UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

FRESENIUS KABI USA, LLC,

Plaintiffs,

v.

DR. REDDY'S LABORATORIES INC. and DR. REDDY'S LABORATORIES LTD.,

Defendants.

Civil Action No. 13-cv-00925 (RGA)

[PROPOSED] ORDER AND FINAL JUDGMENT

THIS MATTER having been opened to the Court upon the Complaint of Plaintiff Fresenius Kabi USA, LLC ("Fresenius"), alleging that Defendants Dr. Reddy's Laboratories Inc. and Dr. Reddy's Laboratories Ltd., (collectively, "Dr. Reddy's") infringed United States Patent Nos. 5,714,520, 5,731,355, 5,731,356 and 5,908,869 (collectively "the patents"), owned by Fresenius; the Court having conducted a two-day bench trial June 2-3, 2014 together with the consolidated case of Fresenius against Watson Labs. Inc., and Actavis, Inc. (Civil Action No. 13-cv-01015) regarding whether the proposed product described in Dr. Reddy's ANDA No. 205067 contains "edetate" or any equivalent thereof, as the term "edetate" is used in the patents; and for the reasons set forth in the Court's Opinion and for good cause shown,

IT IS on this 8th day, Sept., 2014,

ORDERED that Fresenius' request for a judgment of infringement of the patents against Dr. Reddy's is **DENIED**; and it is further

ORDERED that Dr. Reddy's Counterclaims for declaratory judgment of non-infringement of the patents are **GRANTED**; and it is further

ORDERED that Dr. Reddy's is the prevailing party in this action; and it is further

ORDERED that this is a Final Judgment, with the Court retaining jurisdiction solely for the purpose of considering any issue of an award of costs and/or the award of attorney's fees under 35 U.S.C. §285. *See* Fed.R.Civ.P. 58(e); and it is further

ORDERED that the Clerk shall enter and serve notice of this Order of Judgment in accordance with Fed.R.Civ.P. 58 and 77.

Richard G. Andrews

The Honorable Richard G. Andrews
United States District Judge