

**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

**ATTORNEY DECLARATION OF ELAINE HERRMANN BLAIS IN SUPPORT OF  
PLAINTIFFS TEVA PHARMACEUTICALS INTERNATIONAL GMBH AND TEVA  
PHARMACEUTICALS USA, INC.'S SURREPLY IN OPPOSITION TO MOTION FOR  
LEAVE TO AMEND ANSWER**

I, Elaine Herrmann Blais, declare as follows:

1. I am a partner at Goodwin Procter LLP and counsel for Plaintiffs Teva Pharmaceuticals International GMBH and Teva Pharmaceuticals USA, Inc. (collectively, "Teva") in this matter. I am licensed to practice before all courts in the Commonwealth of Massachusetts, and this Court. I submit this Declaration in support of Teva's concurrently filed Surreply in Opposition to Motion for Leave to Amend Answer. I have personal knowledge of the matters set forth herein, and if called upon would testify as follows.

2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts of Rinat/Pfizer Lab Notebook No. 225 of Dr. Jörg Zeller, produced on May 1, 2020, with beginning Bates number TEVA\_FREM\_000133598.

3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts of Rinat/Pfizer Lab Notebook No. 324 of Dr. Jörg Zeller, produced on May 1, 2020, with beginning Bates number TEVA\_FREM\_000133117.

4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts of the third-party subpoena served on Dr. Arnon Rosenthal by Eli Lilly & Co., served on May 5, 2021.

5. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts of the third-party subpoena served on Dr. Jaume Pons by Eli Lilly & Co., served on May 5, 2021.

6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts of the third-party subpoena served on Dr. Jörg Zeller by Eli Lilly & Co., served on May 5, 2021.

7. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts of the third-party subpoena served on Dr. Kristian Poulsen by Eli Lilly & Co., served on May 5, 2021.

8. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts of the third-party subpoena served on Dr. Yasmina Noubia Abdiche by Eli Lilly & Co., served on May 5, 2021.

9. Exhibits 1–7 to this declaration are subject to the Court’s order granting Plaintiffs’ Assented to Motion for Leave to Impound Confidential Portions of Plaintiffs’ Surreply in Opposition to Motion for Leave to Amend Answer and Exhibits (ECF Nos. 227, 228) and will be filed under seal.

10. Complete copies of any excerpted documents identified above will be provided to the Court upon request.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, and that I executed this declaration in Boston, Massachusetts on this 15<sup>th</sup> day of November, 2021.

Dated: November 15, 2021

Respectfully Submitted,

/s/ Elaine Herrmann Blais

Elaine Herrmann Blais (BBO# 656142)

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**CERTIFICATE OF SERVICE**

I, Elaine Herrmann Blais, hereby certify that on November 18, 2021, a copy of the foregoing document was served on the following persons via CM/ECF:

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