

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

IN RE: AFLIBERCEPT PATENT
LITIGATION

MDL No.: 1:24-md-3103-TSK

**THIS DOCUMENT RELATES TO
CASE NO. 1:23-cv-00094-TSK
CASE NO. 1:23-cv-00106-TSK**

**STIPULATION AND [PROPOSED] ORDER
DISMISSING ALL CLAIMS AND COUNTERCLAIMS, VACATING
PRELIMINARY INJUNCTION PREVIOUSLY ISSUED BY THE
COURT, AND RELEASING PRELIMINARY INJUNCTION BOND**

Plaintiff Regeneron Pharmaceuticals, Inc. (“Regeneron”) and Defendant Samsung Bioepis, Co., Ltd (“Samsung Bioepis”), subject to the approval of the Court, hereby enter into the following Stipulation to dismiss without prejudice and release the preliminary injunction bond.

WHEREAS, Regeneron and Samsung Bioepis have reached an agreement that will resolve all issues between them without further litigation regarding Samsung Bioepis’s 2 mg aflibercept product.

NOW THEREFORE Regeneron and Samsung Bioepis, by and through their respective undersigned counsel in this Action, and subject to the approval of the Court, stipulate and agree as follows:

1. The Court’s Order for Injunctive Relief Against Samsung Bioepis (24-md-3103, ECF No. 254), entered on July 10, 2024, is hereby vacated.
2. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Regeneron’s Case Nos. 1:23-cv-94 and 1:23-cv-106 against Samsung Bioepis (which was made a part of MDL No. 24-md-3103-TSK), including all claims and defenses asserted by Regeneron against Samsung Bioepis and all

counterclaims and defenses asserted by Samsung Bioepis against Regeneron, are hereby dismissed, without prejudice to the extent specified in the parties' agreement.

3. All parties shall bear their own costs, disbursements, and attorneys' fees.
4. The Court's Order Establishing Security Under Federal Rule of Civil Procedure 65(c) [24-md-3103, ECF No. 223] is hereby vacated and the preliminary injunction bond, Bond #CGB9428696 [24-md-3103, ECF No. 263], is hereby released to the Sureties, Fidelity and Deposit Company of Maryland and Zurich American Insurance Company.
5. The Court's Stipulated Protective Order [23-cv-00094, ECF No. 120; 23-cv-00106, ECF No. 101] is modified as follows: the prohibitions of sections 9(b) and 9(h) that terminate "one (1) year after final termination of this Action" will instead terminate on April 15, 2026.
6. The Court's Stipulations To Amend Complaint & Set Deadline to Respond [24-md-3103, ECF Nos. 435 and 437] are modified as follows: paragraph 4 of each Order is vacated.

SO ORDERED this ____ day of _____, 2026.

Hon. Thomas S. Kleeh, Chief Judge

Date: February 11, 2026

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Dated: February 11, 2026

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