

No. 17-747

In The
Supreme Court of the United States

TEVA PHARMACEUTICALS USA, INC.,

Petitioner,

v.

STEPHEN WENDELL, ET UX.,

Respondents.

**On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit**

**RESPONDENT GLAXOSMITHKLINE LLC'S
BRIEF IN SUPPORT OF PETITION
FOR WRIT OF CERTIORARI**

ALAN J. LAZARUS
DRINKER BIDDLE & REATH LLP
50 Fremont St., 20th Fl.
San Francisco, CA 94105-2235
(415) 591-7500
alan.lazarus@dbr.com
*Attorneys for
GlaxoSmithKline LLC*

RULE 29.6 STATEMENT

GlaxoSmithKline plc, a publicly traded company, is the ultimate parent corporation, through several levels of wholly owned subsidiaries, of Defendant-Appellee, SMITHKLINE BEECHAM CORPORATION d/b/a GLAXOSMITHKLINE LLC. No publicly held company owns ten percent or more of the stock of GlaxoSmithKline plc.

**RESPONSE IN SUPPORT OF
PETITION FOR WRIT OF CERTIORARI**

Like Petitioner Teva Pharmaceuticals USA, Inc. (“Teva”), Respondent GlaxoSmithKline LLC (“GSK”) was a defendant in the District Court and an Appellee in the Ninth Circuit in this matter. Its interests in this matter are aligned with those of Teva. GSK agrees with Teva that the decision of the Ninth Circuit Court of Appeals in this case should be reviewed and reversed.

Pursuant to Rule 12.6, counsel for all parties were timely notified of GSK’s intent to file this brief.



**REASONS FOR GRANTING THE
PETITION FOR WRIT OF CERTIORARI**

GSK adopts the statement of questions presented and the jurisdictional statement set forth in Teva’s Petition for Writ of Certiorari. GSK supports the Petition filed by Teva and contends the Petition should be granted for the reasons stated therein. Rather than repeat or restate those arguments, GSK adopts and incorporates them as stated by Teva.



CONCLUSION

For the reasons set forth in the Petition, GSK requests that the Petition for Writ of Certiorari be granted to review the decision of the Court of Appeals.

December 15, 2017

Respectfully submitted,

ALAN J. LAZARUS
DRINKER BIDDLE & REATH LLP
50 Fremont St., 20th Fl.
San Francisco, CA 94105-2235
(415) 591-7500

Attorneys for GlaxoSmithKline LLC