

**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

**JOINT STIPULATION AMENDING PROTECTIVE ORDER**

Plaintiffs Teva Pharmaceuticals International GmbH and Teva Pharmaceuticals USA, Inc. (collectively, “Teva”) and Defendant Eli Lilly and Company (“Lilly”) (all together, the “Parties”) have agreed to enter into this stipulation to amend the Stipulated Protective Order (ECF No. 381) to facilitate preparation for trial and trial presentation;

WHEREAS, the Parties entered into a Stipulated Protective Order to expedite the flow of discovery material, facilitate the prompt resolution of any disputes over confidentiality, balance the Parties’ need for information to conduct this Litigation against their need to maintain the confidentiality of information entitled to be kept confidential;

WHEREAS, the Parties agree that certain modifications to the confidentiality restrictions in the Stipulated Protective Order (ECF No. 381) are warranted to permit designated in-house counsel to participate in trial preparation activities and attend trial; and

WHEREAS, the Stipulated Protective Order (ECF No. 381) provides that the Court may modify the Protective Order at any time in the interests of justice, and to ensure that any proceedings before this Court is fair, efficient, and consistent with the public interest

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties hereto, and subject to the approval of the Court, the Stipulated Protective Order (ECF No. 381) is amended as follows:

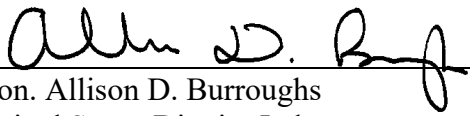
1. Material and information designated as “HIGHLY CONFIDENTIAL—OUTSIDE COUNSEL ONLY” pursuant to the Stipulated Protective Order may be disclosed to four (4) designated In-House Counsel, in accordance with Paragraphs 11 and 12, *except that* the In-House Counsel shall not be provided or otherwise possess copies (whether in electronic or paper form) of any Litigation Material designated “HIGHLY CONFIDENTIAL—OUTSIDE COUNSEL ONLY.” For clarity, the purpose of this amendment is to permit the Parties’ In-House designees to participate in trial preparation activities and attend trial when “HIGHLY CONFIDENTIAL—OUTSIDE COUNSEL ONLY” information is being discussed.

2. The restrictions in Paragraph 6(b) of the Stipulated Protective Order shall apply to any In-House Counsel that becomes aware of “HIGHLY CONFIDENTIAL—OUTSIDE COUNSEL ONLY” information under this amendment, unless In-House Counsel has only become aware of financial information. For the avoidance of doubt, nothing in Paragraph 6(b) shall preclude In-House Counsel that becomes aware of “HIGHLY CONFIDENTIAL—OUTSIDE COUNSEL ONLY” information from participating in any prosecution, reexamination, PGR or IPR proceeding pertaining to fremanezumab, galcanezumab, or any other anti-CGRP antagonist antibody, provided however, that such In-House Counsel will not amend, draft or otherwise substantively assist in the drafting or amending of patent claims in any such proceedings.

3. A copy of this amendment will be provided to all Third Parties who have produced information designated “HIGHLY CONFIDENTIAL—OUTSIDE COUNSEL ONLY.”

**IT IS SO ORDERED**

Dated: 10/14/22

  
\_\_\_\_\_  
Hon. Allison D. Burroughs  
United States District Judge

Dated: October 13, 2022

/s/ Elaine Herrmann Blais

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Respectfully submitted,

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