UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 12-60704 (CONSOLIDATED)

APOTEX, INC., *et al.*,

Plaintiffs,

vs. Case No. 12-60704–CIV–SEITZ/SIMONTON

MYLAN PHARMACEUTICALS, INC.,

Defendant.
_____/

APOTEX, INC., *et al.*,

Plaintiffs,

vs. Case No. 12-60705–CIV–SEITZ/SIMONTON

PFIZER, INC., et al.,

Defendants.
_____/

APOTEX, INC., *et al.*,

Plaintiffs,

vs. Case No. 12-60708–CIV–SEITZ/SIMONTON

LUPIN PHARMACEUTICALS, INC., et al.,

Defendants.
_____/

PLAINTIFFS' UNOPPOSED MOTION TO SUBSTITUTE CORRECTED BRIEF IN RESPONSE TO DEFENDANTS' JOINT CLAIM CONSTRUCTION BRIEF

Plaintiffs, APOTEX, INC. and APOTEX CORP., respectfully move to substitute the attached Corrected Plaintiffs' Brief in Response to Defendants' Joint Claim Construction Brief in place and stead of the Plaintiffs' Brief in Response to Defendants' Joint Claim Construction Brief filed on January 14, 2013 [DE 77-1], and as grounds therefore state:

1. A CM/ECF uploading error caused Plaintiffs to file an incorrect version of Plaintiffs' Brief in Response to Defendants' Joint Claim Construction Brief. Plaintiffs request

that the Court allow them to substitute the correct version for the one currently on file. A copy of Corrected Plaintiffs' Brief in Response to Defendants' Joint Claim Construction Brief is attached hereto.

2. There are two substantive differences between the version filed on January 14, 2013 and the attached corrected version. First, the argument that appeared in Section V of the January 14, 2013, brief was moved to its appropriate place in Section IV, replacing the text that was in that section in its entirety. Second, the correct argument for Section V was added. All other changes were minor typographical changes or corrections of citations.

3. Counsel for Plaintiffs has conferred with counsel for the Defendants regarding this motion, including circulation of a redlined comparison of the two versions of the brief. Counsel for Defendants do not oppose this motion.

WHEREFORE, Plaintiffs move to substitute the attached Corrected Plaintiffs' Brief in Response to Defendants' Joint Claim Construction Brief (D.E. 62) in place and stead of the original version filed on January 14, 2013 as D.E. 77-1, as set forth above.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 25th day of January 2013, I electronically filed the foregoing Motion to Substitute Corrected Plaintiffs' Brief in Response to Defendants' Joint Claim Construction Brief with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record on the service list below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Matthew S. Nelles
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