

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THE BRIGHAM AND WOMEN'S HOSPITAL,)
INC., NPS PHARMACEUTICALS, INC., and)
AMGEN INC.,)

Plaintiffs and)
Counterclaim-Defendants,)

V.

C.A. No. 08-464-HB

TEVA PHARMACEUTICALS USA, INC.,)
TEVA PHARMACEUTICAL INDUSTRIES)
LTD., and BARR LABORATORIES, INC.,)

Defendants and
Counterclaim-Plaintiffs.

NOTICE OF APPEAL BY DEFENDANTS TEVA AND BARR

PLEASE TAKE NOTICE that defendants Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd. and Barr Laboratories, Inc. hereby appeal to the United States Court of Appeals for the Federal Circuit from the Court's Memorandum Opinion and Order of January 7, 2011. [D.I. 261 & 262].

February 4, 2011

BAYARD, P.A.

OF COUNSEL:

SUTHERLAND ASBILL & BRENNAN LLP
John L. North
Jeffrey J. Toney
Jeffrey D. Blake
David A. Reed
999 Peachtree Street
Atlanta, Georgia 30309-3996
404-853-8000

/s/ Richard D. Kirk

Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
222 Delaware Avenue, Suite 900
P.O. Box 25130
Wilmington, Delaware 19899-5130
302-655-5000

Attorneys for Defendants and
Counterclaim-Plaintiffs,
Teva Pharmaceuticals USA, Inc.,
Teva Pharmaceutical Industries Ltd.,
and Barr Laboratories, Inc.