IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAYER HEALTHCARE LLC AND BAYER HEALTHCARE PHARMACEUTICALS INC., Plaintiffs, v. APOTEX CORP. and APOTEX, INC. Defendants.	)	C.A. No. 16-1221 (LPS)

APOTEX'S NOTICE OF DEPOSITION TO PLAINTIFFS BAYER HEALTHCARE LLC AND BAYER HEALTHCARE PHARMACEUTICALS INC. PURSUANT TO FED. R. CIV. P. 30(b)(6)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and the applicable Local Civil Rules of the United States District Court for the District of Delaware, Defendant Apotex Corp.; and Apotex, Inc. (collectively, "Defendants" or "Apotex"), by and through their attorneys, will take depositions upon oral examination of Plaintiffs Bayer Healthcare LLC and Bayer Healthcare Pharmaceuticals Inc. (collectively, "Plaintiffs" or "Bayer") at a mutually agreed upon date and time by the parties and continuing from day to day thereafter until completed. The depositions will be conducted before an officer authorized by law to administer oaths and will be recorded by stenographic, sound, video, audiovisual, and/or any other appropriate means. The depositions will be taken for the purposes of discovery, for use at trial in these actions, and for any purposes permitted under the Federal Rules of Civil Procedure. You are invited to attend and participate.

Pursuant to Fed. R. Civ. P. 30(b)(6), Bayer shall designate one or more knowledgeable persons to testify on its behalf with respect to the matters set forth in Schedule A attached hereto, and the person(s) so designated shall be required to testify as to those matters known or reasonably available to Bayer. Bayer shall identify in writing each deponent who shall be designated to testify on its behalf at least ten (10) business days in advance of the deposition, including which portion(s) of this Notice each deponent is prepared to address.

Date: March 13, 2019

/s/Kenneth L. Dorsney

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Schedule A

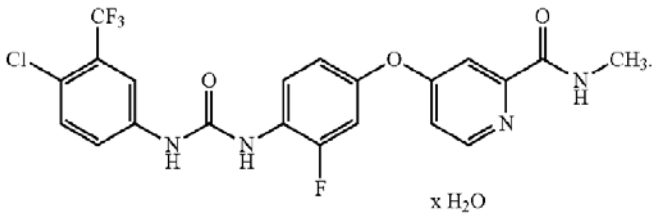
SCHEDULE A

DEFINITIONS AND INSTRUCTIONS

Defendants hereby incorporate by reference, as though fully set forth herein, the Definitions set forth in Defendants' First Set of Interrogatories (Nos. 1-6) and First Set of Requests for Production (Nos. 1-89).

The following terms are to be interpreted in accordance with these definitions:

1. "Regorafenib monohydrate" shall mean 4-[4-({[4-chloro-3-(trifluoromethyl) phenyl]carbamoyl}lamino)-3-fluorophenoxy]-N-methylpyridine-2-carboxamide monohydrate and/or



DEPOSITION TOPICS

1. The conception, development, and reduction to practice of the subject matter of the asserted claims of U.S. Patent No. 9,957,232 ("the '232 patent").

2. The preparation, filing, and prosecution of the '232 patent and any related application, including the identification of persons and other entities involved during such prosecution, any third-party observations submitted, any declarations submitted on behalf of Bayer or the inventors, and the earliest claimed priority date for each claim of the patents-in-suit asserted in the present litigations.

3. Data and information used as the basis for the statements made in the patents-in-suit (including all examples and tables) and during prosecution with the USPTO of the applications

that led to the patents-in-suit and related applications, including but not limited to all facts, data, results, testing, experimental conditions, or protocols.

4. The preparation, filing, and prosecution of European Patent Application No. 06021296.6 (the "1296 application") and any related application, the identification of persons and other entities involved during such prosecution, any third-party observations submitted, and any declarations submitted on behalf of Bayer or the inventors.

5. Data and information used as the basis for the statements made in the 1296 application, including but not limited to all examples and tables referred to in the application and during prosecution with the European Patent Office of the applications that led to WO 2008/043446 and related applications, including but not limited to all facts, data, results, testing, experimental conditions, or protocols.

6. The first synthesis of regorafenib monohydrate, including when, how, and by whom the synthesis occurred.

7. The preclinical and clinical studies identified in NDA No. 203085.

8. The bases for the data set forth in Tables 1-7 in the 1296 application.

9. Any licenses, settlement agreements and other contracts between Bayer and Onyx concerning the patents-in-suit, including negotiations, attempts to license, or offers to license one or more of the patents or any product embodying any of the claims of the '232 patent.

10. The basis for the selection of regorafenib monohydrate for further development efforts, including but not limited to the experimental data concerning the safety and efficacy of regorafenib monohydrate relative to other compounds considered or relied upon in support of that decision(s).

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