

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 18-61828-CIV-WPD/LSS**

AMGEN INC. and AMGEN  
MANUFACTURING, LIMITED,

Plaintiffs,

v.

APOTEX INC. and APOTEX CORP.,

Defendants.

**UNOPPOSED MOTION TO FILE THE  
STIPULATION AND UNOPPOSED  
MOTION FOR SUBSTITUTION OF  
PARTIES UNDER SEAL**

Defendants Apotex Inc. and Apotex Corp. (together, "Apotex"), by and through undersigned counsel and pursuant to the Stipulated Protective Order [D.E. 55] and Local Rule 5.4, L.R. S.D. Fla., move the Court for the entry of an Order permitting Apotex to file the Stipulation and Unopposed Motion for Substitution of Parties under seal.

The Stipulation and Unopposed Motion for Substitution of Parties contains highly confidential and commercially sensitive business information which, if disclosed to the public, would likely result in significant economic and competitive injury to Apotex. Apotex respectfully submits that these circumstances justify the filing of the Stipulation and Unopposed Motion for Substitution of Parties under seal.

Apotex requests that the Stipulation and Unopposed Motion for Substitution of Parties be kept under seal until final disposition of this action, including any appeal, at which time the Stipulation and Unopposed Motion for Substitution of Parties may be destroyed or returned to undersigned counsel.

WHEREFORE, Defendants Apotex Inc. and Apotex Corp. respectfully request that the Court enter an Order permitting the Stipulation and Unopposed Motion for Substitution of Parties to be filed under seal.

**LOCAL RULE 7.1 CERTIFICATION**

On August 22, 2019, counsel for Apotex conferred with counsel for Amgen Inc. and Amgen Manufacturing, Limited (together, "Amgen") regarding the issues raised by this motion. Amgen does not oppose this motion.

Respectfully submitted,

By: /s/ Simeon D. Brier  
Simeon D. Brier (Florida Bar No. 525782)  
Matthew B. Criscuolo (Florida Bar No. 58441)  
**COZEN O'CONNOR**  
One North Clematis Street  
Suite 510  
West Palm Beach, FL 33401  
Telephone: (561) 515-5250  
Email: sbrier@cozen.com  
mcriscuolo@cozen.com

*and*

Admitted *Pro Hac Vice*

Kerry B. McTigue  
Barry P. Golob  
W. Blake Coblentz  
Aaron S. Lukas  
**COZEN O'CONNOR**  
1200 Nineteenth Street NW  
Washington, DC 20036  
Telephone: (202) 912-4800  
Email: kmctigue@cozen.com  
bgolob@cozen.com  
wcoblentz@cozen.com  
alukas@cozen.com

*and*

Keri L. Schaubert  
**COZEN O'CONNOR**

277 Park Avenue  
New York NY 10172  
Telephone: (212) 883-4900

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

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 22<sup>nd</sup> day of August, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to counsel and that a true and correct copy was served via electronic mail on all counsel of parties of record.

*/s/ Simeon D. Brier*  
Simeon D. Brier, Esq.  
Florida Bar No.: 525782