IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PFIZER INC., PFIZER PHARMACEUTICALS, LLC, PFIZER LIMITED, C.P. PHARMACEUTICALS INTERNATIONAL C.V., PFIZER IRELAND PHARMACEUTICALS, WARNER-LAMBERT COMPANY, WARNER-LAMBERT COMPANY, LLC and WARNER-LAMBERT EXPORT LTD.	)	
Plaintiffs,	)	
v.	)	Civil Action No. 07-138 (JJF)
RANBAXY LABORATORIES LIMITED, and RANBAXY INC.	)	
Defendants.	)	

MOTION TO DISMISS IN PART DECLARATORY JUDGMENT COUNTERCLAIMS

Pursuant to Fed. R. Civ. P. 12(b)(1), and for the reasons set forth in its accompanying brief, plaintiffs/counterclaim-defendants Pfizer Inc., Pfizer Pharmaceuticals, LLC, Pfizer Limited, C.P. Pharmaceuticals International C.V., Pfizer Ireland Pharmaceuticals, Warner-Lambert Company, Warner-Lambert Company, LLC and Warner-Lambert Export Limited, move to dismiss defendants/counterclaimants Ranbaxy Laboratories Limited and Ranbaxy Inc.'s Fourth, Fifth, Sixth, and Seventh Counterclaims with respect to the United States Letters Patent No. 5,273,995 for lack of subject matter jurisdiction under the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202 because there is no justiciable case or controversy.

Respectfully submitted,

DATED: May 3, 2007

/s/Jeffrey B. Bove
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FOR THE DISTRICT OF DELAWARE

PFIZER INC., PFIZER PHARMACEUTICALS, LLC, PFIZER LIMITED, C.P. PHARMACEUTICALS INTERNATIONAL C.V., PFIZER IRELAND PHARMACEUTICALS, WARNER-LAMBERT COMPANY, WARNER-LAMBERT COMPANY, LLC and WARNER-LAMBERT EXPORT LTD.	)	
Plaintiffs,	)	
v.	)	Civil Action No. 07-138 (JJF)
RANBAXY LABORATORIES LIMITED, and RANBAXY INC.	)	
Defendants.	)	

[PROPOSED] ORDER GRANTING PFIZER'S MOTION TO DISMISS IN PART DECLARATORY JUDGMENT COUNTERCLAIMS

Upon consideration of plaintiffs/counterclaim-defendants Pfizer Inc., Pfizer Pharmaceuticals, LLC, Pfizer Limited, C.P. Pharmaceuticals International C.V., Pfizer Ireland Pharmaceuticals, Warner-Lambert Company, Warner-Lambert Company, LLC and Warner-Lambert Export Limited's Motion to Dismiss in Part Declaratory Judgment Counterclaims and the concurrently-filed supporting brief,

IT IS HEREBY ORDERED that Pfizer's Motion is GRANTED.

Dated:_____

_____
The Honorable Joseph J. Farnan, Jr.
United States District Judge

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CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2007, a true copy of the foregoing was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the following and the document is available for viewing and downloading from CM/ECF:

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I hereby certify that on the May 3, 2007, I have sent by Electronic Mail the foregoing document to the following non-registered participants:

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