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

HOSPIRA, INC.,)	
)	
Plaintiff,)	Docket Nos. 16 C 651
)	17 C 7903
vs.)	
)	
FRESENIUS KABI USA, LLC,)	Chicago, Illinois
)	July 20, 2018
Defendant.)	9:45 a.m.

VOLUME 5
TRANSCRIPT OF PROCEEDINGS - Bench Trial
BEFORE THE HONORABLE REBECCA R. PALLMEYER

APPEARANCES:

For the Plaintiff:	JENNER & BLOCK LLP BY: MR. BRADFORD P. LYERLA MR. YUSUF ESAT MR. AARON A. BARLOW MR. REN-HOW H. HARN MS. SARA T. HORTON 353 North Clark Street Chicago, Illinois 60654
For the Defendant:	SCHIFF HARDIN LLP BY: MR. IMRON T. ALY MR. JOEL M. WALLACE MS. TARA L. KURTIS MR. KEVIN M. NELSON 233 South Wacker Drive, Suite 6600 Chicago, Illinois 60606
	SCHIFF HARDIN LLP BY: MR. AHMED M.T. RIAZ 666 Fifth Avenue, 17th Floor New York, New York 10103
Also Present:	Mr. Michael P. Bauer, Hospira Mr. Ryan Daniel, Fresenius Kabi Mr. Ali Ahmed, Fresenius Kabi

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1 THE CLERK: 16 C 651, Hospira versus Fresenius
2 Kabi; and 17 C 7903, Hospira versus Fresenius Kabi, for a
3 bench trial.

4 MS. HORTON: Good morning, your Honor.
5 We have one more witness.

6 THE COURT: Okay.

7 MS. HORTON: Hospira would call to the stand
8 Dr. Robert Linhardt.

9 THE COURT: Okay. Now, before -- I see more
10 binders. I have got a comment about the binders.

11 When you handed them up initially, I assumed that
12 many of the documents would be overlapping and so forth. I
13 assume that they are.

14 MS. HORTON: Yes.

15 THE COURT: I think you will recognize that I won't
16 be looking at every page in these binders. I am confident
17 you will not be looking at every page in these binders.

18 So I am going to ask that all the binders be
19 retrieved. It's way too much. I can't manage it back here.

20 Instead I am going to ask that you give me an
21 agreed binder or two that includes only the documents we
22 actually looked at.

23 MS. HORTON: Yes.

24 MR. ALY: Understood.

25 THE COURT: All right. Thank you.

1 So no need for this binder right now. I am
2 confident it's in here somewhere. I will just look at it on
3 the screen.

4 Again, later I will get one or two binders max that
5 include all the documents that we actually need to consider.

6 All right. Thank you.

7 MS. HORTON: Your Honor, may we proceed with
8 calling Dr. Linhardt?

9 THE COURT: Can I ask the witness to step forward.

10 Can I ask you to raise your right hand, sir.

11 (Witness sworn.)

12 MS. HORTON: Your Honor, may I approach to give him
13 some water?

14 THE COURT: Sure.

15 THE WITNESS: Thank you.

16 THE COURT: There is also some water in that
17 pitcher.

18 ROBERT LINHARDT, PLAINTIFF'S WITNESS, SWORN

19 DIRECT EXAMINATION

20 BY MS. HORTON:

21 Q. Good morning, Dr. Linhardt.

22 A. Good morning.

23 Q. Can you please state your name for the record.

24 A. Robert Linhardt.

25 Q. Have you prepared a slide of your professional

1 positions?

2 A. Yes, I have.

3 MS. HORTON: Can we please see that slide.

4 BY MS. HORTON:

5 Q. Dr. Linhardt, what are your current professional
6 positions?

7 A. Currently, I'm a professor at Rensselaer Polytechnic
8 Institute. I'm a professor in the departments of chemistry,
9 biology, chemical engineering, and biomedical engineering.

10 Q. And where was that? I'm sorry.

11 A. Rensselaer Polytechnic Institute.

12 I also hold adjunct appointments at Albany College
13 of Pharmacy in Albany and also at Mount Sinai medical school
14 in New York City.

15 THE COURT: Hold on just a second. I want to make
16 sure that we have got the slides popping up here.

17 All right. Here we go. We are good. Thanks.

18 And you just identified some of these positions.

19 THE WITNESS: Yes, your Honor. Rensselaer is the
20 current appointment. Albany College of Pharmacy and the
21 Icahn School of Medicine at Mount Sinai.

22 BY MS. HORTON:

23 Q. And Previous to those positions, where were you a
24 professor?

25 A. So I have been at Rensselaer for 15 years.

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