EXHIBIT 9

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION and GENEVANT SCIENCES GmbH, Plaintiffs, v. MODERNA, INC. and MODERNATX, INC., Defendants.	)	C. A. No. 22-252 (MSG)
MODERNA, INC. and MODERNATX, INC., Counterclaim-Plaintiffs, v. ARBUTUS BIOPHARMA CORPORATION and GENEVANT SCIENCES GmbH, Counterclaim-Defendants.	)	

PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION TO DEFENDANTS (NOS. 1–98)

Pursuant to Fed. R. Civ. P. 34, Plaintiffs Arbutus Biopharma Corporation ("Arbutus") and Genevant Sciences GmbH ("Genevant," together "Plaintiffs"), direct the following requests for production to Defendants Moderna, Inc. and ModernaTX Inc. (collectively, "Moderna" or "Defendants"). Responses to these requests shall be served upon Plaintiffs' undersigned counsel within 30 days of service of these requests, or at such time and location as may be mutually agreed upon by the parties. Copies shall be produced as they are kept in the ordinary course of business, including their labeling as to the source of the documents. Pursuant to Fed. R. Civ. P.

26(e), these requests are continuing and require supplemental answers.

DEFINITIONS

1. The "Accused Product" shall be construed to include, but not be limited to, Moderna's mRNA-1273 COVID-19 mRNA LNP vaccine product ("Moderna's COVID-19 vaccine") or any supplemental or booster COVID-19 mRNA LNP vaccine product, including the mRNA-1273.214 Omicron bivalent booster.

2. "And" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these requests any information or documents that might be deemed outside their scope.

3. "Complaint" means the complaint filed by Plaintiffs in the United States District Court for the District of Delaware on February 28, 2022 as Civil Action No. 1:22-cv-00252-MN.

4. The term "communication" means any transmission of information from one person to another, including, without limitation, by personal meeting, telephone, facsimile, electronic transmission, including electronic mail, and teleconference.

5. "Document" is used in its broadest sense, and includes any written, printed, typed, recorded, electronic or graphic matter of every type, however and by whomever prepared, produced, reproduced, disseminated or made, in any form, including but not limited to, letters, calendars, correspondence, email, telegrams, memoranda, electronic files, spreadsheets, databases, records, minutes, contracts, agreements, leases, communications, microfilm, bulletins, circulars, pamphlets, studies, reports, notices, diaries, summaries, books, messages, instructions, work assignments, notes, notebooks, drafts, data sheets, data compilations, worksheets, statistics, speeches, tapes, tape recordings, magnetic, photographic, an any other writings or sound

recordings. "Document" includes any version, copy, or reproduction not identical to the original or a produced copy.

6. "You," "your," and "Defendants" means, collectively and singly, Moderna, Inc. and ModernaTX Inc., and their officers, directors, employees, agents, consultants, any divisions, subsidiaries, affiliates, parent companies, any joint ventures to which they may be a party, consultants, agents, and accountants, including any person who served in such a capacity at any time.

7. "Refer," "refer to," "relate," or "relate to" shall mean any document or electronically stored information that evidences, reflects, mentions, discusses, constitutes, concerns, relates to (directly or indirectly), contradicts, or in any other way is factually or logically connected to the matter discussed, or pertains to its subject matter.

8. The use of the singular form of any word shall include the plural and vice versa.

9. The terms "all," "each," and "any" shall be construed as all and any.

10. The term "LNP" means "lipid nanoparticle."

11. "Test" or "testing" shall be construed to include but not be limited to any test, evaluation, comparison, analysis, study, experiment or trial for any purpose, including clinical trials or results, including any submissions to any governmental, regulatory, contracting, or granting agency or entity, whether published or unpublished.

12. "Operation Warp Speed" shall refer to the public-private partnerships, individually and collectively, initiated by the U.S. government to facilitate and accelerate the development, manufacture, and distribution of COVID-19 vaccines, therapeutics, and diagnostics.

13. "Patents-in-Suit" shall mean any patents presently or later asserted in this litigation. Presently, this means U.S. Patent Nos. 8,058,069 (the "'069 patent"), 8,492,359 (the "'359 patent"), 8,822,668 (the "'668 patent"), 9,364,435 (the "'435 patent"), 9,504,651 (the "'651 patent"), and 11,141,378 (the "'378 patent").

14. "The Alnylam litigation" refers to *Alnylam Pharmaceuticals, Inc. v. Moderna, Inc., ModernaTX, Inc., and Moderna US, Inc.*, C.A. No. 22-cv-335-CFC (D. Del.).

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1

A copy of Biologics License Application 125752, including all correspondence, amendments, and supplements relating thereto.

REQUEST FOR PRODUCTION NO. 2

All documents related to the preparation of Biologics License Application 125752.

REQUEST FOR PRODUCTION NO. 3

A copy of any other U.S. or foreign regulatory submission relating to approval or emergency authorization of the Accused Product, including all correspondence, amendments, and supplements relating thereto.

REQUEST FOR PRODUCTION NO. 4

All documents related to the research and development of the Accused Product.

REQUEST FOR PRODUCTION NO. 5

All documents related to the manufacture of the Accused Product.

REQUEST FOR PRODUCTION NO. 6

All documents related to Operation Warp Speed.

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