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Via ECF

Honorable Claire C. Cecchi, U.S.D.J.
U.S. District Court for the District of New Jersey
Martin Luther King, Jr., Bldg. & U.S. Courthouse
Federal Square
Newark, NJ 07101

**Re: Immunex Corp., et al. v. Sandoz Inc., et al.,
Civil Action No. 16 CV 1118 (CCC)(MF)**

Your Honor,

We, along with Sidley Austin LLP, represent Plaintiffs Immunex Corporation and Amgen Manufacturing Ltd. (collectively "Immunex"), in this matter. We write in response to Defendants' February 1, 2018 Letter to Your Honor regarding Defendants' recently amended label and its purported impact on Immunex's pending motion for summary judgment.

Simply put, we have been through this before. Defendants made this same erroneous argument (that the label carveout would moot Immunex's pending Motion for Summary Judgment) in their opposition to Immunex's summary judgment motion. (D.I. 255). Defendants are, however, wrong under Supreme Court law, and their arguments were squarely and systematically refuted in Immunex's summary judgment reply brief. (D.I. 262).

As the Motion for Summary Judgment has implications for the stipulated preliminary injunction, the timing of completion of trial, and the potential streamlining of issues for trial, Immunex requests oral argument on the MSJ, if the Court requires it, at the Court's convenience.

Respectfully submitted,

s/Liza M. Walsh

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February 1, 2018

Page 2

cc: All Counsel of Record (via ECF and email)