IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTRAZENECA PHARMACEUTICALS LP, ASTRAZENECA UK LIMITED, IPR PHARMACEUTICALS, INC., and SHIONOGI SEIYAKU KABUSHIKI KAISHA, Plaintiffs, v. PAR PHARMACEUTICAL, INC., Defendant.	Civil Action No.: 07-808-JJF-LPS **REDACTED VERSION DI 17**

PLAINTIFF'S MOTION TO DISMISS
PAR PHARMACEUTICAL, INC.'S COUNTERCLAIM COUNTS IV AND V

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PLAINTIFF'S MOTION TO DISMISS
PAR PHARMACEUTICAL, INC.'S COUNTERCLAIM COUNTS IV AND V

Plaintiffs AstraZeneca Pharmaceuticals LP, AstraZeneca UK Limited, IPR Pharmaceuticals, Inc., and Shionogi Seiyaku Kabushiki Kaisha (collectively "Plaintiffs") hereby move to dismiss Par Pharmaceutical, Inc.'s Counterclaim Counts IV (Declaration of Noninfringement of the '460 Patent) and V (Declaration of Invalidity of the '460 Patent) for Lack of Subject Matter Jurisdiction under Federal Rule of Civil Procedure 12(b)(1), as set forth fully in Plaintiffs' Opening Brief submitted concurrently herewith. A proposed form of Order is attached hereto as Exhibit A.

WHEREFORE, Plaintiffs respectfully request that the Court enter an Order granting their Motion To Dismiss.

Respectfully Submitted:

/s/ Mary W. Bourke

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REDACTED VERSION: March 28, 2008
Dated: March 21, 2008

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTRAZENECA PHARMACEUTICALS LP, ASTRAZENECA UK LIMITED, IPR PHARMACEUTICALS, INC., and SHIONOGI SEIYAKU KABUSHIKI KAISHA, Plaintiffs, v. PAR PHARMACEUTICAL, INC., Defendant.	Civil Action No.: 07-808-JJF-LPS **REDACTED VERSION DI 17**

[PROPOSED] ORDER

Upon consideration of Plaintiffs' Motion to Dismiss Par Pharmaceutical, Inc.'s Counterclaim Counts IV and V, it is hereby ORDERED that Plaintiffs' Motion to Dismiss is GRANTED.

SO ORDERED this _____ day of _____, 2008.

_____
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify on this 28th day of March, 2008 I electronically filed the foregoing Redacted Version DI 17 PLAINTIFF'S MOTION TO DISMISS PAR PHARMACEUTICAL, INC.'S COUNTERCLAIM COUNTS IV AND V with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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The undersigned counsel further certifies that, on March 28, 2008, copies of the foregoing document were also served upon the following individuals in the manner indicated:

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