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

NOVARTIS PHARMACEUTICALS CORPORATION, NOVARTIS AG, NOVARTIS PHARMA AG and LTS LOHMANN THERAPIE-SYSTEME AG, Plaintiffs, v. MYLAN PHARMACEUTICALS INC. and MYLAN TECHNOLOGIES, INC. Defendants.	C.A. No. 1:14-cv-106-IMK

JOINT STIPULATION AND ORDER OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for Plaintiffs Novartis Pharmaceuticals Corporation, Novartis AG, Novartis Pharma AG and LTS Lohmann Therapie-Systeme AG (collectively, "Plaintiffs") and Defendants Mylan Pharmaceuticals Inc. and Mylan Technologies, Inc. (collectively, "Mylan") that:

1. Plaintiffs' claim in the First Amended Complaint for Patent Infringement (D.I. 60), filed March 16, 2015, concerning Mylan's 4.6 mg/24 hr, 9.5 mg/24 hr and 13.3 mg/24 hr dosage strength rivastigmine transdermal systems, as described in Mylan's ANDA No. 20-5622 **be dismissed with prejudice**;

2. Notwithstanding the above paragraph 1, Plaintiffs shall retain the right to pursue any and all relief against Mylan (including Mylan's subsidiaries, officers, directors, employees, customers, distributors, suppliers, representatives and agents, and their successors and assigns) for infringement of U.S. Patent No. 6,335,031 ("the '031 patent) and/or U.S. Patent No. 6,316,023 ("the '023 patent") in the event that there is a material amendment or supplement to its ANDA No. 20-5622, or a material change to its ANDA products or their component(s) so as to result in infringement of the '031 patent and/or the '023 patent;

3. Mylan's counterclaims in the Answer, Defenses, & Counterclaims to First Amended Complaint (D.I. 69), dated April 2, 2015, **be dismissed without prejudice**; and

4. The parties shall bear their own costs and attorneys' fees.

Dated: September 16, 2015

SCHRADER BYRD & COMPANION, PLLC

/s/ *James F. Companion*
James F. Companion (#790)
Yolonda G. Lambert (#2130)
The Maxwell Centre
32-20th Street, Suite 500
Wheeling, West Virginia 26003
(304) 233-3390
jfc@schraderlaw.com

Of Counsel:

Nicholas N. Kallas
Christopher E. Loh
Charlotte Jacobsen
FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
(212) 218-2100

Attorneys for Plaintiffs Novartis Pharmaceuticals Corporation, Novartis AG, Novartis Pharma AG and LTS Lohmann Therapie-Systeme AG

STEPTOE & JOHNSON PLLC

/s/ *Gordon H. Copland*
Gordon H. Copland (#828)
William J. O'Brien (#10549)
400 White Oaks Boulevard
Bridgeport, West Virginia 26330
(304) 933-8000
gordon.copeland@steptoe-johnson.com
william.obrien@steptoe-johnson.com

Of Counsel:

William R. Zimmerman
Jay R. Deshmukh
Christopher C. Kennedy
Andrea L. Cheek
KNOBBE, MARTENS, OLSON & BEAR, LLP
1717 Pennsylvania Ave., NW
Washington, DC 20006
(202) 640-6400

Thomas Krzeminski
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
(949) 760-0404

Attorney for Defendants Mylan Pharmaceuticals Inc. and Mylan Technologies, Inc.

IT IS SO ORDERED, this 16 day of September, 2015

Irene M. Keeley

The Honorable Irene M. Keeley
United States District Judge