

No. 2023-2218, -2220, -2221

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

IN RE: ENTRESTO (SACUBITRIL/VALSARTAN)

NOVARTIS PHARMACEUTICALS CORPORATION, *PLAINTIFF-APPELLANT*

V.

TORRENT PHARMA INC., TORRENT PHARMACEUTICALS LTD., *DEFENDANTS*

NOVARTIS PHARMACEUTICALS CORPORATION, *PLAINTIFF-APPELLANT*

V.

ALEMBIC PHARMACEUTICALS LIMITED, ALEMBIC PHARMACEUTICALS INC.,
DEFENDANTS

NOVARTIS PHARMACEUTICALS CORPORATION, *PLAINTIFF-APPELLANT*

V.

MSN PHARMACEUTICALS, INC., MSN LABORATORIES PRIVATE LTD., MSN LIFE
SCIENCES PRIVATE LTD., *DEFENDANTS-APPELLEES*

HETERO USA, INC., HETERO LABS LIMITED, HETERO LABS LIMITED UNIT-III,
DEFENDANTS

Appeals from the United States District Court for the District of Delaware,
Nos. 1:19-cv-01979-RGA, 1:19-cv-02021-RGA, 1:19-cv-02053-RGA, and 1:20-
md-02930-RGA, Judge Richard G. Andrews

**MSN'S NOTICE OF INTENT TO FILE REPLY IN SUPPORT OF
MOTION FOR RECONSIDERATION AND PETITION FOR
EN BANC REHEARING OF JANUARY 21, 2025 ORDER (ECF NO. 127)**

Dated: January 31, 2025

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MSN Laboratories Private Limited, and MSN Life Sciences Private Ltd.*

MSN respectfully submits this Notice to apprise the Court of MSN’s intent to file a reply in support of MSN’s *Emergency Combined Motion for Reconsideration and Petition for En Banc Rehearing of January 21, 2025 Order (ECF No. 127) and Motion to Expedite* (ECF No. 129). MSN intends to submit its reply by 11:00 AM EST on Monday, February 3, 2025, and respectfully requests that it be afforded the time to do so.

Novartis filed an *Opposition to MSN’s Motion for Reconsideration and Petition for Rehearing En Banc* (ECF No. 132) on January 30, 2025. Accordingly, a reply thereto would normally be due “within 7 days [there]after,” which would be Thursday, February 6, 2025. Fed. R. App. P. 27(a)(4). MSN is nevertheless willing to respond by 11:00 AM EST on Monday, February 3, 2025—i.e., less than two full business days after receiving Novartis’s opposition and three days ahead of the typical reply deadline. MSN respectfully submits that this is more than reasonable under the circumstances, particularly insofar as this is well within the seven days that would ordinarily be allowed under Fed. R. App. P. 27(a)(4).

* * *

In sum, MSN gives notice that it intends to file a reply. For the above reasons, MSN respectfully requests that it be afforded until 11:00 AM EST on Monday, February 3, 2025 to do so.

Dated: January 31, 2025

Respectfully submitted,

/s/ Kevin E. Warner

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