

# Exhibit A

## Hache, Guylaine

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**From:** Bowers, Seth <SBowers@wc.com>  
**Sent:** Friday, June 5, 2020 12:35 PM  
**To:** Soderstrom, Lance A.; Grossman, Dov; Mukerjee, Deepro R.; Malik, Jitty; Hache, Guylaine; Scott, Ian; pkouyoumdjian@taftlaw.com; kdorsney@morrisjames.com  
**Cc:** Genderson, Bruce; Berl, David; Picozzi, Ben; Farha, Griffin; Jack B. Blumenfeld  
**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order  
**Attachments:** Status Report re 107 Discovery (DRAFT 2020.06.05).docx

**EXTERNAL EMAIL – EXERCISE CAUTION**

All,

I have attached a draft Joint Status Report regarding Apotex's non-enablement theory. Please let us know promptly if you have proposed changes or would like to discuss so that we can get this on file on Monday.

Best,  
Seth

**Seth R. Bowers**

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---

**From:** Soderstrom, Lance A. <lance.soderstrom@katten.com>

**Sent:** Thursday, June 04, 2020 10:13 AM

**To:** Grossman, Dov <DGrossman@wc.com>; Bowers, Seth <SBowers@wc.com>; Mukerjee, Deepro R. <deepro.mukerjee@katten.com>; Malik, Jitty <jitty.malik@katten.com>; Hache, Guylaine <guylaine.hache@katten.com>; Scott, Ian <iscott@taftlaw.com>; pkouyoumdjian@taftlaw.com; kdorsney@morrisjames.com

**Cc:** Genderson, Bruce <BGenderson@wc.com>; Berl, David <DBerl@wc.com>; Picozzi, Ben <BPicozzi@wc.com>; Farha, Griffin <GFarha@wc.com>; Jack B. Blumenfeld <jblumenfeld@mnat.com>

**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order

Dov –

Just to close the loop below, we do plan to raise the parties' discussion from Monday related to Plaintiffs' MIL. We obviously will defer to the Court's preferences, but do note the points you and Bruce raised and think it worthwhile to raise it and leave it to the Court.

**Lance A. Soderstrom**

Partner

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**From:** Soderstrom, Lance A.

**Sent:** Wednesday, June 3, 2020 2:30 PM

**To:** 'Grossman, Dov' <[DGrossman@wc.com](mailto:DGrossman@wc.com)>; Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>; Mukerjee, Deepro R. <[deepro.mukerjee@katten.com](mailto:deepro.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)

**Cc:** Genderson, Bruce <[BGenderson@wc.com](mailto:BGenderson@wc.com)>; Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>; Picozzi, Ben <[BPicozzi@wc.com](mailto:BPicozzi@wc.com)>; Farha, Griffin <[GFarha@wc.com](mailto:GFarha@wc.com)>; Jack B. Blumenfeld <[jblumenfeld@mnat.com](mailto:jblumenfeld@mnat.com)>

**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order

Thanks Dov. As I understand it, Plaintiffs' proposal was that Plaintiffs' MIL be adjudicated early and Plaintiffs would raise it with the Court. I understand now Plaintiffs will not be raising that on their own. As I noted on the call, we're not interested in any sort of ambush tomorrow and will do our best to get back to you on whether we will separately raise it. But we are in depositions today and tomorrow, so please bear with us.

**Lance A. Soderstrom**

Partner

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**From:** Grossman, Dov <[DGrossman@wc.com](mailto:DGrossman@wc.com)>

**Sent:** Wednesday, June 3, 2020 2:24 PM

**To:** Soderstrom, Lance A. <[lance.soderstrom@katten.com](mailto:lance.soderstrom@katten.com)>; Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>; Mukerjee, Deepro R. <[deepro.mukerjee@katten.com](mailto:deepro.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)

**Cc:** Genderson, Bruce <[BGenderson@wc.com](mailto:BGenderson@wc.com)>; Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>; Picozzi, Ben <[BPicozzi@wc.com](mailto:BPicozzi@wc.com)>; Farha, Griffin <[GFarha@wc.com](mailto:GFarha@wc.com)>; Jack B. Blumenfeld <[jblumenfeld@mnat.com](mailto:jblumenfeld@mnat.com)>

**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order

### *EXTERNAL EMAIL – EXERCISE CAUTION*

Lance – as we discussed earlier today, that wasn't what we proposed, but in any event we do not intend to raise early adjudication of any motion in limine with the Court tomorrow.

Regards,

Dov

**Dov P. Grossman**

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**From:** Soderstrom, Lance A. <[lance.soderstrom@katten.com](mailto:lance.soderstrom@katten.com)>

**Sent:** Wednesday, June 03, 2020 10:48 AM

**To:** Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>; Mukerjee, Deepro R. <[deepro.mukerjee@katten.com](mailto:deepro.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)

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Dov –

To follow up on our call, we do not oppose Plaintiffs raising earlier adjudication of the MILs with the Court tomorrow, but will of course defer to whatever the Court deems fit.

**Lance A. Soderstrom**

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**From:** Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>

**Sent:** Wednesday, May 27, 2020 11:40 AM

**To:** Soderstrom, Lance A. <[lance.soderstrom@katten.com](mailto:lance.soderstrom@katten.com)>; Mukerjee, Deepro R. <[deepro.mukerjee@katten.com](mailto:deepro.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)

**Cc:** Genderson, Bruce <[BGenderson@wc.com](mailto:BGenderson@wc.com)>; Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>; Grossman, Dov <[DGrossman@wc.com](mailto:DGrossman@wc.com)>; Picozzi, Ben <[BPicozzi@wc.com](mailto:BPicozzi@wc.com)>; Farha, Griffin <[GFarha@wc.com](mailto:GFarha@wc.com)>; Jack B. Blumenfeld <[jblumenfeld@mnat.com](mailto:jblumenfeld@mnat.com)>

**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order

*EXTERNAL EMAIL – EXERCISE CAUTION*

Thanks, Lance. We can use the dial-in below.

Dial-in: 8887596037

Passcode: 2024345457

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**From:** Soderstrom, Lance A. <[lance.soderstrom@katten.com](mailto:lance.soderstrom@katten.com)>

**Sent:** Wednesday, May 27, 2020 11:35 AM

**To:** Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>; Mukerjee, Deepro R. <[deepro.mukerjee@katten.com](mailto:deepro.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)

**Cc:** Genderson, Bruce <[BGenderson@wc.com](mailto:BGenderson@wc.com)>; Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>; Grossman, Dov <[DGrossman@wc.com](mailto:DGrossman@wc.com)>; Picozzi, Ben <[BPicozzi@wc.com](mailto:BPicozzi@wc.com)>; Farha, Griffin <[GFarha@wc.com](mailto:GFarha@wc.com)>; Jack B. Blumenfeld <[jblumenfeld@mnat.com](mailto:jblumenfeld@mnat.com)>

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Yes, that's fine. Thank you.

**Lance A. Soderstrom**

Partner

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**From:** Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>  
**Sent:** Wednesday, May 27, 2020 11:34 AM  
**To:** Soderstrom, Lance A. <[lance.soderstrom@katten.com](mailto:lance.soderstrom@katten.com)>; Mukerjee, Deepro R. <[deepto.mukerjee@katten.com](mailto:deepto.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)  
**Cc:** Genderson, Bruce <[BGenderson@wc.com](mailto:BGenderson@wc.com)>; Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>; Grossman, Dov <[DGrossman@wc.com](mailto:DGrossman@wc.com)>; Picozzi, Ben <[BPicozzi@wc.com](mailto:BPicozzi@wc.com)>; Farha, Griffin <[GFarha@wc.com](mailto:GFarha@wc.com)>; Jack B. Blumenfeld <[jblumenfeld@mnat.com](mailto:jblumenfeld@mnat.com)>  
**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order

**EXTERNAL EMAIL – EXERCISE CAUTION**

Lance,

Would 2:30pm on Monday work?

Best,  
Seth

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**From:** Soderstrom, Lance A. <[lance.soderstrom@katten.com](mailto:lance.soderstrom@katten.com)>  
**Sent:** Wednesday, May 27, 2020 10:48 AM  
**To:** Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>; Mukerjee, Deepro R. <[deepto.mukerjee@katten.com](mailto:deepto.mukerjee@katten.com)>; Malik, Jitty <[jitty.malik@katten.com](mailto:jitty.malik@katten.com)>; Hache, Guylaine <[guylaine.hache@katten.com](mailto:guylaine.hache@katten.com)>; Scott, Ian <[iscott@taftlaw.com](mailto:iscott@taftlaw.com)>; [pkouyoumdjian@taftlaw.com](mailto:pkouyoumdjian@taftlaw.com); [kdorsney@morrisjames.com](mailto:kdorsney@morrisjames.com)  
**Cc:** Genderson, Bruce <[BGenderson@wc.com](mailto:BGenderson@wc.com)>; Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>; Grossman, Dov <[DGrossman@wc.com](mailto:DGrossman@wc.com)>; Picozzi, Ben <[BPicozzi@wc.com](mailto:BPicozzi@wc.com)>; Farha, Griffin <[GFarha@wc.com](mailto:GFarha@wc.com)>; Jack B. Blumenfeld <[jblumenfeld@mnat.com](mailto:jblumenfeld@mnat.com)>  
**Subject:** RE: Activity in Case 1:16-cv-01221-LPS Bayer Healthcare LLC et al v. Apotex Inc. et al. Order

Seth –

Does 2pm EST on Monday work? If so, please circulate a calendar invite.

Thanks,

**Lance A. Soderstrom**  
Partner

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**From:** Bowers, Seth <[SBowers@wc.com](mailto:SBowers@wc.com)>  
**Sent:** Tuesday, May 26, 2020 7:46 PM

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