

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: CYCLOBENZAPRINE)
HYDROCHLORIDE EXTENDED-RELEASE) Civ. No. 09-MD-2118-SLR
CAPSULE PATENT LITIGATION)

INJUNCTION ORDER

At Wilmington this 24th day of May, 2011, the court having granted plaintiffs' motion for a temporary restraining order (D.I. 256);

IT IS HEREBY ORDERED that:

1. Mylan Pharmaceuticals, Inc. and Mylan Inc. (collectively, "Mylan"), its officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with them are enjoined from engaging in the commercial use, offer to sell, or sale of the generic extended release cyclobenzaprine products that are the subject of Mylan's Abbreviated New Drug Application No. 90-738.
2. Plaintiffs Anesta AG, Cephalon, Inc. and Eurand, Inc. (collectively, "plaintiff"), their officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with them, shall not engage in the commercial use, offer for sale, or sale within the United States, or authorize or license, any generic cyclobenzaprine extended release product.
3. Mylan and plaintiffs (and their officers, agents, servants, employees, attorneys, and any and all other persons or entities acting by, through, under or in active concert or participation with any or all of them) shall take all reasonable steps to

recall their respective generic cyclobenzaprine extended-release products promptly from the market and shall issue a letter substantially similar to the form of letter attached hereto.

4. Plaintiffs shall post a bond in the amount of \$10,000,000 (ten million dollars) on or before May 31, 2011 at 4:00 p.m., and to act as its own surety for such bond.

5. Plaintiffs shall seek an expedited appeal before the United States Court of Appeals for the Federal Circuit from the court's opinion issued May 12, 2011. (D.I. 254)

6. During the term of the injunction authorized herein, plaintiffs and all defendants to this litigation shall give the court ten (10) days' notice of any intended launch of their generic cyclobenzaprine extended-release products, to keep the playing field level.

7. This injunction shall remain in full force and effect until the earliest of: (a) further orders of this court; (b) further order of the United States Court of Appeals for the Federal Circuit to which an appeal or other relief from the injunction may be taken; or (c) affirmance of the court's invalidity opinion on appeal.


United States District Judge

Attachment to Injunction Order
May 24, 2011

Re: Generic Extended-Release Cyclobenzaprine Products

To Whom It May Concern:

On May 24, 2011, the United States District Court for the District of Delaware issued a temporary restraining order ("the Order") on the sale of all generic extended-release cyclobenzaprine products. The purpose of the injunction is to maintain the market's status quo pending appeal of the district court's post-trial decision to the United States Court of Appeals for the Federal Circuit. A copy of the Order is enclosed for reference.

In accordance with the Order, we formally request that you:

1. Refrain from using, selling, offering for sale or further distributing any generic extended-release cyclobenzaprine products;
2. Retract any offers to sell, deliver or in any way distribute such products; and
3. Send a copy of this letter and the Order to each person or entity (other than the ultimate individual consumers) to whom you have sold, delivered or in any way distributed such products, requesting that they comply with the terms of the Order and, in turn, send a copy of this letter and the Order, with the same requests, to any other such person or entity (other than the ultimate individual consumers) to whom they have sold, delivered or in any way distributed such products.