

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

JAZZ PHARMACEUTICALS, INC.,

Plaintiff,

v.

AVADEL CNS PHARMACEUTICALS,  
LLC,

Defendant.

C.A. No. 21-691-GBW



JAZZ PHARMACEUTICALS, INC., et al.,

Plaintiffs,

v.

AVADEL CNS PHARMACEUTICALS,  
LLC,

Defendant.

C.A. No. 21-1138-GBW



JAZZ PHARMACEUTICALS, INC., et al.,

Plaintiffs,

v.

AVADEL CNS PHARMACEUTICALS,  
LLC,

Defendant.

C.A. No. 21-1594-GBW



**DEFENDANT'S EMERGENCY MOTION FOR STAY PENDING APPEAL**

Defendant Avadel CNS Pharmaceuticals, Inc. (Avadel) respectfully moves to stay this Court's August 27, 2024 Permanent Injunction Order (D.I. 666 in C.A. No. 21-691-GBW) pending resolution of Avadel's appeal of the Permanent Injunction Order to the United States Court of Appeals for the Federal Circuit. The complete bases for this motion are set forth in the accompanying Opening Brief filed herewith.

Dated: September 3, 2024

MCCARTER & ENGLISH, LLP

*Of Counsel:*

Kenneth G. Schuler  
Marc N. Zubick  
Alex Grabowski  
Sarah W. Wang  
LATHAM & WATKINS LLP  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
(312) 876-7700  
kenneth.schuler@lw.com  
marc.zubick@lw.com  
alex.grabowski@lw.com  
sarah.wang@lw.com

*/s/ Daniel M. Silver*

Daniel M. Silver (#4758)  
Alexandra M. Joyce (#6423)  
Renaissance Centre  
405 N. King Street, 8th Floor  
Wilmington, Delaware 19801  
(302) 984-6300  
dsilver@mccarter.com  
ajoyce@mccarter.com




*Counsel for Defendant*

Herman Yue  
LATHAM & WATKINS LLP  
1271 Avenue of the Americas  
New York, NY 10020  
(212) 906-1200  
herman.yue@lw.com

Daralyn J. Durie  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105  
(415) 268-6055  
ddurie@mof.com

Kira A. Davis  
Katherine E. McNutt  
Morrison & Foerster LLP  
707 Wilshire Boulevard  
Los Angeles, CA 90017  
(213) 892-5200  
kiradavis@mof.com  
kmcnutt@mof.com

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**[PROPOSED] ORDER GRANTING  
DEFENDANT'S EMERGENCY MOTION FOR STAY PENDING APPEAL**

IT IS HEREBY ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2024, that:




1. The Permanent Injunction Order entered by the Court on August 27, 2024 is STAYED pending Avadel's appeal of the Permanent Injunction Order to the United States Court of Appeals for the Federal Circuit; and

2. Avadel is not required to comply with the terms of the Permanent Injunction Order unless and until the stay is terminated and the Permanent Injunction Order is reinstated by further Order of the Court.

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UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT  
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JAZZ PHARMACEUTICALS, INC., et al.,  Plaintiffs,  v.  AVADEL CNS PHARMACEUTICALS, LLC,  Defendant.	C.A. No. 21-1138-GBW 
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**LOCAL RULE 7.1.1 STATEMENT REGARDING  
DEFENDANT'S EMERGENCY MOTION FOR STAY PENDING APPEAL**

The undersigned counsel hereby certifies that counsel for the parties, including Delaware counsel, conferred verbally regarding the relief sought in Defendant's Emergency Motion for Stay Pending Appeal and the parties were unable to reach agreement on the relief sought therein.

Dated: September 3, 2024

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Kenneth G. Schuler  
Marc N. Zubick  
Alex Grabowski  
Sarah W. Wang  
LATHAM & WATKINS LLP  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
(312) 876-7700  
kenneth.schuler@lw.com  
marc.zubick@lw.com  
alex.grabowski@lw.com  
sarah.wang@lw.com

/s/ Daniel M. Silver

Daniel M. Silver (#4758)  
Alexandra M. Joyce (#6423)  
Renaissance Centre  
405 N. King Street, 8th Floor  
Wilmington, Delaware 19801  
(302) 984-6300  
dsilver@mccarter.com  
ajoyce@mccarter.com

*Counsel for Defendant*

Herman Yue  
LATHAM & WATKINS LLP  
1271 Avenue of the Americas  
New York, NY 10020  
(212) 906-1200  
herman.yue@lw.com

Daralyn J. Durie  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105  
(415) 268-6055  
ddurie@mof.com

Kira A. Davis  
Katherine E. McNutt  
Morrison & Foerster LLP  
707 Wilshire Boulevard  
Los Angeles, CA 90017  
(213) 892-5200  
kiradavis@mof.com  
kmcnutt@mof.com

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that true and correct copies of the foregoing document were caused to be served on September 3, 2024 on the following counsel in the manner indicated below.

**VIA EMAIL:**

Jack B. Blumenfeld  
Jeremy Tigan  
Cameron Clark  
MORRIS, NICHOLS, ARSHT & TUNNELL LLP  
1201 North Market Street  
Wilmington, DE 19899  
jblumenfeld@morrisnichols.com  
jtigan@morrisnichols.com  
cclark@morrisnichols.com

F. Dominic Cerrito  
Eric C. Stops  
Evangeline Shih  
Andrew S. Chalson  
Gabriel P. Brier  
Frank C. Calvosa  
Catherine T. Mattes  
Abigail DeMasi  
QUINN EMANUEL URQUHART & SULLIVAN, LLP  
51 Madison Avenue, 22<sup>nd</sup> Floor  
New York, NY 10010  
nickcerrito@quinnemanuel.com  
ericstops@quinnemanuel.com  
evangelineshah@quinnemanuel.com  
andrewchalson@quinnemanuel.com  
gabrielbrier@quinnemanuel.com  
frankcalvosa@quinnemanuel.com  
catherinemattes@quinnemanuel.com  
Abigaildemasi@quinnemanuel.com

*Attorneys for Plaintiffs*

Dated: September 3, 2024

/s/ Daniel M. Silver  
Daniel M. Silver (#4758)