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VIA ECF

The Honorable Allison D. Burroughs
United States District Court Judge
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston MA 02210

Re: *Teva Pharmaceuticals Int'l GmbH et al. v. Eli Lilly & Co.*, No. 1:18-cv-12029-ADB

Dear Judge Burroughs:

We write on behalf of Plaintiffs Teva Pharmaceuticals Int'l GmbH and Teva Pharmaceuticals USA, Inc. (collectively, "Teva") and Defendant Eli Lilly and Company ("Lilly") (all together, "the Parties") regarding the September 7, 2022 continued hearing on the Parties' motions for summary judgment.

The Parties were informed that a total of three (3) hours will be allotted for continued argument on the motions for summary judgment. In the interest of a more efficient hearing, the Parties have conferred on the distribution of the remaining time for arguments. The Parties have agreed to the following order of arguments and time allotted per party, and also that any amount of time that a party devotes to an argument in excess of the allotted time for a given motion will be deducted from that party's allotted time for the remaining motions:

1. Defendant Eli Lilly and Company's Motion for Partial Summary Judgment of Non-Infringement (ECF No. 297): 60 minutes (30 minutes per side)
2. Defendant Eli Lilly and Company's Motion for Summary Judgment of Invalidity for Lack of Written Description (ECF No. 293): 60 minutes (30 minutes per side)
3. Plaintiffs Teva Pharmaceuticals Int'l GmbH and Teva Pharmaceuticals USA, Inc.'s Motion for Summary Judgment of No Inequitable Conduct and Unclean Hands (ECF No. 301): 40 minutes (20 minutes per side)
4. Defendant Eli Lilly and Company's Motion for Partial Summary Judgment of No Willful Infringement (ECF No. 305): 20 minutes (10 minutes per side)

Of course, if the Court would prefer to hear the motions in a different order, the Parties will be prepared to address the motions in the Court's preferred order.



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Sincerely,

Elaine Herrmann Blais

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Cc: All Counsel of Record via ECF