

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 15-61631-CIV-COHN/SELTZER
CONSOLIDATED CASE NO. 15-62081-CIV-COHN/SELTZER

AMGEN INC. and AMGEN
MANUFACTURING LIMITED,

Plaintiffs,

vs.

APOTEX INC. and APOTEX CORP.,

Defendants.

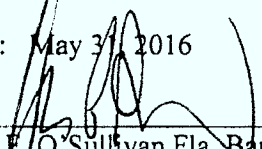
**JOINT STIPULATION OF DISMISSAL OF ALL COUNTERCLAIMS OF UNLAWFUL
MONOPOLIZATION IN VIOLATION OF THE SHERMAN ACT: SHAM LITIGATION**

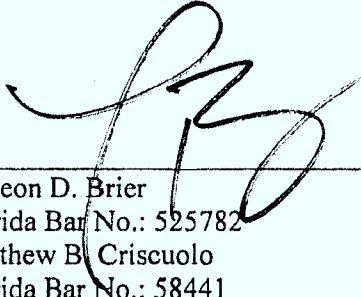
Plaintiffs Amgen Inc. and Amgen Manufacturing Limited (collectively, “Amgen”) and Defendants Apotex Inc. and Apotex Corp. (collectively, “Apotex”), by and through their counsel, jointly stipulate to the dismissal, without prejudice, of all counterclaims related to Unlawful Monopolization in Violation of the Sherman Act: Sham Litigation on the terms set forth herein:

1. Apotex’s counterclaims of Unlawful Monopolization in Violation of the Sherman Act: Sham Litigation (*see* Count III of D.E. 47 (incorporating D.E. 35), ¶¶ 51–100 and Count V of D.E. 64, ¶¶ 69–118) are hereby dismissed without prejudice.
2. Apotex’s Corrected Answer and Counterclaims filed October 23, 2015 [D.E. 47 in Case No. 15-61631] and Apotex’s Answer and Counterclaims filed December 1, 2015 [D.E. 64 in Case No.15-cv-61631] are deemed amended on consent of the parties in accordance with this stipulation.
3. The parties agree that neither party is a prevailing party with respect to the Unlawful Monopolization in Violation of the Sherman Act: Sham Litigation counterclaim and accordingly no party shall be entitled to attorneys’ fees or costs with respect to the Unlawful Monopolization in Violation of the Sherman Act: Sham Litigation counterclaim.

AGREED AND STIPULATED TO:

Date: May 31, 2016

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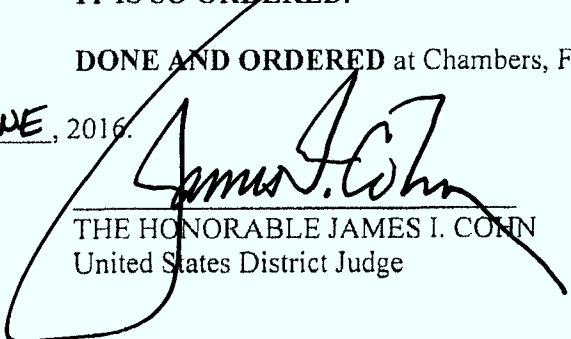
*Attorneys for Plaintiffs Amgen Inc. and
Amgen Manufacturing Limited*

*Attorneys for Defendants Apotex Inc. and
Apotex Corp.*

IT IS SO ORDERED.

DONE AND ORDERED at Chambers, Fort Lauderdale, Florida, this 14th day of

JUNE, 2016.



THE HONORABLE JAMES I. COHN
United States District Judge