

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

VANDA PHARMACEUTICALS INC.,
Plaintiff-Appellant

v.

**TEVA PHARMACEUTICALS USA, INC., APOTEX
INC., APOTEX CORP.,**
Defendants-Appellees

2023-1247

Appeal from the United States District Court for the District of Delaware in Nos. 1:18-cv-00651-CFC, 1:18-cv-00689-CFC, 1:19-cv-00560-CFC, 1:19-cv-00685-CFC, 1:19-cv-02202-CFC, 1:19-cv-02375-CFC, 1:20-cv-00083-CFC, 1:20-cv-00093-CFC, 1:20-cv-01104-CFC, 1:20-cv-01333-CFC, 1:21-cv-00121-CFC, and 1:21-cv-00282-CFC, Chief Judge Colm F. Connolly.

ON MOTION

PER CURIAM.

O R D E R

Upon this panel's consideration of Teva Pharmaceuticals USA, Inc.'s motion for reconsideration or modification

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USA, INC.

of this court's December 16, 2022, temporary injunction (ECF No. 6),

IT IS ORDERED THAT:

The motion for reconsideration is granted in part and denied in part. The temporary injunction issued by this court on December 16, 2022, will remain in effect until the court enters an order on Vanda Pharmaceuticals Inc.'s motion for a stay of the district court's order pending appeal. However, the schedule for the remaining briefs on the motion for a stay will be expedited, as follows: Responsive briefs from Teva and the Apotex parties will be due for filing by Friday, December 23, 2022, at 5 p.m., Eastern Time. Any reply brief filed by Vanda will be due for filing by Wednesday, December 28, 2022, at 10 a.m., Eastern time. In addition, Vanda will be required to post a \$4.3 million bond with the district court by the close of business on December 23, 2022. The motion for reconsideration is otherwise denied.

In order to minimize the burden on the parties and avoid redundancy, the court will treat the parties' previous submissions on the motion to stay and the motion for reconsideration as incorporated by reference in their further briefs on the motion to stay.

FOR THE COURT

December 22, 2022

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court

cc: United States District Court for the District of Delaware