

On August 3, 2017, Complaint Counsel filed a Motion for Partial Summary Decision. The motion seeks an order holding that Respondent Impax Laboratories, Inc.'s patent-related affirmative defenses are not cognizable. Such an order would shorten the trial, allowing the parties to focus on relevant issues rather than on Respondent's non-cognizable patent defenses.

Respondent's opposition to this motion was originally due on August 17, 2017. On August 14, the Commission granted Respondent a two-week extension until August 31. Order Granting Respondent's Motion for Extension of Time, Aug. 14, 2017. Thus, Complaint

oppose the requested extension and will suffer no prejudice from it, as it affects none of Respondent's deadlines.

For these reasons, Complaint Counsel respectfully requests that the Commission extend the deadline for Complaint Counsel's Reply in Support of its Motion for Summary Decision to September 15, 2017.

Respectfully submitted,

Dated: August 28, 2017

/s/ Charles A. Loughlin

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CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

August 28, 2017

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