

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

ALZA CORPORATION, and)	
McNEIL-PPC, INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 05-642-JJF
)	
IMPAX LABORATORIES, INC.,)	
ANDRX PHARMACEUTICALS, L.L.C. and)	
ANDRX CORPORATION,)	
)	
Defendants.)	

STIPULATED ORDER

IT IS HEREBY STIPULATED AND AGREED, subject to the approval and order of the Court, that:

(1) all claims of Plaintiffs Alza Corporation and McNeil-PPC, Inc. (“Plaintiffs”) against Defendant IMPAX Laboratories, Inc. (“IMPAX”) are dismissed with prejudice pursuant to Fed. R. Civ. P. 41;

(2) all declaratory judgment counterclaims of IMPAX against Plaintiffs are dismissed for lack of subject matter jurisdiction in view of dismissal of Plaintiffs’ claims; and

(3) Plaintiffs and IMPAX shall bear their own costs, expenses, and attorneys’ fees.

ASHBY & GEDDES

YOUNG CONAWAY STARGATT & TAYLOR LLP

/s/ Steven J. Balick

/s/ Karen L. Pascale

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SO ORDERED this _____ day of _____, 2006.

UNITED STATES DISTRICT JUDGE