

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

NOVO NORDISK A/S and)	
NOVO NORDISK INC.)	
)	Civil Action No. 2:05 CV 40188
Plaintiffs-Counterclaim Defendants,)	
)	Judge Avern Cohn
v.)	
)	
CARACO PHARMACEUTICAL)	
LABORATORIES, LTD. and)	
SUN PHARMACEUTICAL)	
INDUSTRIES, LTD.)	
)	
Defendants-Counterclaim Plaintiffs.)	
_____))	

ORDER AND INJUNCTION

The Court has granted Caraco’s Motion for Summary Judgment on its Fourth Counterclaim and Sixth Affirmative Defense (Dkt #317), with regard to Caraco’s Fourth Counterclaim asserted under 21 U.S.C. § 355(j)(5)(C)(ii)(I)(bb), as set forth in the Court’s Decision re: Doc. 318 (Dkt # 421). The Court previously denied Novo Nordisk’s Motion to Dismiss (Dkt #337) in a Memorandum decision (Dkt #371). In accordance with those two decisions, the Court hereby enters the following Injunction:

Novo Nordisk is hereby directed by mandatory injunction under 21 U.S.C. § 355(j)(5)(C)(ii)(1)(bb) to correct within twenty (20) days from the date of this Order and Injunction its inaccurate description of the `358 patent by submitting to FDA an amended Form FDA 3542 that reinstates its former U-546 listing for Prandin and describes claim 4 of the `358

patent in section 4.2b as covering the “use of repaglinide in combination with metformin to lower blood glucose.”

SO ORDERED this 25th day of September, 2009

s/Avern Cohn

AVERN COHN

United States District Judge