IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTRAZENECA AB, AKTIEBOLAGET HÄSSLE, KBI-E, INC., KBI, INC. and ASTRAZENECA LP,	)	
Plaintiffs,	)	Civil Action No. 06-358 (SLR)
v.	)	
DEXCEL LTD., DEXXON LTD., DEXCEL PHARMA TECHNOLOGIES LTD. and DEXCEL PHARMA TECHNOLOGIES,	)	
Defendants.	)	

DEFENDANTS' MOTION TO TRANSFER OR DISMISS

In the interests of judicial economy, Defendants Dexcel Ltd., Dexxon Ltd., Dexcel Pharma Technologies Ltd. and Dexcel Pharma Technologies respectfully request that this Court transfer this action for consolidation with a duplicative and more advanced action brought by Plaintiffs and pending in Virginia.

Alternatively, and pursuant to FED. R. CIV. P. 12(b)(2), all Defendants respectfully move that this action be dismissed for lack of personal jurisdiction. Defendants Dexcel Ltd. and Dexxon Ltd. further move to dismiss this action under FED. R. CIV. P. 12(b)(6) because Plaintiffs' complaint fails to state a claim against them. In addition, Dexcel Pharma Technologies, which is a non-entity that conducts no business at all, should be dismissed pursuant to FED. R. CIV. P. 17(b) as a party lacking the capacity to be sued. Defendants further submit the accompanying brief in support of this motion.

WHEREFORE, Defendants respectfully request that the Court enter an order transferring this action or, in the alternative, dismissing this action, and grant such other relief as the Court deems just.

July 20, 2006

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CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on July 20, 2006, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

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The undersigned counsel further certifies that, on July 20, 2006, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

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