# EXHIBIT I

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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

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

Pursuant to Fed. R. Civ. P. 34, Defendants Moderna, Inc. and ModernaTX Inc. (collectively, "Moderna" or "Defendants") respond to Plaintiffs Arbutus Biopharma Corporation ("Arbutus") and Genevant Sciences GmbH's ("Genevant," and collectively, "Plaintiffs") First Set of Requests for Production ("Requests" and each individually, a "Request").

**GENERAL OBJECTIONS**

The following general responses and objections apply to each individual response to Plaintiffs' Requests, as if fully set forth therein. The failure to repeat any of the following General Objections in the specific responses below shall not be deemed a waiver of such objection or limitation.

1. For Requests for which Moderna indicates it will not produce any documents, Moderna remains willing to meet and confer regarding the scope and relevance of the Request.

2. Moderna objects to the Requests to the extent they purport to impose burdens and duties that exceed the scope of reasonable and permissible discovery under the Federal Rules of Civil Procedure, the Local Civil Rules of the United States District Court for the District of Delaware (the "Local Rules"), or any other orders or pronouncements of the Court.

3. Moderna objects to Plaintiffs' definition of "You," "Your," and "Defendants" to the extent the terms include entities that are third parties and/or that Moderna does not control. Unless otherwise indicated, when the term "Moderna" and "Defendants" are used herein, they refer only to Moderna, Inc. and ModernaTX Inc.

4. Moderna objects to Plaintiffs' definition of "Patents-in-Suit" as seeking information that is not relevant to the claims or defenses of any party to this action and not proportionate to the needs of the current case. Moderna's use of the term "Patents-in-Suit" is defined below.

5. Moderna objects to the Requests to the extent they seek documents that are not in Moderna's possession, custody, or control, or to the extent the documents are publicly available.

6. Moderna objects to the Requests to the extent they seek proprietary or confidential business information, trade secrets, or other sensitive information. To the extent that the response to any Request requires the disclosure of any non-privileged proprietary or confidential information, trade secrets, or other sensitive information, Moderna will provide such information subject to the orders entered in this case and any agreement between the parties.

7. Moderna objects to the Requests to the extent they seek the production of documents and things subject to confidentiality obligations owed to third parties (by agreement or

by law) that prohibit or restrict their disclosure by Moderna. Moderna will not provide such documents or things without either the consent of the relevant third party or an order compelling the production thereof, and/or without providing the relevant third party an opportunity to object to the production. Moderna may produce documents with redactions made or maintained at the direction of U.S. for foreign government. Moderna has indicated below in response to Requests where Moderna has agreed to produce documents that such documents may contain redactions. However, Moderna's investigation is ongoing and the nature and extent of redactions in response to any of Plaintiffs' Requests is at this time unknown.

8. Moderna objects to the extent the Requests call for information that is subject to federal, state, and foreign data protection laws, and the production of which would violate such privacy laws, including but not limited to The Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 *et seq.* (financial information); The Health Insurance Portability and Accountability Act and the regulations thereunder, 45 C.F.R. Part 160 and Subparts A and E of Part 164 (medical information). Moderna will produce documents consistent with its obligations under these laws. With respect to all regulatory filings, Moderna will not produce documents from subsections which contain patient Personal Identifiable Information, including Module 5, as such documents are not relevant to the issues in dispute, and therefore not proportional to the needs of the case, in part due to the immense burden in redacting Personal Identifiable Information from such documents.

9. Moderna objects to Plaintiffs' Requests to the extent they seek information, documents, and/or things protected from disclosure by the attorney-client privilege, work product doctrine, common-interest privilege, and/or any other applicable privilege, immunity or protection, including in connection with the common-interest doctrine. Nothing contained in these responses should be considered a waiver of any attorney-client privilege, work-product protection, or any

other applicable privilege or doctrine. Moderna does not intend to produce information or documents that would divulge any privileged information. Any such disclosure is inadvertent and shall not be deemed a waiver of any applicable privilege or immunity.

10. Moderna objects to the Requests as overly broad and unduly burdensome and therefore not proportionate to the needs of the case, including to the extent they seek "all" or "any" documents, things, and communications, without further limitations as to scope or time. Such scope is overly broad and the production of "all" or "any" documents would be unduly burdensome, and documents beyond those necessary and sufficient to describe such information are neither relevant nor proportionate to the needs of the case. Moderna also objects to Requests as overly broad and unduly burdensome and therefore not proportionate to the needs of the case, including to the extent they seek communications to or from "Moderna" as a whole, which has thousands of employees. Moderna will conduct a reasonable search from a proportionate number of custodians, and produce relevant, non-cumulative documents sufficient to provide the information requested.

11. Moderna objects to these Requests to the extent they seek documents or things that are unreasonably duplicative or cumulative of other discovery requests, to the extent that discovery can be obtained by less burdensome means, and to the extent the requested information is publicly available, or in the possession of Plaintiffs. To the extent Moderna objects to any Request that is duplicative or cumulative of another Request, in whole or in part, each and every objection to such Request shall be deemed incorporated by reference in response to any other Request for which there is overlap, whether or not such incorporation by reference is expressly stated.

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