v.)	C.A. No. 09-cv-143-LPS
)	C.A. No. 10-cv-1111-LPS
APOTEX, INC. and APOTEX CORP.)	
)	
Defendant.)	
_____)	
WARNER CHILCOTT COMPANY, LLC, and)	
HOFFMANN-LA ROCHE INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 10-cv-285-LPS
)	C.A. No. 11-cv-286-LPS
MYLAN PHARMACEUTICALS, INC.)	
)	
Defendant.)	
_____)	

I, Jaclyn C. Levy, declare as follows:

1. I am an attorney at the law firm of Richards, Layton & Finger, P.A., counsel representing Plaintiffs Warner Chilcott Company, LLC, and Hoffmann-La Roche, Inc.

("Plaintiffs") in the above-captioned action.

2. I am admitted to practice before this Court.

3. I submit this declaration in support of Plaintiffs' Brief In Support of Motion For Summary Judgment of Infringement.

4. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 7,192,938 ("the '938 patent").

5. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent No. 7,718,634 ("the '634 patent").

6. Attached hereto as Exhibit C is a true and correct copy of Amended Opinion, *Hoffmann-La Roche Inc. v. Apotex Corp., et al.*, 07-4582 (consolidated), Docket No. 258 (D. N. J., Sept. 2, 2010).

7. Attached hereto as Exhibit D is a true and correct copy of Nov. 18, 2011 Reply Expert Report of John Bilezikian, M.D.

8. Attached hereto as Exhibit E is a true and correct copy of Actonel® Full Prescribing Information, Sections 2.1-2.2 (PGOAM0175599-640).

9. Attached hereto as Exhibit F is a true and correct copy of Mylan Form FDA 356h (MYL-RIS0002817-20).

10. Attached hereto as Exhibit G is a true and correct copy of Mylan's Notice of Paragraph IV certification for the '938 patent, dated February 23, 2010.

11. Attached hereto as Exhibit H is a true and correct copy of Mylan's Notice of Paragraph IV certification for the '634 patent, dated February 24, 2011.

12. Attached hereto as Exhibit I is a true and correct copy of Mylan ANDA, Annotated Comparison With Listed Drug (Labeling), Section 1.14.3.1, (MYL_ANDA 0000173-215).

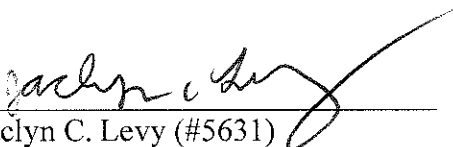
13. Attached hereto as Exhibit J is a true and correct copy of Mylan ANDA, Prescribing Information (MYL-RIS0056103-144).

14. Attached hereto as Exhibit K is a true and correct copy of Mylan ANDA Section 1.14.1.1 (MYL-RIS0003000-3001).

15. Attached hereto as Exhibit L is a true and correct copy of Mylan ANDA, Section 2.3 (Mylan_ANDA 0000555-626).

16. Attached hereto as Exhibit M is a true and correct copy of Mylan ANDA, Finished Product Specifications (MYL-RIS0101588-90).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed on June 22, 2012 in Wilmington, Delaware.


Jaelyn C. Levy (#5631)

CERTIFICATE OF SERVICE

I hereby certify that, on June 29, 2012, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing(s), and have sent a true and correct copy by electronic mail to the following:

Defendant Apotex

Richard L. Horwitz

David E. Moore

Potter Anderson & Corroon LLP

Hercules Plaza, 6th Floor

1313 N. Market Street

Wilmington, DE 19801

rhorwitz@potteranderson.com

dmoore@potteranderson.com

Steven E. Feldman

Hartwell P. Morse, III

Louise T. Walsh

Sherry L. Rollo

Philip D. Segrest

Husch Blackwell LLP

120 S. Riverside Plaza – Suite 2200

Chicago, IL 60606

Steven.feldman@huschblackwell.com

Hartwell.morse@huschblackwell.com

Louise.walsh@huschblackwell.com

Sherry.rollo@huschblackwell.com

segrest@huschblackwell.com

Defendant Sun Pharma

John C. Phillips, Jr.

Megan C. Haney

Phillips, Goldman & Spence, P.A.

1200 North Broom Street

Wilmington, DE 19806

jcp@pgslaw.com

mch@pgslaw.com

Eric C. Cohen

Jeremy C. Daniel

Katten Muchin Rosenman LLP

Defendant Mylan

Richard K. Herrmann

Mary B. Matterer

Morris James LLP

500 Delaware, Suite 1500

Wilmington, DE 19801-1494

mmatterer@morrisjames.com

rherrmann@morrisjames.com

Edgar H. Haug

Robert E. Colletti

Richard E. Parke

Frommer Lawrence & Haug LLP

745 Fifth Avenue

New York, NY 10151

ehaug@flhlaw.com

rcolletti@flhlaw.com

rparke@flhlaw.com

Defendant Teva

Karen L. Pascale

Karen E. Keller

Young, Conaway, Stargatt & Taylor

The Brandywine Building

1000 West Street, 17th Floor

Wilmington, DE 19899-0391

kpascale@ycst.com

kkeller@ycst.com

James Galbraith

Antony Pfeffer

Peter L. Giunta

525 W. Monroe Street
Chicago, IL 60661
Eric.cohen@kattenlaw.com
Jeremy.daniel@kattenlaw.com

Kenyon & Kenyon LLP
One Broadway
New York, NY 10004-1007
jgalbraith@kenyon.com
APfeffer@kenyon.com
pgiunta@kenyon.com

/s/ Jaclyn C. Levy

Jaclyn C. Levy (#5631)
levy@rlf.com