IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NOVARTIS VACCINES AND DIAGNOSTICS, INC., Plaintiff, v. INSTITUT PASTEUR, *et al.*, Defendants.	Civil Case No. 07-00034 (RWR)
NOVARTIS VACCINES AND DIAGNOSTICS, INC., Plaintiff, v. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, *et al.*, Defendants.	Civil Case No. 07-02138 (RWR)
THE UNITED STATES OF AMERICA, Plaintiff, v. INSTITUT PASTEUR, *et al.*, Defendants.	Civil Case No. 08-00161 (RWR)

JOINT STIPULATION TO CONSOLIDATE CASES

On February 27, 2008, this Court issued an Order to Show Cause as to why the three above entitled cases should not be consolidated. In response, the parties jointly agree and stipulate to the consolidation of the three above entitled cases for all purposes.

The parties submit that Court-assisted mediation involving the NIH and the Institut Pasteur, and involving Novartis and the NIH, is unnecessary at this time due to ongoing settlement discussions between all three parties. Following the Court-ordered mediation session involving Novartis and the Institut Pasteur, all three parties met and entered into a Memorandum of Understanding. That Memorandum of Understanding included terms for settlement of the three pending actions. The parties have exchanged drafts of the various documents necessary to implement the terms of the Memorandum of Understanding and have had follow-up settlement conferences in order to move toward completing that documentation. The parties do not believe that further Court-ordered mediation is required under these circumstances.

Respectfully submitted,

Dated: March 7, 2008

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Dated: March 7, 2008

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Dated: March 7, 2008

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