

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

TEVA PHARMACEUTICALS)	
INTERNATIONAL GMBH and)	
TEVA PHARMACEUTICALS USA, INC.,)	
)	
Plaintiffs,)	
)	Case No. 1:18-cv-12029-ADB
v.)	
)	
ELI LILLY AND COMPANY,)	
)	
Defendant.)	
)	

**DEFENDANT ELI LILLY AND COMPANY’S *ASSENTED-TO* MOTION FOR LEAVE
TO FILE A REPLY MEMORANDUM IN FURTHER SUPPORT OF ITS MOTION TO
EXCLUDE DR. GEOFFREY HALE AS AN EXPERT AND PREVENT
DISCLOSURE OF PROTECTED INFORMATION**

Pursuant to Local Rule 7.1(b)(3) and Paragraph 10 of the Stipulated Protective Order (ECF No. 58), Defendant Eli Lilly and Company (Lilly) respectfully moves for leave to file a reply memorandum not exceeding five (5) pages in further support of Lilly’s Motion to Exclude Dr. Geoffrey Hale as an Expert and Prevent Disclosure of Protected Information (“Lilly’s Motion”) (ECF No. 181). Lilly will be prepared to file such a reply on Monday, October 25, 2021, or within one (1) day of any order by this Court granting leave, whichever is later.

Plaintiffs filed an opposition to Lilly’s Motion on October 19, 2021 (ECF No. 190). In their opposition and accompanying declarations, Plaintiffs and Dr. Hale raise new facts and legal issues for the first time. A reply brief is necessary in order to correct inaccuracies raised in Plaintiffs’ opposition brief and to properly address Plaintiffs’ characterization of the cited case law and arguments not discussed in Lilly’s opening brief. Lilly believes that such a reply will assist the Court in adjudicating Lilly’s Motion.

WHEREFORE, Lilly respectfully requests that the Court enter an order granting leave to file a five (5) page reply to Plaintiffs' opposition on Monday, October 25, 2021, or within one (1) day of such an order, whichever is later.

Dated: October 20, 2021

/s/ Andrea L. Martin
Andrea L. Martin (BBO 666117)
BURNS & LEVINSON LLP
125 High Street
Boston, MA 02110-1624
(617) 345-3000
amartin@burnslev.com

William B. Raich
Danielle A. Duszczyszyn
Denise Main
Pier D. DeRoo
Daniel F. Roland
Matthew Luneack
Yoonjin Lee
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
901 New York Avenue, NW
Washington, DC 20001-4413
William.Raich@finnegan.com
Danielle.Duszczyszyn@finnegan.com
Denise.Main@finnegan.com
Pier.DeRoo@finnegan.com
Daniel.Roland@finnegan.com
Matthew.Luneack@finnegan.com
Yoonjin.Lee@finnegan.com

Charles E. Lipsey
Ryan O'Quinn
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
1875 Explorer Street
Suite 800
Reston, VA 20190-6023
Charles.Lipsey@finnegan.com
Oquinnr@finnegan.com

Emily R. Gabranski (BBO 694417)
Marta Garcia Daneshvar
Lulu Wang (BBO 704042)
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
2 Seaport Lane
Boston, MA 02210-2001
Emily.Gabranski@finnegan.com
Marta.Garcia@finnegan.com
Lulu.Wang@finnegan.com

Attorneys for Defendant Eli Lilly & Company

LR 7.1(a)(2) CERTIFICATION

I, Andrea L. Martin, hereby certify that Lilly's counsel met and conferred with Plaintiffs' counsel regarding this motion by email on October 20, 2021; Plaintiffs' counsel stated on October 20, 2021 that Plaintiffs assent to this motion.

/s/Andrea L. Martin
Andrea L. Martin, Esq.

CERTIFICATE OF SERVICE

I, Andrea L. Martin, 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 20, 2021.

/s/Andrea L. Martin
Andrea L. Martin, Esq.

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