

Order · A40-94475-2012 · 16.08.2012

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Commercial Court of the City of Moscow

Order

UNOFFICIAL COMPLETE TRANSLATION. The Russian original is the legally controlling text. This translation was prepared for documentary access and should not be relied upon as a certified translation.

Monetary amounts are shown first in Russian roubles, followed by an approximate USD equivalent calculated at the official Bank of Russia historical rate for the date of the act.

Official Bank of Russia rate used: 1 USD = 31.853200 RUB; effective date 16.08.2012.

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Arbitration Court of the City of Moscow 115191, Moscow, St. Big Tula, d. 17 <http://www.msk.arbitr.ru>

DEFINITION

d. Moscow Case No. A40-94475/12 16 August 2012 149-866

The arbitration court consisting of Judge M.M. Kuzin. in keeping the record of the court session by the secretary of the court session Soroka E.A. considered in open court the case on the application of Pharmstandard to the Federal Antimonopoly Service a third party: CJSC "ROSTA" on challenging the decision of the FAS of Russia of 25.05.2012 case No. 1 11/202-11

with participation: from the applicant: Arkhangelskaya M.A. representative by power of attorney No 23 of 10.01.2012; from the defendant: Zaitseva N.N. representative by power of attorney No IA/18784 of 15.06.2012; Perfilov E.K. representative by power of attorney No IA/25576 of 09.08.2012; from the third person: Sholtyreva O.A. representative by power of attorney No. b/n of 15.08.2012; Sakanyan M.M. representative by power of attorney No. b/n of 15.08.2012;

ISSUED:

Open Joint Stock Company Pharmstandard appealed to the Arbitration Court of the city Moscow with a statement to the Federal Antimonopoly Service of Russia on the invalidation of the decision of the FAS of Russia of 25.05.2012 1 11/202-11. The applicants and the third party have requested that the present case be merged into one case no. A40-100991/12-79-1008. The defendant's representative did not object to the motion. In accordance with article 1. 130 The arbitration court of first instance shall have the right to combine several homogeneous cases in which the same persons participate in one proceeding for joint consideration. Having established that there are several cases related to each other in its proceedings on the grounds of the occurrence of the claimed claims and (or) the evidence presented, as well as in other cases of the risk of adopting contradictory judicial acts, on its own initiative or at the request of the person participating in the case, combines these cases into one proceeding for their joint consideration. The court, having considered the application of the applicant and a third person to join the cases in one proceeding, considers it subject to satisfaction due to the existence of grounds provided for in Article I. 130 APC of the Russian Federation. In the present case the applicant contests the decision of the FAS of Russia of 25.05.2012.

2 in case no. 1 11/202-11. As established by the court, in case no. A40-100991/12-79-1008 the same decision is challenged. Thus, the Court considers that in order to ensure a comprehensive and objective examination by the court of all the circumstances of the case, the proceedings in cases Nos. A40-94475/12-149-866 and Nos. A40-100991/12-79-1008 should be combined into one proceeding. All

right. 6 st. 130 of the APC of the Russian Federation, cases in the proceedings of the arbitration court of first instance, in the case of their merger into one proceeding, are transferred to the judge who, before other judges, accepted the claim for the proceedings of the arbitration court. Since the application for the case No. A40-94475/12-149-866 was accepted for production earlier than in case No. A40-100991/12-79-1008, the latter are subject to transfer to the 149th department. In view of the above, guided by the Art. 123, 130, 132, 156, 159, 184, 185 APC of the Russian Federation, arbitration court

DEFINITE:

To involve in the case as a third party, not declaring independent claims regarding the subject of the dispute, the Ministry of Health and Social Development of the Russian Federation (103132, est.) Moscow, st. Ilyinka, d. 21; 127994, p. Moscow, Rakhmanovsky Per, d. 3). To combine cases Nos. A40-94475/12-149-866 and Nos. A40-100991/12-79-1008 into one proceeding for joint consideration in case Nos. A40-94475/12-149-866. Request case no. A40-100991/12-79-1008 from 79th branch for joint consideration with case no. A40-94475/12-149-866. Appointment of the preliminary hearing until September 6, 2012 13:00. 20 min., in the courtroom at: d. Moscow, st. Big Tula, 17, hall 8079, 8 floor. The applicant should send to the address of the involved third party a copy of the application and documents that the third party does not have, evidence of the direction to submit to the court. The third party shall submit written explanations in the order of Art. 81 APC of the Russian Federation. The defendant shall submit a written review in the order of Art. 131 APC of the Russian Federation. Persons participating in the case should provide evidence confirming their legal position on the dispute, ensure the appearance of authorized representatives at the court session, or notify the court in advance of the possibility of considering the case in their absence, including by phone/fax (495)-600-98-38, 600-98-23.

Judge M.M. Cousin