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1	IN THE UNITED STATES DISTRICT COURT
	NORTHERN DISTRICT OF ILLINOIS
2	EASTERN DIVISION

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 3   HOSPIRA, INC.,                  )
                                     )
 4            Plaintiff,             )   Docket Nos. 16 C 651
                                     )                17 C 7903
 5        vs.                        )
                                     )
 6   FRESENIUS KABI USA, LLC,        )   Chicago, Illinois
                                     )   July 18, 2018
 7            Defendant.             )   1:05 p.m.

 8                          VOLUME 3B
              TRANSCRIPT OF PROCEEDINGS - Bench Trial
 9         BEFORE THE HONORABLE REBECCA R. PALLMEYER

10   APPEARANCES:

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 1    Also Present:           Mr. Michael P. Bauer, Hospira
                              Mr. Ryan Daniel, Fresenius Kabi
 2                            Mr. Ali Ahmed, Fresenius Kabi

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1   THE COURT: All right. Are we -- we're ready to

2 resume our video? Okay. Chip, this is a video so you don't

3 need to take the next, like, 30, 40 minutes.

4   (The videotaped deposition of Rao Tata-Venaka resumed

5   playing in open court.)

6   MR. WALLACE: That concludes the testimony of

7 Dr. Tata-Venaka.

8   THE COURT: Thank you. Your next witness, or is that

9 your final witness?

10   MR. WALLACE: No, we have one more live witness, your

11 Honor.

12   THE COURT: Okay.

13   MR. WALLACE: We call to the stand Dr. Michael Maile.

14   THE COURT: Sir, can I ask you to step forward,

15 please. Would you raise your right hand.

16   (Witness sworn.)

17   MR. WALLACE: May I approach, your Honor, with a

18 binder?

19   MICHAEL DAVID MAILE, DEFENDANT'S WITNESS, DULY SWORN.

20   DIRECT EXAMINATION

21 BY MR. WALLACE:

22 Q. Good afternoon, Dr. Maile.

23 A. Good afternoon.

24 Q. Could you state your name and address for the record?

25 A. Michael David Maile, 4563 Morningstar Way, Ann Arbor,

1 Michigan, 48103.

2 Q. And where are you currently employed?

3 A. The University of Michigan.

4 Q. And what's your job title?

5 A. Assistant professor.

6 Q. In what department?

7 A. The Department of Anesthesiology.

8 Q. And, Dr. Maile, what have you been asked to testify about

9 today?

10 A. I've been asked to provide information from a clinician's

11 point of view about the drug dexmedetomidine and to review the

12 IND and determine whether there's a ready-to-use formulation

13 in the IND that's ready for patent.

14 Q. Let's first talk about your qualifications. Where did you

15 attend undergraduate?

16 A. Michigan State University.

17 Q. And what degree did you receive?

18 A. A Bachelor of Science degree in biochemistry.

19 Q. And what year was that?

20 A. I graduated in 2002.

21 Q. What did you do after undergraduate?

22 A. I attended medical school.

23 Q. And where did you attend medical school?

24 A. Penn State University.

25 Q. When did you complete that?

1 A. 2006.

2 Q. After medical school, did you continue your medical

3 training?

4 A. I did.

5 Q. What additional training did you receive?

6 A. I completed a residency program in anesthesiology.

7 Q. And where was that?

8 A. That was at the University of Michigan.

9 Q. And how long was that program?

10 A. That's a four-year program.

11 Q. And what types of training do you receive in a residency

12 in anesthesiology?

13 A. So, a lot of the training is pertaining to taking care of

14 patients in the operating room, but we also take care of

15 patients on the floor and in the intensive care units at

16 different points, and in the pain clinics.

17 Q. And when did you complete that residency?

18 A. 2010.

19 Q. And during this residency program, were you actually

20 seeing patients?

21 A. Yes, most of the time.

22 Q. And what was the end point of your residency?

23 A. Board certification in anesthesiology.

24 Q. And after your residency, did you receive additional

25 training?

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