REVIEWED
By Larisha Davis at 11:32 am, Jun 20, 2007

CLOSED, PATENT, PaperDocuments

U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:04-cv-00968-GMS
Internal Use Only

Allergan Inc., et al v. Alcon Inc., et al
Assigned to: Honorable Gregory M. Sleet
Demand: $0
Related Case: 1:07-cv-00278-GMS
Cause: 28:1338 Patent Infringement

Date Filed: 08/24/2004
Date Terminated: 03/07/2006
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Allergan Inc.

represented by **William J. Marsden, Jr.**
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Plaintiff

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Sean Paul Hayes
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V.

Defendant

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represented by **Josy W. Ingersoll**

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Defendant

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Karen Elizabeth Keller

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Melanie K. Sharp
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Glenn Christopher Mandalas
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Defendant

Alcon Research Ltd. represented by **Karen Elizabeth Keller**
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Counter Claimant

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Counter Claimant

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V.

Counter Defendant

Allergan Inc. represented by **William J. Marsden, Jr.**
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ATTORNEY TO BE NOTICED

Counter Defendant

Allergan Sales LLC represented by **William J. Marsden, Jr.**
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Date Filed	#	Docket Text
08/24/2004	1	COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE $ 150.00 RECEIPT # 136742 (mwm) (Entered: 08/25/2004)
08/24/2004		DEMAND for jury trial by Allergan Inc., Allergan Sales LLC (mwm) (Entered: 08/25/2004)
08/24/2004		SUMMONS(ES) issued for Alcon Inc., Alcon Laboratories (mwm) (Entered: 08/25/2004)
08/24/2004	2	Disclosure Statement pursuant to Rule 7.1 by Allergan Inc., Allergan Sales LLC (mwm) (Entered: 08/25/2004)
08/24/2004	3	Report to Commissioner of Patents and Trademarks. Exit original. Re: 6,641,834, 6,673,337 (mwm) (Entered: 08/25/2004)
08/25/2004		SUMMONS(ES) issued for Alcon Research Ltd. (dab) (Entered: 08/25/2004)
08/25/2004	4	RETURN OF SERVICE executed as to Alcon Inc. 8/25/04 Answer due on 9/14/04 for Alcon Inc. (dab) (Entered: 08/25/2004)
08/25/2004	5	RETURN OF SERVICE executed as to Alcon Laboratories 8/25/04 Answer due on 9/14/04 for Alcon Laboratories (dab) (Entered: 08/25/2004)
08/30/2004	6	NOTICE of Related Cases by Alcon Inc., Alcon Laboratories, Alcon Research Ltd. RE 02CV1682 GMS (dab) (Entered: 08/30/2004)
08/31/2004		SUMMONS(ES) issued for Alcon Inc. (dab) (Entered: 08/31/2004)

		filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..Answering Brief/Response due date per Local Rules is 5/16/2005. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D part 1 of 5# 5 Exhibit D part 2 of 5# 6 Exhibit D part 3 of 5# 7 Exhibit D part 4 of 5# 8 Exhibit D part 5 of 5# 9 Exhibit E part 1 of 4# 10 Exhibit E part 2 of 4# 11 Exhibit E part 3 of 4# 12 Exhibit E part 4 of 4# 13 Exhibit F part 1 of 6# 14 Exhibit F part 2 of 6# 15 Exhibit F part 3 of 6# 16 Exhibit F part 4 of 6# 17 Exhibit F part 5 of 6# 18 Exhibit F part 6 of 6# 19 Exhibit G# 20 Exhibit H# 21 Exhibit I# 22 Exhibit J# 23 Exhibit K# 24 Exhibit L# 25 Exhibit M)(Keller, Karen) (Entered: 05/02/2005)
05/02/2005	55	SEALED OPENING BRIEF in Support *of Motion for Summary Judgment of Non-Infringement of Allergan's U.S. Patent No. 6, 673, 337 and Invalidity of its U.S. Patent No. 6,641,834* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..Answering Brief/Response due date per Local Rules is 5/16/2005. (Attachments: # 1 Exhibit Exhibits 1-7)(Keller, Karen) (Entered: 05/02/2005)
05/02/2005	56	MOTION for Summary Judgment - filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Text of Proposed Order Granting Defendants' Motion for Summary Judgment of Non-Infringement of Allergan's U.S. Patent No. 6, 673, 337 and Invalidity of its U.S. Patent No. 6,641,834)(Keller, Karen) (Entered: 05/02/2005)
05/02/2005	57	CLAIM CONSTRUCTION OPENING BRIEF filed by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 05/02/2005)
05/02/2005	58	DECLARATION re 57 Claim Construction Opening Brief *of William J. Marsden, Jr.* by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit A & B# 2 Exhibit C# 3 Exhibit D-F# 4 Exhibit G Part 1# 5 Exhibit G Part 2# 6 Exhibit G Part 3# 7 Exhibit G Part 4# 8 Exhibit H Part 1# 9 Exhibit H Part 2# 10 Exhibit I# 11 Exhibit J Part 1# 12 Exhibit J Part 2# 13 Exhibit J Part 3# 14 Exhibit J Part 4# 15 Exhibit K Part 1# 16 Exhibit K Part 2# 17 Exhibit K Part 3)(Marsden, William) (Entered: 05/02/2005)
05/05/2005	59	NOTICE OF SERVICE of Defendants Alcon Inc., Alcon Laboratories, Inc., and Alcon Research, Ltd.'s Fourth Set of Requests for Production of Documents and Things (Nos. 40-41) by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..(Keller, Karen) (Entered: 05/05/2005)
05/05/2005	60	OBJECTIONS by Allergan Inc., Allergan Sales LLC to 52 Notice of Service, *of Alcon's Second Notice of Deposition pursuant to Rule 30(b)(6)*. (Marsden, William) (Entered: 05/05/2005)
05/06/2005	61	NOTICE OF SERVICE of Pltf response to deft 1st set of request for admission and response to deft 2d set of interrogatories by Allergan Inc., Allergan Sales LLC.(Marsden, William) (Entered: 05/06/2005)
05/09/2005	62	REDACTED VERSION of 55 Opening Brief in Support, *Summary*

		Judgment of Non-Infringement and Invalidity by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit 1-6# 2 Exhibit 7 part 1 of 2# 3 Exhibit 7 part 2 of 2)(Keller, Karen) (Entered: 05/09/2005)
05/09/2005	63	Letter to The Honorable Gregory M. Sleet from John W. Shaw regarding letter brief supporting its request to strike the jury trial demand interposed by plaintiffs, Allergan, Inc. and Allergan Sales, LLC. (Shaw, John) (Entered: 05/09/2005)
05/09/2005	64	Letter to Honorable Gregory M. Sleet from William J. Marsden, Jr. regarding advice of counsel discovery. (Attachments: # 1 Exhibit A and B)(Hayes, Sean) (Entered: 05/09/2005)
05/12/2005	65	NOTICE OF SERVICE of Response to Defendants' Third Set of Requests for Production of Documents and Things (Nos. 35-39) by Allergan Inc., Allergan Sales LLC.(Hayes, Sean) (Entered: 05/12/2005)
05/16/2005	66	Letter to Honorable Gregory M. Sleet from William J. Marsden, Jr. regarding jury demand and in opposition to defts 5/9/05 letter brief re 63 Letter. (Marsden, William) (Entered: 05/16/2005)
05/16/2005	67	REPLY BRIEF *Response to Allergan's Opening Markman Brief* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit N through P)(Shaw, John) (Entered: 05/16/2005)
05/16/2005	68	MOTION to Strike *portions of Defendants Summary Judgment Brief* - filed by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Text of Proposed Order to Motion to Strike)(Marsden, William) (Entered: 05/16/2005)
05/16/2005	69	OPENING BRIEF in Support re 68 MOTION to Strike *portions of Defendants Summary Judgment Brief* filed by Allergan Inc., Allergan Sales LLC.Answering Brief/Response due date per Local Rules is 5/31/2005. (Marsden, William) (Entered: 05/16/2005)
05/16/2005	70	DECLARATION re 69 Opening Brief in Support, 68 MOTION to Strike *portions of Defendants Summary Judgment Brief* by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit A# 2 Exhibit B through D# 3 Exhibit E and F)(Marsden, William) (Entered: 05/16/2005)
05/16/2005	71	SEALED CLAIM CONSTRUCTION ANSWERING BRIEF *response to Alcon Proposed Claim Construction with Exhibits A through C* filed by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 05/16/2005)
05/16/2005	72	SEALED ANSWERING BRIEF in Opposition re 56 MOTION for Summary Judgment *of Non-Infringement of Allergan's 337 patent and Invalidity of its 834 Patent* filed by Allergan Inc., Allergan Sales LLC.Reply Brief due date per Local Rules is 5/23/2005. (Marsden, William) (Entered: 05/16/2005)

05/16/2005	73	SEALED DECLARATION re 72 Answering Brief in Opposition, *of Valentino Stella to Motion for summary Judgment of Non-Infringement of Allergan's 337 patent and invalidity of its 834 patent* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 05/16/2005)
05/16/2005	74	SEALED DECLARATION re 73 Declaration,, 72 Answering Brief in Opposition, *of William J. Marsden to Opposition to defendants Motion for Summary Judgment of Non-infringement of Allergan's Patent No. 337 and Invalidity of Patent 834* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 05/16/2005)
05/16/2005	75	Letter to The Honorable Gregory M. Sleet from John W. Shaw regarding Response to Plaintiffs' Allergan, Inc. and Allergan Sales, LLC re 63 Letter. (Attachments: # 1 Exhibit 1 through 3)(Shaw, John) (Entered: 05/16/2005)
05/23/2005	76	REDACTED VERSION of 73 Declaration, *Valentino Stella* by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit 1)(Marsden, William) (Entered: 05/23/2005)
05/23/2005	77	REDACTED VERSION of 72 Answering Brief in Opposition, *of Defendants Motion for Summary Judgment of non-infringement of Allergan's 337 patent and Invalidity of its 834 Patent* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 05/23/2005)
05/23/2005	78	REDACTED VERSION of 74 Declaration, *of William J. Marsden, Jr. to Opposition to Defendants Motion for Summary Judgment of Non-Infringement of 337 patent and Invalidity of 834 Patent* by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit Exhibits A through I) (Marsden, William) (Entered: 05/23/2005)
05/23/2005	79	REDACTED VERSION of 71 Claim Construction Answering Brief by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit A through C)(Marsden, William) (Entered: 05/23/2005)
05/23/2005	80	Letter to The Honorable Gregory M. Sleet from John W. Shaw regarding letter brief re 63 Letter, [30] Proposed Order. (Attachments: # 1 Exhibit 1)(Shaw, John) (Entered: 05/23/2005)
05/23/2005	81	Letter to The Honorable Gregory M. Sleet from William J. Marsden, Jr. regarding willful infringement. (Marsden, William) (Entered: 05/23/2005)
05/23/2005	82	REPLY BRIEF *In Further Support Of Its Proposed Claim Construction* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Shaw, John) (Entered: 05/23/2005)
05/23/2005	83	SEALED REPLY BRIEF *to Defendants' Response to Plaintiffs' Opening Markman Brief* filed by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Certificate of Service)(Marsden, William) (Entered: 05/23/2005)
05/23/2005	84	ANSWERING BRIEF in Opposition re 68 MOTION to Strike *portions of Defendants Summary Judgment Brief* filed by Alcon Inc., Alcon

		Laboratories, Incorporated, Alcon Research Ltd..Reply Brief due date per Local Rules is 5/31/2005. (Shaw, John) (Entered: 05/23/2005)
05/23/2005	85	REPLY BRIEF re 56 MOTION for Summary Judgment filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit 8 & 9# 2 Exhibit 10 through 12)(Shaw, John) (Entered: 05/23/2005)
05/25/2005		(Court only) ***Set Patent Case Flag (rbe,) (Entered: 05/25/2005)
05/26/2005	86	NOTICE to Take Deposition of Patrick Ryan on July 20, 2005 by Allergan Inc., Allergan Sales LLC.(Hayes, Sean) (Entered: 05/26/2005)
05/26/2005	87	NOTICE to Take Deposition of Teresa McClendon on July 19, 2005 by Allergan Inc., Allergan Sales LLC.(Hayes, Sean) (Entered: 05/26/2005)
05/31/2005	88	REDACTED VERSION of 83 Reply Brief *of Defendants' Response to Plaintiffs' Opening Markman Brief* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 05/31/2005)
05/31/2005	89	REPLY BRIEF re 68 MOTION to Strike *portions of Defendants Summary Judgment Brief* filed by Allergan Inc., Allergan Sales LLC. (Hayes, Sean) (Entered: 05/31/2005)
06/06/2005	90	NOTICE OF SERVICE of Allergan's Response to Defendant's 4th set of RFP (No. 40-41) by Allergan Inc., Allergan Sales LLC.(Marsden, William) (Entered: 06/06/2005)
06/07/2005	91	SEALED MOTION for Leave to File *Surreply* - filed by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit sealed document) (Marsden, William) (Entered: 06/07/2005)
06/09/2005	92	ANSWERING BRIEF in Opposition re 91 SEALED MOTION for Leave to File *Surreply* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..Reply Brief due date per Local Rules is 6/16/2005. (Attachments: # 1 Exhibit Exhibit SJ 13# 2 Exhibit Unreported Cases) (Shaw, John) (Entered: 06/09/2005)
06/13/2005	93	ORDER granting 68 Motion to Strike *portions of Defendants Summary Judgment Brief*, and granting alternative request to strike in 91 SEALED MOTION for Leave to File Surreply. Signed by Judge Gregory M. Sleet on 6/13/05. (mmm) Modified on 6/16/2005 (asw). (Entered: 06/13/2005)
06/13/2005	94	ORDER regarding Oral Argument at the upcoming 6/28/05 hearing. Signed by Judge Gregory M. Sleet on 6/13/05. (asw) (Entered: 06/13/2005)
06/29/2005		Minute Entry for proceeding held before Judge Gregory M. Sleet : Markman Hearing held on 6/29/2005. Counsel presentations and arguments.The Court will take this matter under advisement. (Court Reporter Kevin Maurer.) (asw) (Entered: 06/29/2005)
07/01/2005	95 VOID	STENO NOTES of Markman Hearing held on 6/28/05 before Judge

		(Ingersoll, Josy) (Entered: 08/15/2005)
08/15/2005	120	NOTICE OF SERVICE of (1) Allergan, Inc. and Allergan Sales, LLC's Response to Defendants' Alcon Inc., Alcon Laboratroies, Inc. and Alcon Research, Ltd.'s Fourth Set of Requests for Production of Documents and Things (Nos. 40-41) and (2) Plaintiffs' Respomse to Defendants' Third Set of Interrogatories (Nos. 13-24) by Allergan Inc..(Hayes, Sean) (Entered: 08/15/2005)
08/16/2005	121	NOTICE OF SERVICE of Supplemental Response to Allergan's Interrogatory No. 1 re [21] Certificate of Service by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. Related document: [21] Certificate of Service filed by Allergan Inc.,, Allergan Sales LLC,. (Ingersoll, Josy) (Entered: 08/16/2005)
08/18/2005	122	SEALED DECLARATION *of M. Veronica Mullally in Support of Alcon's Reply Brief in Further Support of its Motion for Leave to Amend its Answer* by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Keller, Karen) (Entered: 08/18/2005)
08/18/2005	123	REPLY BRIEF re 107 MOTION to Amend/Correct [10] Answer to Complaint, Counterclaim filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Keller, Karen) (Entered: 08/18/2005)
08/22/2005	124	Letter to Honorable Gregory M. Sleeet from William J. Marsden, Jr. regarding Oral Argument re 107 MOTION to Amend/Correct [10] Answer to Complaint, Counterclaim, 117 MOTION (Provisional) to Amend Scheduling Order re 107 MOTION to Amend/Correct [10] Answer to Complaint, Counterclaim. (Marsden, William) (Entered: 08/22/2005)
08/24/2005	125	REDACTED VERSION of 122 Declaration *of M. Veronica Mullally* by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit A-P)(Keller, Karen) (Entered: 08/24/2005)
08/26/2005	126	RESPONSE to Motion re 117 MOTION (Provisional) to Amend Scheduling Order re 107 MOTION to Amend/Correct [10] Answer to Complaint, Counterclaim *Alcon's Response to Allergan's Provisional Motion to Amend the Scheduling Order* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Keller, Karen) (Entered: 08/26/2005)
08/26/2005	127	NOTICE of Withdrawal of Glenn C. Mandalas by Amberwave Systems Corporation, Sommer Bros. Seed Company, Thorp Seed Co., Syngenta Seeds, Inc., Syngenta Biotechnology, Inc., Garwood Seed Co., Golden Harvest Seeds, Inc., Golden Seed Company, LLC, JC Robinson Seeds, Inc., Alcatel USA Resources Inc., Alcatel Internetworking Inc., Dyson Technology Limited, Dyson Inc., Benitec Australia LTD., Garwood Seed Co., Golden Seed Company, LLC, Sommer Bros. Seed Company, Thorp Seed Co., JC Robinson Seeds, Inc., Syngenta Seeds Inc., Syngenta Biotechnology, Golden Harvest Seeds, Inc., Lucent Technologies, Inc.,

		Judgment filed by Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc. (mmm) (Entered: 01/09/2006)
01/04/2006	146	MOTION for Extension of Time to *Unopposed Motion of Defendants For Extension of Time to File Pretrial Order* - filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Text of Proposed Order Proposed Order)(Keller, Karen) (Entered: 01/04/2006)
01/05/2006		SO ORDERED, re 146 MOTION for Extension of Time to *Unopposed Motion of Defendants For Extension of Time to File Pretrial Order* filed by Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., ORDER, Resetting Deadlines: Pretrial Order due by 1/17/2006. The Pretrial order is due on 1/17/06 due to the Court being closed on 1/16/06. Signed by Judge Gregory M. Sleet on 1/5/06. (asw) (Entered: 01/05/2006)
01/09/2006	147	SEALED MOTION in Limine *to Preclude Alcon from Having Multiple Experts Testify on a Single Issue* - filed by Allergan Inc., Allergan Sales LLC, Allergan Inc.. (Attachments: # 1 Text of Proposed Order)(Marsden, William) (Entered: 01/09/2006)
01/09/2006	148	MOTION in Limine *to Exclude Alcon from Offering Any Evidence or Theory that It Does Not Infringe the '834 Patent* - filed by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Text of Proposed Order) (Marsden, William) (Entered: 01/09/2006)
01/09/2006	149	MOTION in Limine *to Exclude Alcon from Presenting Prior Art Not Relied on or Explained by Alcon's Experts* - filed by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Text of Proposed Order) (Marsden, William) (Entered: 01/09/2006)
01/09/2006	150	MOTION in Limine *to Exclude Evidence of any Continuation Applications of the '834 Patent* - filed by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Text of Proposed Order)(Marsden, William) (Entered: 01/09/2006)
01/09/2006	156	SEALED DECLARATION [formerly docketed as D.I. 151] re 148 MOTION in Limine *to Exclude Alcon from Offering Any Evidence or Theory that It Does Not Infringe the '834 Patent*, 149 MOTION in Limine *to Exclude Alcon from Presenting Prior Art Not Relied on or Explained by Alcon's Experts*, 147 SEALED MOTION in Limine *to Preclude Alcon from Having Multiple Experts Testify on a Single Issue of William J. Marsden, Jr.* by Allergan Inc., Allergan Sales LLC. (Marsden, William) Additional attachment(s) added on 1/10/2006 (asw,). Modified on 1/10/2006 (asw,). (Entered: 01/09/2006)
01/09/2006	152	SEALED MOTION in Limine *to Exclude Certain Testimony from Alan Robin Under Daubert and Federal Rule of Evidence 702* - filed by Allergan Inc., Allergan Sales LLC. (Marsden, William) Additional attachment(s) added on 1/10/2006 (asw,). (Entered: 01/09/2006)
01/09/2006	153	SEALED DECLARATION re 152 SEALED MOTION in Limine *to*

		Exclude Certain Testimony from Alan Robin Under Daubert and Federal Rule of Evidence 702 of William J. Marsden, Jr. by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/09/2006)
01/09/2006	154	MOTION in Limine - filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Text of Proposed Order Granting Defendants Motions in Limine)(Keller, Karen) (Entered: 01/09/2006)
01/09/2006	155	SEALED MOTION in Limine *No. 1, No. 2, No. 3, No. 4. No. 5* - filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # (1) Exhibit 1-2# (2) Exhibit 3-4# (3) Exhibit 5 part 1 of 3# (4) Exhibit 5 part 2 of 3# (5) Exhibit 5 part 3 of 3# (6) Exhibit 6-8# (7) Exhibit 9# (8) Exhibit 10 part 1 of 2# (9) Exhibit 10 part 2 of 2) (Keller, Karen) Modified on 1/10/2006 (asw). Additional attachment(s) added on 1/10/2006 (asw,). (Entered: 01/09/2006)
01/09/2006		CORRECTING ENTRY: THE ATTACHMENT FOR D.I. 155 HAS BEEN CORRECTED TO READ 'SEALED DOCUMENT'. (asw) (Entered: 01/10/2006)
01/09/2006		Remark: D.I. 156 was formerly docketed as D.I. 151. As a result of correcting the entry, the docket number 151 cannot be assigned in this case. The next docket entry shall be assigned D.I. #157. (asw) (Entered: 01/10/2006)
01/16/2006	157	REDACTED VERSION of 155 MOTION in Limine *No. 1, No. 2, No. 3, No. 4. No. 5* by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit Redacted Ex 1-4# 2 Exhibit Redacted Ex. 5 pt. 1# 3 Exhibit Ex 5 pt. 2# 4 Errata Ex. 5 pt 3# 5 Exhibit Ex. 5 pt 4# 6 Exhibit Redacted Ex 6-9# 7 Exhibit Ex 10 pt 1# 8 Exhibit Ex 10 pt 2)(Keller, Karen) (Entered: 01/16/2006)
01/17/2006	158	ORDER denying 107 Motion to Amend/Correct . Signed by Judge Gregory M. Sleet on 1/17/06. (mmm) (Entered: 01/17/2006)
01/17/2006	159	SEALED ANSWERING BRIEF in Opposition re 155 MOTION in Limine *No. 1, No. 2, No. 3, No. 4. No. 5* filed by Allergan Inc., Allergan Sales LLC.Reply Brief due date per Local Rules is 1/24/2006. (Hayes, Sean) (Entered: 01/17/2006)
01/17/2006	160	SEALED DECLARATION re 159 Answering Brief in Opposition *of William J. Marsden, Jr.* by Allergan Inc., Allergan Sales LLC. (Hayes, Sean) (Entered: 01/17/2006)
01/17/2006	161	SEALED ANSWERING BRIEF in Opposition re 148 MOTION in Limine *to Exclude Alcon from Offering Any Evidence or Theory that It Does Not Infringe the '834 Patent*, 149 MOTION in Limine *to Exclude Alcon from Presenting Prior Art Not Relied on or Explained by Alcon's Experts*, 152 SEALED MOTION in Limine *to Exclude Certain Testimony from Alan Robin Under Daubert and Federal Rule of Evidence 702*, 147 SEALED MOTION in Limine *to Preclude Alcon from Having Multiple*

		Experts Testify on a Single Issue filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..Reply Brief due date per Local Rules is 1/24/2006. (Shaw, John) (Entered: 01/17/2006)
01/17/2006	162	(SEALED) Proposed Pretrial Order by Allergan Inc., Allergan Sales LLC, Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd. (Hayes, Sean) Modified on 6/15/2007 (eew). (Entered: 01/17/2006)
01/20/2006	163	Letter to Dr. Peter T. Dalleo from Karen E. Keller regarding substitution of Tab 13 to Joint Pretrial Order - re 162 Proposed Pretrial Order. (Keller, Karen) (Entered: 01/20/2006)
01/23/2006	164	SEALED REPLY BRIEF re 150 MOTION in Limine *to Exclude Evidence of any Continuation Applications of the '834 Patent*, 148 MOTION in Limine *to Exclude Alcon from Offering Any Evidence or Theory that It Does Not Infringe the '834 Patent*, 149 MOTION in Limine *to Exclude Alcon from Presenting Prior Art Not Relied on or Explained by Alcon's Experts*, 147 SEALED MOTION in Limine *to Preclude Alcon from Having Multiple Experts Testify on a Single Issue*, 152 SEALED MOTION in Limine *to Exclude Certain Testimony from Alan Robin Under Daubert and Federal Rule of Evidence 702* filed by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/23/2006)
01/23/2006	165	SEALED DECLARATION re 164 Reply Brief,, *of William J. Marsden, Jr.* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/23/2006)
01/23/2006	166	SEALED MEMORANDUM in Support re 155 MOTION in Limine *No. 1, No. 2, No. 3, No. 4. No. 5* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..Answering Brief/Response due date per Local Rules is 2/6/2006. (Keller, Karen) (Entered: 01/23/2006)
01/24/2006	167	REDACTED VERSION of 161 Answering Brief in Opposition,, by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Supplement part 2)(Keller, Karen) (Entered: 01/24/2006)
01/24/2006	168	REDACTED VERSION of 162 Proposed Pretrial Order by Allergan Inc., Allergan Sales LLC, Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit Tab 1-4# 2 Exhibit Tab 5 - part 1# 3 Exhibit Tab 5 - part 2# 4 Exhibit Tab 6-11# 5 Exhibit Tab 12# 6 Exhibit Tab 13)(Marsden, William) (Entered: 01/24/2006)
01/24/2006	169	REDACTED VERSION of 159 Answering Brief in Opposition *to Alcon's Motion in Limine 1-5* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/24/2006)
01/24/2006	170	REDACTED VERSION of 160 Declaration *of Marsden to Allergan Opposition to Alcon Motion in Limine 1-5* by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit 1-8)(Marsden, William) (Entered:

		01/24/2006)
01/26/2006	171	REQUEST for Oral Argument by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Keller, Karen) (Entered: 01/26/2006)
01/26/2006	172	REQUEST for Oral Argument by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/26/2006)
01/27/2006	173	REDACTED VERSION of 166 MEMORANDUM in Support by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Keller, Karen) (Entered: 01/27/2006)
01/30/2006	174	MOTION for Pro Hac Vice Appearance of Attorney Sean Shields - filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Keller, Karen) (Entered: 01/30/2006)
01/30/2006	175	REDACTED VERSION of 164 Reply Brief,, by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/30/2006)
01/30/2006	176	REDACTED VERSION of 165 Declaration *of William Marsden* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 01/30/2006)
01/31/2006		ORDER CHANGING DATE OF PRETRIAL CONFERENCE: The Pretrial Conference currently scheduled for Monday, February 6, 2006, at 10:00 a.m. HAS BEEN CHANGED to Friday, February 10, 2006, at 10:00 a.m. Signed by Judge Gregory M. Sleet on 1/31/06. (ctd) (Entered: 01/31/2006)
01/31/2006	177	MOTION for Reargument *or Reconsideration of Its Motion for Leave to Amend Its Answer (D.I. 107)* - filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Text of Proposed Order)(Keller, Karen) (Entered: 01/31/2006)
01/31/2006	178	SEALED MEMORANDUM in Support re 177 MOTION for Reargument *or Reconsideration of Its Motion for Leave to Amend Its Answer (D.I. 107)* filed by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd..Answering Brief/Response due date per Local Rules is 2/14/2006. (Attachments: # 1 Exhibit A-D (Sealed))(Keller, Karen) (Entered: 01/31/2006)
02/01/2006		SO ORDERED, re 174 MOTION for Pro Hac Vice Appearance of Attorney Sean Shields filed by Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc . Signed by Judge Gregory M. Sleet on 2/1/06. (asw) (Entered: 02/01/2006)
02/02/2006	179	REDACTED VERSION of 178 MEMORANDUM in Support, by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Attachments: # 1 Exhibit part 1 A-D# 2 Exhibit part 2 A-D)(Keller, Karen) (Entered: 02/02/2006)

02/03/2006		ORDER (Paperless) CHANGING DATE OF PRETRIAL CONFERENCE: The Pretrial Conference currently scheduled for Friday, February 10, 2006, at 10:00 a.m. HAS BEEN CHANGED to Tuesday, February 14, 2006, at 10:00 a.m. Ordered by Judge Gregory M. Sleet on on 2/3/06. (ctd) (Entered: 02/03/2006)
02/03/2006	180	NOTICE OF SERVICE of Alcon Inc., Alcon Laboratories, Inc., and Alcon Research, Ltd.'s Notice Pursuant to 35 U.S.C. Section 282 by Alcon Inc., Alcon Laboratories, Incorporated, Alcon Research Ltd.. (Shaw, John) (Entered: 02/03/2006)
02/09/2006	181	SEALED ANSWERING BRIEF in Opposition re 177 MOTION for Reargument *or Reconsideration of Its Motion for Leave to Amend Its Answer (D.I. 107)* filed by Allergan Inc., Allergan Sales LLC.Reply Brief due date per Local Rules is 2/16/2006. (Marsden, William) (Entered: 02/09/2006)
02/09/2006	182	DECLARATION re 181 Answering Brief in Opposition, *to Defts Mtn for Reargument or Reconsideration of its Motion for Leave to Amend its Answer* by Allergan Inc., Allergan Sales LLC. (Attachments: # 1 Exhibit A and B)(Marsden, William) (Entered: 02/09/2006)
02/14/2006		Minute Entry for proceedings held before Judge Gregory M. Sleet : Pretrial Conference held on 2/14/2006. The Court ruled on the parties' motions in limine; the Court reserved judgment on the Defendant's 3rd motion in limine. The pending motion for reargument or reconsideration is DENIED. Discussion on deposition testimony and objections. The bench trial will be a timed trial allowing each side 21 hours. (Court Reporter Kevin Maurer.) (asw) (Entered: 02/14/2006)
02/15/2006	183	TRANSCRIPT of Pretrial Conference held on February 14, 2006 before Judge Gregory M. Sleet. Court Reporter: Kevin Maurer. (Transcript on file in Clerk's Office) (mmm) (Entered: 02/15/2006)
02/15/2006	184	REDACTED VERSION of 181 Answering Brief in Opposition, *to Defendants' Motion for Reargument or Reconsideration of its Motion for Leave to Amend Its Answer* by Allergan Inc., Allergan Sales LLC. (Marsden, William) (Entered: 02/15/2006)
02/17/2006		(Court only) ***Motions terminated: 154 MOTION in Limine filed by Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., 150 MOTION in Limine *to Exclude Evidence of any Continuation Applications of the '834 Patent* filed by Allergan Inc., Allergan Sales LLC, 148 MOTION in Limine *to Exclude Alcon from Offering Any Evidence or Theory that It Does Not Infringe the '834 Patent* filed by Allergan Inc., Allergan Sales LLC, 149 MOTION in Limine *to Exclude Alcon from Presenting Prior Art Not Relied on or Explained by Alcon's Experts* filed by Allergan Inc., Allergan Sales LLC,177 MOTION for Reargument *or Reconsideration of Its Motion for Leave to Amend Its Answer (D.I. 107)* filed by Alcon Laboratories, Incorporated, Alcon Research Ltd., Alcon Inc., 152 SEALED MOTION in Limine *to Exclude Certain Testimony from Alan Robin Under Daubert and Federal Rule of*