

COPY

CAUSE NO. D-1-GV-07-001259

THE STATE OF TEXAS

ex rel.

VEN-A-CARE OF THE
FLORIDA KEYS, INC.

Plaintiffs,

v.

SANDOZ INC. f/k/a GENEVA
PHARMACEUTICALS, INC.,
EON LABS,

MYLAN PHARMACEUTICALS,
INC., MYLAN LABORATORIES,
INC., UDL LABORATORIES, INC.

TEVA PHARMACEUTICALS USA,
INC. f/k/a LEMMON
PHARMACEUTICALS, INC.,
COPLEY PHARMACEUTICALS, INC.,
IVAX PHARMACEUTICALS, INC.,
SICOR PHARMACEUTICALS,
INC., and TEVA NOVOPHARM, INC.

Defendants.

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

201st JUDICIAL DISTRICT

ORDER AUTHORIZING ELECTRONIC SERVICE

Pursuant to the Texas Rules of Civil Procedure, the Court finds that entry of this Order is necessary for the just and more expeditious and efficient resolution of the above-captioned litigation.

When a party to this litigation wishes to serve a document to counsel of record, that party shall effectuate service of the document by the procedure set forth in this Order (subject to the exceptions outlined herein):

I. LEXISNEXIS FILE & SERVE

1. In order to facilitate case management, document retrieval and case organization, the parties will utilize the services of LexisNexis and its litigation system File & Serve for providing electronic service, storage and delivery of court-filed and discovery-related documents through a secure website to facilitate expeditious, efficient and economical communication by and amongst counsel. The Court, at its option, may also use File & Serve for these purposes as well as to communicate with counsel of record.

II. SERVICE ONLY

1. File & Serve shall apply only to the service of documents, and not to their filing. Original documents must still be filed in the traditional manner (i.e., filing the signed original document with the Court or approved efile procedure), pursuant to the applicable Texas Rules of Civil Procedure and Local Rules of this Court.

III. SERVICE LIST & SIGN-UP

1. Within five days of this order, plaintiff's counsel shall submit to Lexis Nexis File & Serve a complete and current service list of counsel of record for this litigation. Within ten days of this order, each attorney of record for this litigation, shall register for electronic service in this litigation by completing the application located at the following website: <http://www.lexisnexis.com/fileandserve> (advanced registration). Each counsel's password shall be treated as if it were for "Confidential" pursuant to any protective order entered by the Court. The service list and any updates shall be sent to Lexis Nexis representative Christopher Dean Shaw at christopherdean.shaw@lexisnexis.com.

2. With respect to any attorney who enters his or her appearance in this case after the date of this order, plaintiff shall serve a copy of this order on such attorney within five business days of plaintiff's receipt of the attorney's notice of appearance. Each such attorney

shall register for electronic service in this litigation as required in paragraph 1 of this order within ten days of receipt of this order.

IV. SERVICE OF DOCUMENTS AND WEBSITE

A. Establishment and Use of the File & Serve Website Generally

1. When any counsel of record wishes to serve a document, that counsel shall serve the document according to all the requirements and procedures of this Order. All references to "document" in this Order shall be interpreted to include any exhibits or attachments to the document and shall include both pleadings and discovery-related documents (such as interrogatories, requests for production, deposition notices/transcripts, etc.); provided, however, that each attorney shall determine individually whether to utilize File & Serve to serve correspondence and/or the actual production of discovery documents in response to another party's request for production. File & Serve is not discretionary and shall be utilized for service of any document or communication, including correspondence, that triggers or changes any deadline.

2. LexisNexis will maintain the File & Serve internet website ("File & Serve") for this litigation. When a transaction is submitted on File & Serve, File & Serve will electronically serve each document on the parties included on the service list provided to LexisNexis in accordance with the procedures herein.

3. Each attorney shall serve each document via electronic transfer of the document through File & Serve via the Internet (either as a word-processing file or a scanned image of the document). Each attorney shall title each document to identify the type and purpose of each document and the party who is submitting such document. Each document electronically served pursuant to this Order shall be deemed to have been served under the Texas Rules of Civil

Procedure by telephonic document transfer. Service shall be deemed effective on the date the document is transmitted to Lexis Nexis File & Serve.

4. Bulky or voluminous attachments to such documents, such as exhibits, need not be served via electronic transfer if doing so would be impractical or unduly burdensome. In such circumstances, the attachments shall be served by overnight delivery. However, in order to maintain an electronic record of served documents, the serving party shall also serve a one-page document via Lexis Nexis File & Serve identifying the document and stating that it was served conventionally.

5. After an attorney uploads a document onto File & Serve, File & Serve will convert the document into Adobe Portable Document Format ("PDF") and post it to the website within one hour of receipt. In the event LexisNexis File & Serve experiences technical difficulties such that File & Serve is unable to serve documents electronically as contemplated in this Case Management Order, File & Serve shall promptly notify all counsel of record of the technical difficulty. File & Serve shall also notify all counsel of record when service has been fully restored. During the period of time that service is interrupted due to a technical difficulty, documents shall be served by overnight delivery.

6. Within one hour of the time a document is posted to the website, File & Serve shall send an e-mail to all registered users notifying them that the document has been posted to the website (unless such registered user has declined to receive such e-mail notifications). The e-mail shall contain hypertext link(s) to the document location(s) on the system (or, if so designated by the recipient, the e-mail shall have the served document attached thereto).

7. All documents posted on File & Serve will be identified by: (a) the name of the serving law firm; (b) the caption(s) of the case(s) to which the document belongs; (c) the title of the document set forth on its caption; and (d) the identity of the party on whose behalf the document is being served.

8. Access to File & Serve will be limited to registered users. Registered users will consist of authorized Court personnel, counsel of record and their designated staff members. Upon registration, LexisNexis will provide each registered user with a user name and password to access File & Serve and the documents served in the litigation.


9. Every pleading, document and instrument served electronically shall bear a facsimile or typographical signature of at least one of the attorneys of record, along with the typed name, address, telephone number and State Bar of Texas or other State Bar number of such attorney. Typographical signatures shall be treated exactly as personal signatures for purposes of electronically served documents under the Texas Rules of Civil Procedure. The serving party of any document requiring multiple signatures (e.g., stipulations, joint status reports) must list thereon all the names of other signatories by means of an “/s/ _____” block for each. By submitting such a document, the serving party certifies that each of the other signatories has expressly agreed to the form and substance of the document, unless otherwise specified on the document, and that the serving party has the actual authority to submit the document electronically. The serving party must maintain any records evidencing this concurrence for subsequent production to the Court if so ordered or for inspection upon request by a party.

10. Any document transmitted to File & Serve shall certify in the Proof of Service that a true and correct copy was electronically served on counsel of record by transmission through LexisNexis File & Serve. The date and time to be used on the Proof of

Service will be the date and time reflected on the Transaction Receipt provided after submitting a transaction on File & Serve.

11. LexisNexis will make available to counsel of record and the Court a 24-hour 365 days Customer Support hotline at (888) 529-7587 and website – <http://www.lexisnexis.com/fileandserve/support.asp>. In addition, each attorney is instructed to review Exhibit A attached to this Order which sets forth the procedure for registration with and service through LexisNexis File & Serve. See Exhibit A, LexisNexis File & Serve Welcome Kit.

IT IS SO ORDERED.



The Honorable John K. Dietz

DATED: June 6, 2008.

APPROVED AS TO FORM AND CONTENT:

GREG ABBOTT
Attorney General of Texas

KENT C. SULLIVAN
First Assistant Attorney General

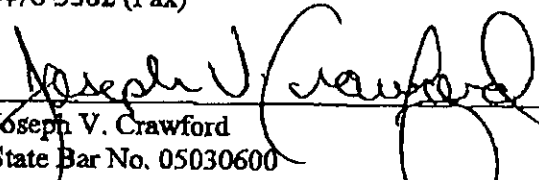
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