

**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.)	

**ASSENTED-TO MOTION FOR LEAVE TO IMPOUND DEFENDANT’S
CONFIDENTIAL AMENDED ANSWER, AFFIRMATIVE DEFENSES, AND
COUNTERCLAIMS AND CONFIDENTIAL EXHIBITS**

Pursuant to Local Rule 7.2(d) and the Protective Order [ECF No. 58], Defendant, Eli Lilly and Company (“Lilly” or “Defendant”), hereby moves this Court for an Order to impound or otherwise seal the following documents relating to Defendant’s Amended Answer, Affirmative Defenses, and Counterclaims to Plaintiffs’ Complaint [ECF No. 238], on the grounds that these documents contain or reveal Plaintiffs’ Teva Pharmaceuticals International GmbH and Teva Pharmaceuticals USA, Inc. (“Teva” or “Plaintiffs”) and Defendant’s designated confidential and/or proprietary information. Specifically, the documents to be sealed are Lilly’s Amended Answer, Affirmative Defenses, and Counterclaims to Plaintiffs’ Complaint (document no. 1 below) (“Lilly’s Amended Answer”), and certain exhibits thereto, each of which is listed below. Defendant will coordinate with Plaintiffs to promptly prepare and file a redacted version of these documents on the public ECF system. The list of documents to be sealed is as follows:

1. Lilly’s Amended Answer, Affirmative Defenses, and Counterclaims to Plaintiffs’ Complaint;

2. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00015320-Zeller_FREM_00015322 and introduced as Exhibit 59 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit D** to Lilly's Amended Answer);
3. Transcript of the deposition of Joerg Zeller, taken August 11, 2021 (to be attached as **Exhibit F** to Lilly's Amended Answer);
4. Document produced by Lilly bearing Bates number LLY-GALCA-00718894 (to be attached as **Exhibit H** to Lilly's Amended Answer);
5. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00002542-Zeller_FREM_00002571 and introduced as Exhibit 60 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit I** to Lilly's Amended Answer);
6. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00014548-Zeller_FREM_00014578 and introduced as Exhibit 41 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit J** to Lilly's Amended Answer);
7. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00008942-Zeller_FREM_00008944 and introduced as Exhibit 56 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit K** to Lilly's Amended Answer);
8. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00002839-Zeller_FREM_00002883 and introduced as Exhibit 61 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit L** to Lilly's Amended Answer);
9. Transcript of the deposition of Arnon Rosenthal, taken July 30, 2021 (to be attached as **Exhibit M** to Lilly's Amended Answer);
10. Document produced by Lilly bearing Bates numbers LLY-GALCA-00728792-LLY-GALCA-00728836 and introduced as Exhibit 12 in the July 30, 2021 deposition of Arnon Rosenthal (to be attached as **Exhibit N** to Lilly's Amended Answer);
11. Document produced by Teva bearing Bates numbers TEVA_FREM_002238860-TEVA_FREM_002238862 (to be attached as **Exhibit O** to Lilly's Amended Answer);
12. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00004726-Zeller_FREM_00004728 and introduced as Exhibit 33 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit P** to Lilly's Amended Answer);

13. Transcript of the deposition of Jaume Pons, taken August 20, 2021 (to be attached as **Exhibit Q** to Lilly's Amended Answer);
14. Document produced by Teva on behalf of Kristian Poulsen bearing Bates numbers Poulsen_FREM_00004829-Poulsen_FREM_00004838 and introduced as Exhibit 16 in the August 5, 2021 deposition of Kristian Poulsen (to be attached as **Exhibit R** to Lilly's Amended Answer);
15. Document produced by Teva on behalf of Kristian Poulsen bearing Bates numbers Poulsen_FREM_00004839-Poulsen_FREM_00004844 and introduced as Exhibit 100 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit S** to Lilly's Amended Answer);
16. Transcript of the deposition of Kristian Poulsen, taken August 5, 2021 (to be attached as **Exhibit T** to Lilly's Amended Answer);
17. Document produced by Lilly bearing Bates number LLY-GALCA-00708038 (to be attached as **Exhibit U** to Lilly's Amended Answer);
18. Document produced by Lilly bearing Bates numbers LLY-GALCA-00707922-LLY-GALCA-00707923 and introduced as Exhibit 23 in the August 17, 2021 deposition of Yasmina Noubia Abdiche (to be attached as **Exhibit V** to Lilly's Amended Answer);
19. Document produced by Lilly bearing Bates number LLY-GALCA-00707967 and introduced as Exhibit 24 in the August 17, 2021 deposition of Yasmina Noubia Abdiche (to be attached as **Exhibit W** to Lilly's Amended Answer);
20. Document produced by Lilly bearing Bates numbers LLY-GALCA-00707969-LLY-GALCA-00707970 and introduced as Exhibit 25 in the August 17, 2021 deposition of Yasmina Noubia Abdiche (to be attached as **Exhibit X** to Lilly's Amended Answer);
21. Document produced by Lilly bearing Bates numbers LLY-GALCA-00708014-LLY-GALCA-00708017 and introduced as Exhibit 26 in the August 17, 2021 deposition of Yasmina Noubia Abdiche (to be attached as **Exhibit Y** to Lilly's Amended Answer);
22. Transcript of the deposition of Yasmina Noubia Abdiche, taken August 17, 2021 (to be attached as **Exhibit Z** to Lilly's Amended Answer);
23. Document produced by Lilly bearing Bates numbers LLY-GALCA-00728607-LLY-GALCA-00728636 and introduced as Exhibit 29 in the August 17, 2021 deposition of Yasmina Noubia Abdiche (to be attached as **Exhibit AA** to Lilly's Amended Answer);
24. Document produced by Teva on behalf of Kristian Poulsen bearing Bates numbers Poulsen_FREM_00007191-Poulsen_FREM_00007192 and introduced as Exhibit 42 in the August 5, 2021 deposition of Kristian Poulsen (to be attached as **Exhibit AB** to Lilly's Amended Answer);

25. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00000565-Zeller_FREM_00000566 and introduced as Exhibit 52 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit AC** to Lilly's Amended Answer);
26. Document produced by Lilly bearing Bates numbers LLY-GALCA-00723263-LLY-GALCA-00723264 and introduced as Exhibit 28 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit AE** to Lilly's Amended Answer);
27. Document produced by Teva on behalf of Joerg Zeller bearing Bates number Zeller_FREM_00000670 and introduced as Exhibit 30 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit AF** to Lilly's Amended Answer);
28. Document produced by Teva on behalf of Kristian Poulsen bearing Bates numbers Poulsen_FREM_00004587-Poulsen_FREM_00004589 and introduced as Exhibit 17 in the August 5, 2021 deposition of Kristian Poulsen (to be attached as **Exhibit AG** to Lilly's Amended Answer);
29. Teva's privilege log for the production volume Zeller_FREM_0001, served September 28, 2021 (to be attached as **Exhibit AH** to Lilly's Amended Answer);
30. Document produced by Lilly bearing Bates number LLY-GALCA-00723065 and introduced as Exhibit 10 in the July 30, 2021 deposition of Arnon Rosenthal (to be attached as **Exhibit AI** to Lilly's Amended Answer);
31. Document produced by Lilly bearing Bates number LLY-GALCA-00723262 and introduced as Exhibit 20 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit AJ** to Lilly's Amended Answer);
32. Document produced by Lilly bearing Bates number LLY-GALCA-00723521 (to be attached as **Exhibit AL** to Lilly's Amended Answer);
33. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00010050-Zeller_FREM_00010052 and introduced as Exhibit 57 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit AM** to Lilly's Amended Answer);
34. Document produced by Lilly bearing Bates numbers LLY-GALCA-00718882-LLY-GALCA-00718883 and introduced as Exhibit 51 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit AN** to Lilly's Amended Answer);
35. Transcript of the deposition of Jennifer Stratton, taken June 29, 2021 (to be attached as **Exhibit AQ** to Lilly's Amended Answer);

36. Document produced by Teva bearing Bates numbers TEVA_FREM_000076645-TEVA_FREM_000076690 and introduced as Exhibit 13 in the June 29, 2021 deposition of Jennifer Stratton (to be attached as **Exhibit AR** to Lilly's Amended Answer);
37. Teva's Responses and Objections to Lilly's Request for Admission No. 7, served March 31, 2021 (to be attached as **Exhibit AS** to Lilly's Amended Answer);
38. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00000550-Zeller_FREM_00000551 and introduced as Exhibit 32 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit AX** to Lilly's Amended Answer);
39. Document produced by Teva on behalf of Jaume Pons bearing Bates number Pons_FREM_00000098 and introduced as Exhibit 44 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit AZ** to Lilly's Amended Answer);
40. Document produced by Teva on behalf of Jaume Pons bearing Bates numbers Pons_FREM_00000081- Pons_FREM_00000082 and introduced as Exhibit 10 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit BA** to Lilly's Amended Answer);
41. Document produced by Teva bearing Bates numbers TEVA_FREM_000152678-TEVA_FREM_000152681 (to be attached as **Exhibit BB** to Lilly's Amended Answer);
42. Document produced by Teva bearing Bates number TEVA_FREM_000156455 (to be attached as **Exhibit BC** to Lilly's Amended Answer);
43. Document produced by Teva bearing Bates number TEVA_FREM_001178100 and introduced as Exhibit 5 in the August 20, 2021 deposition of Jaume Pons (to be attached as **Exhibit BL** to Lilly's Amended Answer);
44. Document produced by Teva bearing Bates numbers TEVA_FREM_000159695-TEVA_FREM_000159696 and introduced as Exhibit 11 in the June 10, 2021 deposition of Marcelo Bigal (to be attached as **Exhibit BM** to Lilly's Amended Answer);
45. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00009875-Zeller_FREM_00009885 and introduced as Exhibit 11 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit BN** to Lilly's Amended Answer);
46. Document produced by Teva on behalf of Joerg Zeller bearing Bates numbers Zeller_FREM_00009687-Zeller_FREM_00009690 and introduced as Exhibit 12 in the August 11, 2021 deposition of Joerg Zeller (to be attached as **Exhibit BR** to Lilly's Amended Answer);

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