



**IN THE MATTER OF the Patent Act R.S.C. 1985, c. P-4,  
as amended**

**AND IN THE MATTER OF Alexion Pharmaceuticals Inc.  
(the "Respondent") and the medicine "Soliris"**

**ORDER REGARDING SCHEDULING**

Decided by the Hearing Panel on the basis of the written record  
Date of Order: February 13, 2015

1. FURTHER to the notice of hearing issued by the Patented Medicine Prices Review Board (the "Board") Secretariat on January 20, 2015 in the above matter;
2. AND FURTHER to a request filed by the province of British Columbia on February 6, 2015 and supplemented on February 9, 2015, on behalf of Ministers referred to in subsection 86(2) of the *Patent Act* ("Ministers"), who intend to appear and make representations before the Board, seeking an order extending the time to file a notice of appearance in accordance with Section 21 of the Patented Medicine Prices Review Board Rules of Practice and Procedure (the "Rules");
3. AND FURTHER to the Board's letter of February 10, 2015, directing Alexion to advise whether it intends to respond to the Notice of Hearing on or before February 13, 2015;
4. AND FURTHER to a request filed by Alexion Pharmaceuticals Inc. on February 10, 2015 seeking an order extending the time to file a response to the proposed order set out in the Statement of Allegations in accordance with section 18 of the Rules;

THE BOARD ORDERS THAT:

5. If the Respondent wishes to oppose the proposed order set out in the Statement of Allegations, the Respondent shall, no later than **March 9, 2015**, file with the Secretary of the Board and serve upon all other parties, in accordance with section 18 of the Rules, a response dated and signed by the Respondent. Take notice that if the Respondent has not filed a response **by March 9, 2015**, or within such longer period as the Board may by order provide, the Board may

make any finding and issue any order pursuant to section 83 of the *Patent Act* as it deems appropriate.

6. Ministers referred to in subsection 86(2) of the *Patent Act*, who intend to appear and make representations before the Board shall, in accordance with section 21 of the Rules, file with the Secretary of the Board and serve on all parties a Notice of Appearance, dated and signed by the said Ministers, on or before **March 9, 2015**.
7. If Board Staff wishes to reply to the Response, Board Staff shall, **within 20 days after being served with the response**, file a Reply with the Secretary of the Board and serve its Reply upon the Respondent and all other parties.
8. A Case Management Conference will be held with Counsel and the Secretary of the Board on or before **April 30, 2015**.

DATED at Ottawa, this 13<sup>th</sup> day of February, 2015

Signed on behalf of the Board by the Presiding Member  
Dr. Mitchell Levine

**COUNSEL / REPRESENTATIVES:**

For Board Staff:

Parul Shah  
David Migicovsky  
Chris Morris

For the respondent:

Alan West  
Malcom Ruby

For British Columbia:

Barbara Walman