

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

HORIZON PHARMA USA, INC., a)	
Delaware corporation)	
)	
Plaintiff,)	
)	
v.)	C.A. No.: N16C-11-126 EMD CCLD
)	
ENVISION PHARMACEUTICAL)	
SERVICES, LLC, a Nevada limited)	
liability company; ENVISION)	
PHARMACEUTICAL SERVICES, an)	
Ohio limited liability company,)	
)	
Defendants.)	

**ORDER DENYING WITHOUT PREJUDICE DEFENDANTS' RULE 12(B)(1)
MOTION TO DISMISS OR STAY**

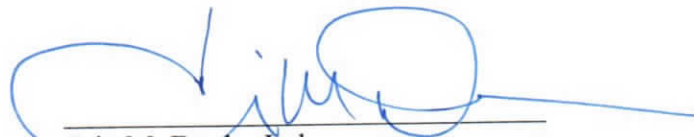
Upon consideration of Defendants' Rule 12(b)(1) Motion to Dismiss or Stay (the "Motion") filed by Defendants Envision Pharmaceutical Services, LLC, a Nevada limited liability company, and Envision Pharmaceutical Services, an Ohio limited liability company ("Envision") on December 26, 2016; Horizon's Opposition to Defendants' Motion to Dismiss or Stay filed by Plaintiff Horizon Pharma USA, Inc. on January 24, 2017; Defendants' Reply Brief in Support of Their Motion to Dismiss or Stay filed by Envision on February 14, 2017; the arguments presented on the Motion on May 8, 2017; and the entire record of this civil action;

IT IS HEREBY ORDERED that the Motion is **DENIED**, without prejudice, for all the reasons stated on the record at the May 8, 2017 hearing; and

IT IS HEREBY FURTHER ORDERED that Defendants' timeframe to file an Answer to Plaintiff's complaint is **STAYED** until 10 days after a Rule 16 Scheduling Conference; and

IT IS HEREBY FURTHER ORDERED that the Court will contact the parties to schedule the Rule 16 Scheduling Conference and that the parties shall meet and confer prior to the conference as discussed on the record at the May 8, 2017 hearing.

Dated: May 9, 2017
Wilmington, Delaware



Eric M. Davis, Judge

CC: File&Serve