UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

APOTEX, INC., *et al.*,

Plaintiff,

CASE NO. 12-60704-CIV-SEITZ/SIMONTON

vs.

MYLAN PHARMACEUTICALS, INC.,

Defendant.
_____/

APOTEX, INC., *et al.*,

Plaintiff,

vs. CASE NO. 12-60705-CIV-SEITZ/SIMONTON

PFIZER, INC., *et al.*,

Defendants.

_____/

APOTEX, INC., *et al.*,

Plaintiff,

vs. CASE NO. 12-60708-CIV-SEITZ/SIMONTON

LUPIN PHARMACEUTICALS, INC., *et al.*,

Defendants.

_____/

ORDER GRANTING MOTIONS TO CONSOLIDATE FOR PRETRIAL PURPOSES

THIS MATTER came before the Court upon Plaintiffs' Unopposed Motion to Consolidate

filed in Case No. 12-60704-CIV [DE 23], the Joint Motion to Consolidate filed in Case No. 12-60705-CIV [DE 20], and the Lupin Defendants' Notice of Pending Similar Actions and Motion to Consolidate filed in Case No. 12-60708-CIV [DE 19]. All three cases are now pending before the undersigned. The parties state that these cases should be consolidated for pretrial purposes pursuant to Fed. R. Civ. P. 42(a). The Court agrees that consolidation will promote judicial economy as all three cases involve the same patent. Accordingly, upon review, it is

ORDERED THAT

(1) Plaintiffs' Unopposed Motion to Consolidate filed in Case No. 12-60704-CIV [DE 23], the Joint Motion to Consolidate filed in Case No. 12-60705-CIV [DE 20], and the Lupin Defendants' Notice of Pending Similar Actions and Motion to Consolidate in Case No. 12-60708-CIV [DE 19] are GRANTED.

(2) The above referenced cases are CONSOLIDATED for pretrial purposes. The Court will determine at a later date whether the cases will be tried together.

(3) The parties shall file all documents in Case No. 12-60704-CIV ONLY.[1]

(4) The Order Requiring Joint Scheduling Report and setting the Scheduling Conference, which is filed in Case No. 12-60704-CIV [DE 8], governs this consolidated action. All parties are required to participate in the creation of a Joint Scheduling Report and to attend the Scheduling Conference as specified in the Order [DE 8].

(5) All previous orders requiring scheduling reports and setting pretrial deadlines are STRICKEN, specifically docket entries 7 and 16 in Case No. 12-60705-CIV and docket entries 10

[1]When using the CM/ECF system for filing, the system will ask the parties whether the document should be filed in multiple cases. The parties should choose "no" in response to this question.

and 24 in Case No. 12-60708-CIV.

(6) Plaintiffs and the Lupin Defendants' Motion to Reschedule Trial Date filed in Case No. 12-60708-CIV [DE 18] is DENIED as MOOT because the order setting the trial date is stricken as set forth in paragraph 5.

DONE AND ORDERED in Miami, Florida, this 10th day of July, 2012.

PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: Honorable Andrea M. Simonton
All counsel of record