IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VANDA PHARMACEUTICALS INC. and AVENTISUB II INC.,	)	
Plaintiffs,	)	
v.	)	C.A. No. 13-1973 (GMS) (Consolidated)
ROXANE LABORATORIES, INC.,	)	
Defendant.	)	

JOINT STIPULATION

WHEREAS, in their Initial Infringement Contentions, Plaintiffs asserted infringement by Defendant of Claim 3 and Claim 9 of U.S. Patent No. RE39,198 (the "RE198 Patent"); and

WHEREAS, in its Initial Invalidity Contentions, Defendant asserted that Claim 3 and Claim 9 of the RE198 Patent are invalid; and

WHEREAS, the parties are interested in narrowing the issues before the Court and in limiting the attendant burden and expense;

NOW THEREFORE Plaintiffs Vanda Pharmaceuticals Inc. and Aventisub LLC and Defendant Roxane Laboratories, Inc., by their undersigned counsel, subject to the approval of the Court, stipulate that:

1. The iloperidone tablets as described in Defendant's ANDA No. 205480 are literally within the scope of Claim 3 of the RE198 Patent and would infringe Claim 3 of the RE198 Patent provided that claim is not proved invalid;
2. Plaintiffs withdraw, with prejudice, their assertion of infringement by Defendant of Claim 9 of the RE198 Patent;

3. In light of Plaintiffs' withdrawal of any assertion of infringement by Defendant of Claim 9 of the RE198 Patent, Defendant withdraws, with prejudice, its counterclaims and affirmative defenses insofar as they solely relate to the validity of Claim 9 of the RE198 Patent; and
4. Nothing in this stipulation affects the parties' infringement and invalidity contentions regarding any claims of U.S. Patent No. 8,586,610.

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October 16, 2015

SO ORDERED, this _____ day of _____, 2015.

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UNITED STATES DISTRICT JUDGE