

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

REGENERON PHARMACEUTICALS, INC.,

Plaintiff,

v.

MYLAN PHARMACEUTICALS INC.,

Defendant.

Case No. 1:22-cv-00061-TSK

**JURY TRIAL DEMANDED**

**WITHDRAWAL OF MOTION TO COMPEL  
COMPLIANCE WITH THE PROTECTIVE ORDER, AS MOOT**

On December 6, 2022, Plaintiff Regeneron Pharmaceuticals, Inc. (“Regeneron”) filed an Expedited Motion asking the Court to compel Defendant Mylan Pharmaceuticals Inc. (“Mylan”) to comply with the Stipulated Protective Order and re-designate certain of its produced documents Confidential instead of Outside Counsel’s Eyes Only. Dkt. No. 143. Following the filing of Regeneron’s Motion, Mylan agreed to the relief Regeneron sought through its Motion. Regeneron therefore withdraws the Motion, since the requested relief has been made moot. Regeneron has elected not to seek fees in connection with Mylan having put Regeneron to the time and expenses of its Motion, but reserves the right to do so if Mylan engages in similar conduct going forward.

Date: December 12, 2022

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 12, 2022, I electronically filed the foregoing with the Clerk of the Court by using the Court's CM/ECF system. Counsel of record for all parties will be served by the Court's CM/ECF system.

/s/ Steven R. Ruby

Steven R. Ruby