

TEXT ORDER: As discussed at yesterday's status conference, Supernus agreed to use all of Defendants' additional proposed ESI search terms. Several Defendants have agreed to run Supernus's proposed additional search terms and have essentially reserved the right to raise disputes if the terms prove unduly burdensome. Accordingly, by no later than October 14, 2026, any party with a dispute related to Defendants running Supernus's proposed additional search terms shall raise the issue to the Court in a joint letter not to exceed three single-spaced pages. The joint letter shall describe or attach objective evidence of alleged undue burden such as hit report results.

Second, MSN and Zydus identified possible disputes concerning ESI custodian(s), but the parties are continuing to negotiate those issues and have no ripe dispute to present to the Court. If the parties do not resolve the custodian disputes, they shall similarly file a 3-page joint letter by October 14, 2026.

Third, for the reasons set forth on the record at the conference, the Court rejects Appco's untimely-disclosure argument against running certain of Supernus's proposed search terms. Appco, however, may raise any burden arguments related to Supernus's proposed search terms by the October 14, 2026, deadline described above.

Fourth, on September 23, 2026, at 2 p.m., the Court will hold oral argument on (1) Zenara's motion to amend non-infringement contentions, D.E. [142](#) , and (2) the Appco/Supernus dispute over Supernus's Infringement Contentions and Appco's proposed Amended Non-Infringement Contentions, D.E. [149](#) , [150](#) . Each argument will last 30 minutes. The Court will begin with Zenara's motion at 2 p.m. and Appco's at 2:30 p.m. Each party shall join at its allotted time. The parties will be prepared to make an oral application to temporarily seal the transcript followed by a formal motion to seal at a later date.

Lastly, by no later than November 2, 2026, the parties will submit a joint status letter of no more than five single-spaced pages providing an update on the status of document productions and any other ripe discovery issues. So Ordered by Magistrate Judge Alex D. Silagi on 9/22/2026. (Silagi, Alex) (Entered: 09/22/2026)

*Supernus Pharmaceuticals, Inc. v. Appco Pharma LLC et al*

2-25-cv-12183 (D.N.J.), docket entry 157