

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

TEVA PHARMACEUTICALS  
INTERNATIONAL GMBH and  
TEVA PHARMACEUTICALS  
USA, INC.,

Plaintiffs,

v.

ELI LILLY AND COMPANY,  
Defendant.

Civil Action No.

1:18-cv-12029-ADB

**UNCONTESTED MOTION FOR LEAVE TO IMPOUND CONFIDENTIAL  
PORTIONS OF PLAINTIFFS' OPPOSITION TO MOTION TO EXCLUDE  
DR. GEOFFREY HALE AS AN EXPERT AND EXHIBITS**

Pursuant to Local Rule 7.2(d) and the Protective Order (ECF No. 58), Plaintiffs Teva Pharmaceuticals International GmbH and Teva Pharmaceuticals USA, Inc. (together, "Plaintiffs" or "Teva") hereby move this Court for an Order to impound or otherwise seal the following documents related to Plaintiffs' forthcoming Opposition to Motion to Exclude Dr. Geoffrey Hale as an Expert, on the grounds these documents contain or reveal the designated confidential and/or proprietary information of Plaintiffs and Defendant Eli Lilly and Company ("Defendant"). Specifically, the documents to be sealed are Plaintiffs' Opposition (document No. 1 below), the Declaration of Dr. Geoffrey Hale (document No. 2 below), and certain exhibits to the Declaration of Elaine Herrmann Blais in support of Plaintiffs' Opposition ("Blais Declaration"), each of which is listed below. Plaintiffs will coordinate with Defendant to promptly prepare and file a redacted version of Plaintiffs' Opposition on the public ECF system. The list of documents to be sealed is as follows:

1. Plaintiffs Teva Pharmaceuticals International GmbH and Teva Pharmaceuticals USA, Inc.'s Opposition to Motion to Exclude Dr. Geoffrey Hale as an Expert;
2. Declaration of Dr. Geoffrey Hale in support of Plaintiffs Teva Pharmaceuticals International GmbH and Teva Pharmaceuticals USA, Inc.'s Opposition to Motion to Exclude Dr. Geoffrey Hale as an Expert;
3. Email from Ryan O'Quinn to Teva Counsel, dated October 14, 2021 (to be attached as Exhibit B to Blais Declaration);
4. Email from Ryan O'Quinn to Teva Counsel, dated October 18, 2021 (to be attached as Exhibit C to Blais Declaration); and
5. Email communication between Teva and Lilly Counsel, dated October 8, 2021 (to be attached as Exhibit D to Blais Declaration).

Plaintiffs propose that the Order sealing Plaintiffs' Opposition to Motion to Exclude Dr. Geoffrey Hale as an Expert and the exhibits described above be lifted only in the instance of a further order of the Court, and that the sealed documents be kept in the clerk's nonpublic information file during any post-impoundment period.

WHEREFORE, Plaintiffs respectfully request that this Court allow this Motion.

Dated: October 19, 2021

Respectfully Submitted,

/s/ Elaine Herrmann Blais

Douglas J. Kline (BBO# 556680)  
Elaine Herrmann Blais (BBO# 656142)  
Robert Frederickson III (BBO# 670111)  
Joshua S. Weinger (BBO# 690814)  
Alexandra Lu (BBO# 691114)  
Eric T. Romeo (BBO# 691591)  
Kathleen A. McGuinness (BBO# 693760)  
Shaobo Zhu (BBO# 697669)  
GOODWIN PROCTER LLP  
100 Northern Avenue  
Boston, MA 02210  
Tel.: (617) 570-1000  
Fax: (617) 523-1231  
dkline@goodwinlaw.com  
eblais@goodwinlaw.com  
rfrederickson@goodwinlaw.com  
jweinger@goodwinlaw.com  
alu@goodwinlaw.com  
eromeo@goodwinlaw.com  
kmcguinness@goodwinlaw.com  
szhu@goodwinlaw.com

I. Neel Chatterjee (*pro hac vice*)  
GOODWIN PROCTER LLP  
601 Marshall St.  
Redwood City, CA 94063  
Tel.: (650) 752-3100  
Fax: (650) 853-1038  
nchatterjee@goodwinlaw.com

Natasha E. Daughtrey (*pro hac vice*)  
GOODWIN PROCTER LLP  
601 S. Figueroa St.  
Los Angeles, CA 90017  
Tel.: (213) 426-2500  
Fax: (213) 623-1673  
ndaughtrey@goodwinlaw.com

*Attorneys for Plaintiffs*

**LR 7.1(a)(2) CERTIFICATION**

I, Elaine Herrmann Blais, hereby certify that Plaintiffs' counsel conferred with Defendant's counsel regarding this motion and that Defendant's counsel indicated that Defendant does not object to this motion.

*/s/ Elaine Herrmann Blais*  
Elaine Herrmann Blais

**CERTIFICATE OF SERVICE**

I, Elaine Herrmann Blais, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 19, 2021.

*/s/ Elaine Herrmann Blais*  
Elaine Herrmann Blais (BBO# 656142)  
GOODWIN PROCTER LLP  
100 Northern Avenue  
Boston, MA 02210  
Tel.: (617) 570-1000  
Fax: (617) 523-1231  
eblais@goodwinlaw.com