UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

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| ELAN CORPORATION, PLC,<br><br>Plaintiff,<br><br>v.<br><br>ANDRX PHARMACEUTICALS, INC.,<br><br>Defendant. | ) | 98-7164 CIV-JORDAN |
| ELAN CORPORATION, PLC,<br><br>Plaintiff,<br><br>v.<br>ANDRX PHARMACEUTICALS, INC.,<br><br>Defendant. | ) | 00-7057 CIV-JORDAN |

**ORDER DISMISSING CASE WITH PREJUDICE AND CLOSING CASE**

In light of the stipulation for dismissal with prejudice [D.E. 326 in Case No. 98-7164, D.E. 172 in Case No. 00-7057 ], all claims and counterclaims in this action are DISMISSED WITH PREJUDICE, each party to bear its own costs and fees.

Any and all pending motions are DENIED AS MOOT. This case is CLOSED.

DONE and ORDERED in chambers in Miami, Florida, this 11th day of March, 2009.

Adalberto Jordan
United States District Judge

Copy to: All counsel of record