

**JOINT MOTION FOR
ENTRY OF CONSENT ORDER**

EXHIBIT A

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

AMARIN PHARMA, INC. AND
AMARIN PHARMACEUTICALS
IRELAND, LTD.

Plaintiff,

v.

OMAX HEALTH, INC.

Defendant.

Case No. 2:18-CV-09239-DMG-MRW

Hon. Dolly M. Gee

CONSENT ORDER

Plaintiffs Amarin Pharma Inc. and Amarin Pharmaceuticals Ireland, Ltd. (“Amarin”) brought this action against Defendant Omax Health Inc. (“Omax”) asserting causes of action under the Lanham Act, 15 U.S.C. § 1051, et seq. and California’s Unfair Competition Law, Cal Bus. & Prof. Code § 17200, et seq. Omax has appeared through counsel and acknowledged it is subject to the jurisdiction of this Court.

Amarin and Omax have entered into a Settlement Agreement, pursuant to which the parties have consented to the entry of the following Order:

CONSENT ORDER
CASE NO: 2:18-cv-09239-DMG-MRW

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2 **I. Omax Corrective Statement**

3 Omax will post and maintain the Corrective Statement set forth in Section I
4 of the parties' Settlement Agreement (which is submitted herewith as Exhibit A¹
5 and is incorporated by reference for that purpose) in the location and manner, and
6 for the length of time, specified in Section I of the Settlement Agreement.

7 **II. Prohibited Statements**

8 Effective 30 days following the entry of this Order, and in accordance with
9 the terms of Exhibit A (or as permitted by Exhibit A), Omax and its officers,
10 directors, agents, employees, representatives, and affiliates, namely, parents and
11 subsidiaries, shall not make any of the prohibited statements set forth in Section II
12 of the parties' Settlement Agreement, in the manner provided in Section II of the
13 Settlement Agreement.

14 **III. Retention of Jurisdiction**

15 By consent of the parties, this Court will retain jurisdiction over this matter
16 for four (4) years from the filing of the motion requesting entry of this Consent
17 Order for purposes of enforcing this Consent Order and resolving disputes
18 concerning compliance with the parties' Settlement Agreement (Exhibit A).

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¹ The parties have submitted a conformed copy of the Settlement Agreement removing hand signatures.

AGREED AND CONSENTED TO

Dated: May 7, 2019

Dated: May 7, 2019

/s/ Matthew J. Blaschke

Matthew J. Blaschke (SBN 281938)

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AMARIN

PHARMACEUTICALS IRELAND,

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Attorneys for Defendant

OMAX HEALTH, INC.

1 **IT IS SO ORDERED.**

2 DATED: _____

3 _____
4 HONORABLE DOLLY M. GEE
5 UNITED STATES DISTRICT JUDGE
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SIGNATURE ATTESTATION

I, Matthew J. Blaschke, am the ECF user whose identification and password are being used to file the foregoing Consent Order. I hereby attest that concurrence in the filing of this document has been obtained from each signatory herein.

By: /s/ Matthew J. Blaschke
Matthew J. Blaschke

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3 **CERTIFICATE OF SERVICE**

4 The undersigned hereby certifies that on May 7, 2019, a true and correct
5 copy of the foregoing document was filed with the court and served electronically
6 through the Court's CM/ECF system to all counsel of record registered to receive a
7 Notice of Electronic Filing for this case including counsel for Defendant, Omax
8 Health Inc.

9 **René P. Tatro**
10 **Juliet Markowitz**
11 Tatro, Tekosky, Sadwick LLP
12 333 South Grand Avenue, Suite 4270
13 Los Angeles, California 90071
14 Phone: 213-225-7171
15 Fax: 213-225-7151

16 I declare under penalty of perjury that the foregoing is true and correct.
17 Executed on May 7, 2019.

18 /s/ Matthew J. Blaschke
19 Matthew J. Blaschke
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