IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

PFIZER INC., PHARMACIA & UPJOHN COMPANY, PHARMACIA & UPJOHN COMPANY LLC, SUGEN, INC. and C.P. PHARMACEUTICALS INTERNATIONAL C.V.,	)	C.A. No. 10-528-GMS
Plaintiffs,	)	
v.	)	
MYLAN INC. and MYLAN PHARMACEUTICALS INC.,	)	
Defendants.	)	

STIPULATION AND PROPOSED ORDER OF DISMISSAL OF DEFENDANT MYLAN INC.

Plaintiffs Pfizer Inc., Pharmacia & Upjohn Company, Pharmacia & Upjohn Company LLC, Sugen, Inc. and C.P. Pharmaceuticals International C.V. (collectively "Pfizer") and Defendants Mylan Inc. and Mylan Pharmaceuticals Inc. (collectively "Mylan") hereby stipulate and agree to the dismissal of Mylan Inc. from the above-captioned litigation. The amended caption will read as follows, *Pfizer Inc. et al. v. Mylan Pharmaceuticals Inc.*, Civil Action No. 10-528 (GMS). The action will continue against Mylan Pharmaceuticals Inc.

It is further stipulated that this dismissal is without prejudice and is subject to the following conditions:

1. Mylan Inc., on behalf of itself and on behalf of its subsidiaries and affiliates, to the same extent each subsidiary and affiliate would be bound if Mylan Inc. remained a party to this litigation, stipulates to be bound by any judgments, orders, decisions, or appeals in the above-captioned litigation that are binding upon Mylan Pharmaceuticals Inc.

2. Mylan Inc., on behalf of itself and on behalf of its subsidiaries and affiliates, to the same extent each subsidiary and affiliate would be subject to discovery under the Federal Rules of Civil Procedure, local rules of the District of Delaware, or any order of this Court if Mylan Inc. remained a party to this litigation, stipulate that it will cooperate in the discovery process as if it is a party to the above-captioned litigation.

3. Nothing in this stipulation shall affect the parties' rights to file amended pleadings in accordance with discovery and the scheduling order to be entered by the court in this action.

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Attorneys for Defendants Mylan Inc. and Mylan Pharmaceuticals Inc.

SO ORDERED this _____ day of _____, 2010.

_____
Chief Judge Gregory M. Sleet

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