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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TEVA PHARMACEUTICALS
INTERNATIONAL GMBH and
TEVA PHARMACEUTICALS USA, INC.,

Plaintiffs,

Civil Action
No. 18-12029-ADB

v.

October 25, 2022
9:33 a.m.

ELI LILLY AND COMPANY,

Defendant.

REDACTED TRANSCRIPT OF JURY TRIAL DAY 6

BEFORE THE HONORABLE ALLISON D. BURROUGHS

UNITED STATES DISTRICT COURT
JOHN J. MOAKLEY U.S. COURTHOUSE
1 COURTHOUSE WAY
BOSTON, MA 02210

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P R O C E E D I N G S

(The following proceedings were held in open court before the Honorable Allison D. Burroughs, United States District Judge, United States District Court, District of Massachusetts, at the John J. Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts, on October 25, 2022.)

MR. LIPSEY: We have a problem with Dr. Rosenthal. If you recall, he was here, I wanted to take an adverse cross. Your Honor said I had to stay within the scope of direct and that he was to come back. And we notified -- they told us their case was likely to end tomorrow, so we told them last night that we wanted Dr. Rosenthal on Friday. And we were informed thereafter that he is now in Israel and would not be back until after the trial is over. And so I would like one of two options:

I would like either to have him ordered to give his testimony by Zoom in this court by whatever means we have to do to make that happen, or an option for me to see if there's any other curative remedy short of that that would eliminate the need to do that. But that I would need to think about for a little while.

THE COURT: I'd like him to testify by Zoom.

MS. BLAIS: So, your Honor, there's a major fact that was left out of Mr. Lipsey's recitation of the issues.

We got the notice last night at 8:30 that they would like him on Friday. I e-mailed him immediately, within six

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