

Medical Research Law & Policy Report Table of Cases
— Vol. 9, Nos. 1-24, pp. 1-808
— Jan. 6 -- Dec. 15, 2010

Abdullahi v. Pfizer Inc. (S.D.N.Y.), 689
Abdullahi; Pfizer Inc. v. (U.S., rev sought), 368; (rev den), 401
Adamu v. Pfizer Inc. (S.D.N.Y.), 689
Administrators of the Tulane Educ. Fund v. Biomeasure Inc. (E.D. La.), 29
Administrators of the Tulane Educ. Fund v. Ipsen Pharma S.A.S. (D.D.C.), 28
A.I. duPont Hosp. for Children; M.G. v. (3d Cir.), 580
A.I. duPont Hosp. for Children; T.C. v. (3d Cir.), 167
Alabama v. North Carolina (U.S., oral arg), 54; (rev den), 377
Alliance for Animals, In re (Wis. Cir. Ct.), 417
American Ass'n for Cancer Research; Andela v. (E.D. Pa.), 29; (3d Cir.), 480
American Fund for Alternatives to Animal Research v. Hamburg (D.D.C.), 245
Andela v. American Ass'n for Cancer Research (E.D. Pa.), 29; (3d Cir.), 480
Andre v. Regents of the Univ. of Cal. (Cal. Ct. App.), 562
Application of *See name of party*
Ariad Pharms. Inc. v. Eli Lilly and Co. (Fed. Cir.), 203
Arizona State Univ.; Havasupai Tribe v. (Ariz. Super. Ct.), 271
Association for Molecular Pathology v. Patent and Trademark Office (S.D.N.Y.), 40; 103; 228; 398; (Fed. Cir.), 477; 515; 705

Bausch & Lomb Co.; Williams v. (S.D. Ohio), 400
Bearder v. Minnesota (Minn. Ct. App.), 562
Becton, Dickinson & Co.; Rosenberg v. (N.J. Super. Ct. App. Div.), 380
Beleno v. Texas Dept of State Health Servs. (W.D. Tex.), 25
Benhamou; SEC v. (S.D.N.Y.), 731
Benhamou; U.S. v. (S.D.N.Y.), 731
Benson v. Superior Court (Cal. Ct. App.), 412
Biomeasure Inc.; Administrators of the Tulane Educ. Fund v. (E.D. La.), 29
BlueCross BlueShield of Tenn. Inc.; Graddy v. (E.D. Tenn.), 135
Board of Trustees of Leland Stanford Jr. Univ. v. Roche Molecular Sys. Inc. (Fed. Cir.), 13; (U.S., rev sought), 397; (rev grant), 685
Board of Trustees of the Univ. of Ill. v. Organon Teknika Corp. LLC (7th Cir.), 479
Brigham and Women's Hosp.; U.S. ex rel. Jones v. (D. Mass.), 662; 730
Brodie v. Health and Human Servs., Dept of (D.D.C.), 383
Buddenberg; U.S. v. (N.D. Cal.), 459
Burgos v. Satiety Inc. (E.D.N.Y.), 784

Cacchillo v. Insmad Inc. (N.D.N.Y.), 695
Cancer Voices Australia v. Myriad Genetics Inc. (Australia, Fed. Ct. Austl.), 367
Catholic Healthcare West; U.S. ex rel. Haight v. (9th Cir.), 115; (U.S., revden), 662
Cefetra BV; Monsanto Tech. LLC v. (EU, ECJ), 445
Central Inst. for Experimental Animals v. Jackson Lab. (N.D. Cal.), 72; 363
Central Intelligence Agency *See* CIA
Cephalon Inc. v. Johns Hopkins Univ. (Del. Ch.), 11
Children's Hosp. Corp. v. George Wash. Univ. (D. Mass.), 608
CIA; Vietnam Veterans of Am. v. (N.D. Cal.), 57; 85; 648
Claudio; Giordano v. (E.D. Pa.), 340
Cleveland Clinic Found.; Yadav v. (Ohio Ct. Com. Pl.), 318
Cohen v. NuVasive Inc. (Cal. Ct. App.), 252
Cornell Univ. v. Illumina Inc. (D. Del.), 342
Coventry Health Care of Neb. Inc.; Zalkin v. (D. Neb.), 211

Daddio v. Nemours Found. (3d Cir.), 718
Department of *See name of department*
Dodson v. University of Ark. for Med. Sci. (8th Cir.), 208
Donigian, U.S. ex rel. v. St. Jude Med. Inc. (D. Mass.), 526; 581
D.W. Dickey & Son Inc. Employee Health and Welfare Plan; Nationwide Children's Hosp. Inc. v. (S.D. Ohio), 73
Dynavax Techs. Corp.; Sneeze Wheeze & Itch Assocs. LLC v. (S.D. Ill.), 206

Eli Lilly and Co.; Ariad Pharms. Inc. v. (Fed. Cir.), 203
Endovascular Techs. Inc.; Norks v. (Cal. Ct. App.), 752
Endovascular Techs. Inc.; Robinson v. (Cal. Ct. App.), 752
Environmental Protection Agency *See* EPA
EPA; Natural Res. Def. Council v. (2d Cir.), 409; 613
Feldman, U.S. ex rel. v. Van Gorp (S.D.N.Y.), 27; 350; 526; 793
Foundation for Taxpayer and Consumer Rights v. Wisconsin Alumni Research Found. (B.P.A.I.), 269
George Wash. Univ.; Children's Hosp. Corp. v. (D. Mass.), 608
Gillberg v. Sweden (ECHR), 731
Giordano v. Claudio (E.D. Pa.), 340
GlaxoSmithKline LLC; Roberts v. (E.D. Tex.), 788
Graddy v. BlueCross BlueShield of Tenn. Inc. (E.D. Tenn.), 135

Haight, U.S. ex rel. v. Catholic Healthcare West (9th Cir.), 115; (U.S., revden), 662
Hamburg; American Fund for Alternatives to Animal Research v. (D.D.C.), 245
Hamburg; Rempfer v. (U.S., rev den), 136
Harris, Tapping, Mullan, Fitzpatrick (U.K., Winchester Crown Ct.), 590; (U.K., Winchester Crown Ct.), sub nom. Harris, Tapping, Whitehead, Vosper, Mullan, Lawrence, Fitzpatrick, 697
Harris, Tapping, Whitehead, Vosper, Mullan, Lawrence, Fitzpatrick (U.K., Winchester Crown Ct.), 697
Hauger, U.S. ex rel. v. Health Alliance of Greater Cincinnati (S.D. Ohio), 415
Havasupai Tribe v. Arizona State Univ. (Ariz. Super. Ct.), 271
Health Alliance of Greater Cincinnati; U.S. ex rel. Hauger v. (S.D. Ohio), 415
Health and Human Servs., Dept of, Sebelius, Sec'y of *See* Sebelius
Health and Human Servs., Dept of; Brodie v. (D.D.C.), 383
Henry Ford Health Sys. v. Sebelius (E.D. Mich.), 56
Hill, U.S. ex rel. v. University of Med. & Dentistry of N.J. (D.N.J.), 696
Hogan; Physicians Comm. for Responsible Med., Application of v. (N.Y. Sup. Ct.), 749
Home-Owners Ins. Co.; Krohn v. (Mich. Ct. App.), 81

Icos Corp.; Vanderbilt Univ. v. (Fed. Cir.), 243; (U.S., rev sought), 658
Illumina Inc.; Corneli Univ. v. (D. Del.), 342
In re *See name of party*
Insmad Inc.; Cacchillo v. (N.D.N.Y.), 695
Ipsen Pharma S.A.S.; Administrators of the Tulane Educ. Fund v. (D.D.C.), 28
Jackson Lab.; Central Inst. for Experimental Animals v. (N.D. Cal.), 72; 363
Johannessen; Lombard Med. Techs. v. (D. Mass.), 445
Johns Hopkins Univ.; Cephalon Inc. v. (Del. Ch.), 11
Jones, U.S. ex rel. v. Brigham and Women's Hosp. (D. Mass.), 662; 730
KD v. U.S. (D. Del.), 338
Kessler v. Riccardi (6th Cir.), 87

Koprowski v. Thomas Jefferson Univ. (E.D. Pa.), 647
Krohn v. Home-Owners Ins. Co. (Mich. Ct. App.), 81
Lafferty v. Providence Health Plans (D. Or.), 273; 399
Lane v. Regents of the Univ. of Cal. (Cal. Ct. App.), 562
LaVecchia v. State Health Benefit Comm'n (N.J. Super. Ct. App. Div.), 553
Lombard Med. Techs. v. Johannessen (D. Mass.), 445

McClain v. Pfizer Inc. (D. Conn.), 206
M.G. v. A.I. duPont Hosp. for Children (3d Cir.), 580
Minnesota; Bearder v. (Minn. Ct. App.), 562
Mohr v. Targeted Genetics Inc. (C.D. Ill.), 167
Monsanto Tech. LLC v. Cefetra BV (EU, ECJ), 445
Moynihan v. New York City Health and Hosp. Corp. (N.Y. Sup. Ct.), 663
Myriad Genetics Inc.; Cancer Voices Australia v. (Australia, Fed. Ct. Austl.), 367
Nationwide Children's Hosp. Inc. v. D.W. Dickey & Son Inc. Employee Health and Welfare Plan (S.D. Ohio), 73
Natural Res. Def. Council v. EPA (2d Cir.), 409; 613
Nelson; People v. (Cal. Ct. App.), 660
Nemours Found.; Daddio v. (3d Cir.), 718
New York City Health and Hosp. Corp.; Moynihan v. (N.Y. Sup. Ct.), 663
Norian Corp.; U.S. v. (E.D. Pa.), 664; 794
Norks v. Endovascular Techs. Inc. (Cal. Ct. App.), 752
North Carolina; Alabama v. (U.S., oral arg), 54; (rev den), 377
Nuovo v. Ohio State Univ. (S.D. Ohio), 481
Nuovo v. Whitacre (S.D. Ohio), 366
NuVasive Inc.; Cohen v. (Cal. Ct. App.), 252

Oakland County Med. Exam'r; Waeschle v. (Mich.), 413
Ohio State Univ. Bd. of Trustees; Walker v. (Ohio Ct. App.), 108
Ohio State Univ.; Nuovo v. (S.D. Ohio), 481
Onconome Inc. v. University of Pittsburgh (W.D. Pa.), 12
Organon Teknika Corp. LLC; Board of Trustees of the Univ. of Ill. v. (7th Cir.), 479

Palazzo; U.S. v. (E.D. La.), 589
Patent and Trademark Office; Association for Molecular Pathology v. (S.D.N.Y.), 40; 103; 228; 398; (Fed. Cir.), 477; 515; 705
People v. *See name of opposing party*
Pfizer Inc. v. Abdullahi (U.S., rev sought), 368; (rev den), 401
Pfizer Inc.; Abdullahi v. (S.D.N.Y.), 689
Pfizer Inc.; Adamu v. (S.D.N.Y.), 689
Pfizer Inc.; McClain v. (D. Conn.), 206
Physicians Comm. for Responsible Med., Application of v. Hogan (N.Y. Sup. Ct.), 749
Providence Health Plans; Lafferty v. (D. Or.), 273; 399

Regents of the Univ. of Cal. v. Superior Court (Cal. Ct. App.), 252
Regents of the Univ. of Cal.; Andre v. (Cal. Ct. App.), 562
Regents of the Univ. of Cal.; Lane v. (Cal. Ct. App.), 562
Reider-Gordon v. Synthes Spine Co. (C.D. Cal.), 402
Rempfer v. Hamburg (U.S., rev den), 136
Reuben; U.S. v. (D. Mass.), 56; 150; 415
Reys; SEC v. (W.D. Wash.), 310
Riccardi; Kessler v. (6th Cir.), 87
RK Co. v. See (7th Cir.), 615
Roberts v. GlaxoSmithKline LLC (E.D. Tex.), 788
Robinson v. Endovascular Techs. Inc. (Cal. Ct. App.), 752
Roche Molecular Sys. Inc.; Board of Trustees of Leland Stanford Jr. Univ. v. (Fed. Cir.), 13; (U.S., rev sought), 397; (rev grant), 685

Rosenberg v. Becton, Dickinson & Co. (N.J. Super. Ct. App. Div.), 380

St. Jude Med. Inc.; U.S. ex rel. Donigian v. (D. Mass.), 526; 581

Satiety Inc.; Burgos v. (E.D.N.Y.), 784

Sebelius; Henry Ford Health Sys. v. (E.D. Mich.), 56

Sebelius; Sherley v. (D.C. Cir.), 397; (D.D.C.), 547; (D.C. Cir.), 579; 605

Sebelius; University of Chicago Med. Ctr. v. (7th Cir.), 551

SEC v. Benhamou (S.D.N.Y.), 731

SEC v. Reys (W.D. Wash.), 310

Securities and Exch. Comm'n *See* SEC

See; RK Co. v. (7th Cir.), 615

Sequenom Inc. Sec. Litig., In re (S.D. Cal.), 86

Sherley v. Sebelius (D.C. Cir.), 397; (D.D.C.), 547; (D.C. Cir.), 579; 605

Sirpal v. University of Miami (S.D. Fla.), 107

Sneeze Wheeze & Itch Assocs. LLC v. Dynavax Techs. Corp. (S.D. Ill.), 206

State Health Benefit Comm'n; LaVecchia v. (N.J. Super. Ct. App. Div.), 553

Superior Court; Benson v. (Cal. Ct. App.), 412

Superior Court; Regents of the Univ. of Cal. v. (Cal. Ct. App.), 252

Sweden; Gillberg v. (ECHR), 731

Synthes Spine Co.; Reider-Gordon v. (C.D. Cal.), 402

Targeted Genetics Inc.; Mohr v. (C.D. Ill.), 167

T.C. v. A.I. duPont Hosp. for Children (3d Cir.), 167

Teague Conway *See* T.C.

Texas Dept of State Health Servs.; Beleno v. (W.D. Tex.), 25

Thomas Jefferson Univ.; Koprowski v. (E.D. Pa.), 647

University of Ark. for Med. Sci.; Dodson v. (8th Cir.), 208

University of Chicago Med. Ctr. v. Sebelius (7th Cir.), 551

University of Med. & Dentistry of N.J.; U.S. ex rel. Hill v. (D.N.J.), 696

University of Miami; Sirpal v. (S.D. Fla.), 107

University of Pittsburgh; Onconome Inc. v. (W.D. Pa.), 12

U.S. v. *See name of opposing party*

Van Gorp; U.S. ex rel. Feldman v. (S.D.N.Y.), 27; 350; 526; 793

Vanderbilt Univ. v. Icos Corp. (Fed. Cir.), 243; (U.S., rev sought), 658

Vietnam Veterans of Am. v. CIA (N.D. Cal.), 57; 85; 648

Waeschle v. Oakland County Med. Exam'r (Mich.), 413

Walker v. Ohio State Univ. Bd. of Trustees (Ohio Ct. App.), 108

Whitacre; Nuovo v. (S.D. Ohio), 366

Williams v. Bausch & Lomb Co. (S.D. Ohio), 400

Wisconsin Alumni Research Found. v. Xenon Pharm. Inc. (7th Cir.), 44

Wisconsin Alumni Research Found.; Foundation for Taxpayer and Consumer Rights v. (B.P.A.I.), 269

Xenon Pharm. Inc.; Wisconsin Alumni Research Found. v. (7th Cir.), 44

Yadav v. Cleveland Clinic Found. (Ohio Ct. Com. Pl.), 318

Zalkin v. Coventry Health Care of Neb. Inc. (D. Neb.), 211

Zhou; U.S. v. (C.D. Cal.), 288