

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

ANACOR PHARMACEUTICALS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 18-202-IMK
)	
MYLAN PHARMACEUTICALS INC., and)	
MYLAN INC.,)	
)	
Defendants.)	

**ANACOR’S MOTION TO CONTINUE DEADLINES IN FIRST ORDER AND NOTICE
REGARDING DISCOVERY AND SCHEDULING**

Plaintiff Anacor Pharmaceuticals, Inc. (“Anacor”) hereby moves to continue all deadlines set in this Court’s First Order and Notice Regarding Discovery and Scheduling, entered on December 14, 2018 (D.I. 20). Counsel for Mylan has represented that Mylan does not oppose the relief sought by this motion.

As described in more detail in Anacor’s recently-filed Motion to Stay Case (D.I. 25), the Patent Trial and Appeal Board (“PTAB”) has instituted *inter partes* review proceedings (“IPRs”) that will address every patent claim at issue in this litigation. As Anacor also notes in its stay motion, Anacor also has filed a motion with the Judicial Panel on Multidistrict Litigation (“JPML”) seeking to transfer this case to the District of Delaware. *See* D.I. 25. Although the parties may not agree on the precise terms of Anacor’s stay proposal, Anacor understands that Mylan does not dispute the general proposition that a stay of this action is appropriate at least “until the [PTAB] issues final written decisions in the ongoing [IPRs] of the four patents-in-suit.” *Anacor Pharma., Inc. v. Mylan Pharma., Inc.*, No. 18-1699-RGA (D. Del. Jan. 9, 2019), D.I. 21 (Brief in Support of Mylan’s Response to Anacor’s Cross-Motion to Stay).

Accordingly, to avoid the unnecessary expenditure of resources by the Court and the parties on matters that may be mooted, Anacor respectfully requests that the Court continue the deadlines set in its December 14, 2018 order until this Court rules on Anacor's Motion to Stay Case (D.I. 25).

Respectfully submitted,

Dated: January 16, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2019, I caused a true and correct copy of the foregoing **ANACOR'S MOTION TO CONTINUE DEADLINES IN FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING** to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record as follows:

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