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October 13, 2017

BY CM/ECF AND HAND DELIVERY

The Honorable Richard G. Andrews
J. Caleb Boggs Federal Building
844 N. King Street, Room 6325, Unit 9
Wilmington, DE 19801-3555

Re: Orexigen Therapeutics, Inc. v. Actavis Labs. FL, Inc.,
C.A. No. 15-451 (RGA)

Dear Judge Andrews:

This firm, along with Paul Hastings LLP, represents Orexigen in the above-referenced Hatch-Waxman action. The 30-month regulatory stay ends on or around October 21, 2017 and Orexigen is concerned that Actavis will launch its generic of Orexigen's Contrave® product at risk at that time. Contrave® is Orexigen's only product and such a launch would cause immediate and irreparable harm to Orexigen.

To avoid unnecessary expedited motion practice, Orexigen has sought assurances from Actavis that it would provide advanced notification of launch in sufficient time to allow Orexigen to seek injunctive relief from the Court to enjoin a launch prior to the Court's issuance of a final decision on the merits. Actavis has not agreed to provide any advanced notification. We respectfully request a teleconference at the Court's earliest convenience to discuss how the Court wishes the parties to proceed.

Respectfully,


Mary B. Graham (#2256)

MBG/dam

cc: Clerk of the Court (by hand delivery)
Counsel of Record (by CM/ECF and email)

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