

Transcript of Conference Call with
Patent Trial and Appeal Board on October 14, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.
Petitioner,
v.
NUVASIVE, INC.
Patent Owner.

Case IPR2013-00506
Patent 8,361,156 B2

MEDTRONIC, INC.
Petitioner,
v.
NUVASIVE, INC.
Patent Owner.

Case IPR2013-00507
Patent 8,187,334 B2

MEDTRONIC, INC.
Petitioner,
v.
NUVASIVE, INC.
Patent Owner.

Case IPR2013-00508
Patent 8,187,334 B2

Tuesday, October 14, 2014

3:00 p.m. EST

Teleconference before the Patent Trial and Appeals Board, Judge Sally C. Medley presiding, the proceedings being recorded stenographically by Jonathan Wonnell, RMR, a Registered Professional Court Reporter (NCRA #835577) and Notary Public of the State of Minnesota, and transcribed under his direction.

1 A P P E A R A N C E S O F C O U N S E L

2 (All participants appearing by phone)

3

4 On behalf of the Patent Trial and Appeal

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7 ESQ., and STEPHEN C. SIU, ESQ.,

8 Administrative Patent Judges

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1 P R O C E E D I N G S

2 JUDGE MEDLEY: Good afternoon. This is
3 Judge Medley. Judges Green and Siu are also on the
4 call. Is there a court reporter?

5 THE REPORTER: Yes, there is, ma'am.
6 This is Jon Wonnell.

7 JUDGE MEDLEY: Okay. All right. Thank
8 you. And at this time I'll take a roll call,
9 beginning with Petitioner.

10 MR. SCHWARTZ: Yes, ma'am. This is Jeff
11 Schwartz from Fox Rothschild for Petitioner
12 Medtronic.

13 JUDGE MEDLEY: Okay. Anyone else with
14 you?

15 MR. KRAMER: Yes, Your Honor. This is
16 Seth Kramer also of Fox Rothschild for Petitioner.

17 JUDGE MEDLEY: Okay. Anyone else for
18 Petitioner?

19 MR. SCHWARTZ: No, Your Honor.

20 JUDGE MEDLEY: Okay. And for Patent
21 Owner Nuvasive?

22 MR. NELSON: For Patent Owner Nuvasive

1 this is Stuart Nelson. Also with me is lead
2 counsel Steve Schaefer.

3 JUDGE MEDLEY: Okay. Anyone else?

4 MR. AMON: Yes, Your Honor. This is
5 Michael Amon also for Patent Owner.

6 JUDGE MEDLEY: Okay. Anyone else?

7 MR. AMON: I don't believe so, Your
8 Honor.

9 JUDGE MEDLEY: Okay. Thank you. We
10 understand the purpose of the call is for
11 Petitioner to seek authorization for us to do
12 something or for them to do something regarding
13 Patent Owner's motion for observation regarding
14 cross-examination of Dr. Hynes and Mr. Josse and
15 either for us to dismiss the motions or for them to
16 file a paper to expunge them and/or to file a
17 motion to exclude some new evidence that was filed
18 along with the motion for observation. Apparently
19 Patent Owner opposes all these requests.

20 And we further understand the purpose of
21 the call is to discuss the upcoming November 18th
22 hearing. So we'll begin with issue 1 and then talk

1 about the trial hearing at the end of this
2 conversation. So we'll let the Patent Owner --
3 Petitioner -- excuse me -- to proceed.

4 MR. SCHWARTZ: Yes, Your Honor. This is
5 Jeff Schwartz for the Petitioner. And essentially,
6 Your Honor, as you may recall, about two and a half
7 weeks ago we had another call with you regarding
8 the Patent Owner's desire to file surreplies which
9 on September 23rd the Board denied that request to
10 file surreplies.

11 And so effectively what the Patent Owner
12 is doing with these observations is provided what
13 is effectively an end run around the Board's order
14 precluding the filing of a surreply by filing
15 essentially a surreply with the caption of
16 observations, but in all other respects these are
17 papers that are just arguments and evidentiary
18 objections to what was provided in the Petitioner's
19 replies.

20 And in addition to the fact that they
21 have argument and objection, which is not allowed
22 for by the rules and avoids the Board's order to

1 preclude a surreply, they cite rather than quote
2 the testimony, and in that way they avoid the
3 15-page limit on the observations and put us in a
4 bind in our ability to respond to these
5 observations because it would take us much more
6 than our 15 pages to be able to respond simply to
7 quote what they've cited to to be able to know
8 how -- instead of actually providing a quote,
9 they've mischaracterized the testimony and
10 essentially used the advantage of citing to provide
11 additional argument.

12 JUDGE MEDLEY: Let me I interject for a
13 minute. Do our rules require that they quote the
14 testimony?

15 MR. SCHWARTZ: Your Honor, the Board has
16 stated in a number of opinions, including the
17 *Polaris v. TruePosition* opinion, 2013-0323,
18 Paper 43, that the general rule is that they should
19 be quoting the testimony rather than citing to it,
20 the only exception being if there's a long
21 citation. And of course that exception shouldn't
22 swallow the rule or intentionally provide for an

1 extraneous citation just so that they can avoid the
2 rule.

3 And in addition the Board in that
4 opinion made clear that the parties should not be
5 allowed to cite simply to be able to use that space
6 to add additional argument to avoid -- and to avoid
7 the page limit.

8 JUDGE MEDLEY: I wanted to seek
9 clarification because I'm looking at the practice
10 guide under subsection C in the scheduling order
11 and I didn't see that they had to verbatim quote.
12 But I understand what you're saying so please
13 continue.

14 MR. SCHWARTZ: Yes, Your Honor. And so
15 what we see in addition to the fact that each and
16 every one of these observations include argument,
17 the problematic categories in addition to having
18 that argument or having objections to evidence,
19 fall into two broad categories, one where
20 essentially they are setting up an objection that
21 Dr. Hynes, our expert, is raising something for the
22 first time.

1 And that language "for the first time"
2 appears in the observations 6, 10, 11, 17, 18 and
3 19. And those are plainly just objections to
4 evidence even though they never actually objected
5 to those specific paragraphs of Dr. Hynes'
6 testimony and certainly haven't filed a motion to
7 exclude Dr. Hynes' testimony.

8 What they have done is tried to provide
9 that in this observation as an objection to that
10 testimony and the "for the first time" language is
11 sort of a key to their initial point that they want
12 a surreply to attempt to talk about things that
13 were raised for the first time in our reply.

14 The second category, which is perhaps
15 the most egregious category, Your Honor, is in
16 several of the observations what Nuvasive has done
17 is they've brought in new evidence, things that
18 Dr. Hynes had never seen before, never testified to
19 before, and at his deposition did not adopt, and
20 all Mr. Amon while questioning Dr. Hynes did was
21 read from this new evidence and Dr. Hynes would say
22 "Yes, you read that correctly."

1 And then they quote from this new
2 evidence. For example, in observation number 3,
3 where they quote from a Dr. Matthews, someone who
4 is not a witness in any of these IPRs, who
5 testified about something that Dr. Hynes never
6 testified about, and Dr. Hynes' response was "I
7 neither agree nor disagree with Dr. Matthews," and
8 they take that opportunity to not quote Dr. Hynes
9 but rather to quote Dr. Matthews.

10 And they do that -- I'm sorry, go ahead.
11 Your Honor.

12 JUDGE MEDLEY: Okay. I understand. You
13 know, I don't think it's necessary for us to get
14 into every single aspect. I mean, I think it's the
15 Panel's view that if we find that there is at least
16 one argument or one violation of what a true motion
17 for observation is all about, then we would kick
18 it. We're not going to look at every single
19 instance and see if there is some good and some
20 bad.

21 So I think we've looked at it and we
22 understand the concerns that you have. So at this

1 time I just want to ask you what are the exhibits
2 that you think should not have been filed?

3 MR. SCHWARTZ: Well, Your Honor, the
4 exhibits that we feel should not have been filed
5 are Exhibits 2031, 2032, 2033, 2034, 2035, and
6 2036, each of which being exhibits that fall into
7 the category, for example, of Dr. Matthews'
8 testimony that was quoted from in the observation
9 or referred to in other observations.

10 The exception being 2032, which was
11 filed but not cited in the observations, and so is
12 plainly extraneous to what should have been filed
13 or not filed.

14 JUDGE MEDLEY: Okay. So with respect to
15 2034 -- and I'm looking at observation number 4 in
16 the 506 case -- apparently that piece of evidence
17 was submitted to Dr. Hynes during his cross-
18 examination to ask him about the vertebral body
19 replacement. So in order to put it in context for
20 us to understand what the motion for observation
21 means, why would that not come in, the 2034?

22 MR. SCHWARTZ: Well, Your Honor, it

1 shouldn't come in for a number of reasons, one is
2 which is all they're doing with observation
3 number 4 is Mr. Amon read from that document and
4 all Dr. Hynes said was, "Yes, you've read that
5 correctly."

6 But Dr. Hynes had never seen that
7 document before so there was absolutely no
8 foundation for asking the question and it was
9 plainly outside the scope of what Dr. Hynes had
10 testified to before and what was in our reply, and
11 we get no opportunity to otherwise object to this
12 evidence that was brought up for the first time in
13 this observation.

14 JUDGE MEDLEY: Okay. All right. At
15 this time I'd like to hear from the Patent Owner.

16 MR. AMON: Yes, Your Honor. This is
17 Michael Amon for the Patent Owner and I'll be
18 addressing the comments for Patent Owner.

19 First, Your Honor, it's our view that
20 Paper 31 submitted in all three of these IPR
21 matters sets out the format for observations. We
22 reviewed that format and as far as we believe we

1 followed that format pretty much to the letter.

2 First we cited to the testimony and in
3 all instances we did not quote but where possible
4 we did quote and then we would provide the
5 relevance for why that testimony was being cited in
6 our observation. Where we did not quote we
7 provided pinpoint cites.

8 And in addition our observations really
9 are limited to cross-examination testimony relevant
10 to the reply declarants or the testimony offered by
11 the reply declarants in the replies that were
12 submitted by Petitioner.

13 JUDGE MEDLEY: Okay. I have a question
14 before you continue. You say that's in reference
15 to the scheduling order? I assume that's what
16 you're meaning?

17 MR. AMON: I believe that's correct,
18 Your Honor.

19 JUDGE MEDLEY: Okay. The scheduling
20 order also refers to the Office Trial Practice
21 Guide. So there's a little bit more to it than
22 just what's in the scheduling order.

1 MR. AMON: Yes, Your Honor.

2 JUDGE MEDLEY: It doesn't say, for
3 example, in our scheduling order the things that
4 are outlined in the practice guide. So, for
5 example, it says, "The Board may refuse entry
6 excessively long or argumentative observations."

7 So if you have a new issue or a new
8 argument that's raised for the first time in the
9 observation, we're not -- that's not what a true
10 motion for observation is all about.

11 MR. AMON: I understand, Your Honor.
12 But, again, I think that the observations are
13 directed toward questioning the credibility and
14 relevance of those arguments that were raised by
15 the reply declarants. And that's what we attempted
16 to do in our observations, Your Honor, is to really
17 raise questions about the credibility and relevance
18 of those issues that were raised in the reply
19 declarations by Petitioner.

20 JUDGE MEDLEY: Okay. Well, if we --
21 like I said earlier, if we find one -- even just
22 one instance where you violated what really, truly

1 a motion for observation is all about, you know, we
2 won't consider any of it. We're not going to go
3 through and say, well, this observation seems to be
4 okay, but observation 4, for example, was not okay.

5 So have you had an opportunity to work
6 with the other side to try to come to an agreement
7 as to what might be argumentative or have you all
8 talked about it at all?

9 MR. AMON: We have not had an
10 opportunity, Your Honor, to speak to opposing
11 counsel about what they might consider to be
12 argumentative and the specific remedies. I will
13 note that Mr. Schwartz did the reach out to us but
14 unfortunately before today we were unavailable.

15 JUDGE MEDLEY: Okay. I'm going to put
16 you on hold and confer. Do you have anything else
17 you'd like to add?

18 MR. AMON: You know, Your Honor, I think
19 that the other relevant point to add is that our
20 observations -- you know, one of the points that
21 Mr. Schwartz made were their observation were
22 lengthy. I think it's importance to put that in

1 context, that we were responding to a reply
2 declaration by Dr. Hynes which was in excess of 42
3 pages just of testimony.

4 In addition Dr. Hynes attached 17 new
5 documents to his declaration and cited an
6 additional 25 exhibits that were never raised
7 before. And we were attempting to address all of
8 those through cross-examination and put those in
9 context and address the relevancy of those in our
10 observations. And that's what we really were
11 attempting to do, Your Honor.

12 JUDGE MEDLEY: Okay. I'm going to put
13 you on hold. Give us a few minutes, please.

14 MR. AMON: Yes, Your Honor.

15 (Silence on the line from 3:15 p.m to
16 3:17 p.m.)

17 JUDGE MEDLEY: Okay. The Panel has
18 conferred and we just want to highlight a few
19 things. As you had pointed out, the scheduling
20 order sets forth what is a motion for observation
21 on cross. And I think the big picture here is it's
22 just to draw the Board's attention to relevant

1 cross-examination testimony.

2 So what we would like to see is perhaps
3 quoted testimony to say this is relevant to, let's
4 say, the reply, and then the next sentence would
5 be, "It's relevant because in the reply it says X
6 and the testimony says Y." That's it. End of
7 story.

8 So when we see sentences beyond that
9 just short explanation, that in itself -- it's sort
10 of a telltale sign that there's something more that
11 is in the observation that shouldn't be there. And
12 that's also outlined in the scheduling order.

13 If you look at the practice guide, we
14 specifically go into an example of what it should
15 be and what it shouldn't be. So you should not
16 raise new issues, reargue issues or pursue
17 objections. Excessively long or argumentative
18 observations we're not going to consider it.

19 So we've looked at the observations
20 briefly, motion for observations, and we think they
21 violate the guidelines we set forth and the
22 scheduling order, what we have outlined there. So

1 what we're going to do is we're going to dismiss
2 all the motions for observation without prejudice.
3 The Patent Owner will have an opportunity to refile
4 their motions for observations in accordance with
5 the guidelines we've provided here today and also
6 in the practice guide and in the order --
7 scheduling order.

8 And, again, when we -- in making this
9 ruling we haven't gone through and in every single
10 instance decided whether it's good or not. So
11 we've found at least one per paper and so that's
12 enough for us to dismiss them in their entirety.

13 And also we're going to expunge all the
14 exhibits that were filed in connection with these
15 motions for observation because it doesn't make
16 sense to keep them in there because once you
17 reformulate your motion for observation you may or
18 may not then rely on a piece of evidence that you
19 previously relied on.

20 So that is our ruling on that issue
21 number 1. Are there any questions?

22 MR. AMON: Yes, Your Honor. This is

1 Michael Amon for the Patent Owner. I just wanted
2 to make sure that I understand the Board's ruling
3 on this.

4 The expunging of the exhibits, is that
5 also without prejudice such that if we need to
6 quote the testimony and the exhibits are relevant
7 to the testimony we have the opportunity to
8 resubmit those?

9 JUDGE MEDLEY: That's correct.

10 MR. AMON: Thank you, Your Honor. That
11 was the only point of clarification. And I guess
12 one other question is -- and maybe I'm anticipating
13 you -- the timing for submitting those, Your Honor.

14 JUDGE MEDLEY: The 16th, at the close of
15 business. So that would be the end of Thursday.
16 Because what's happening is we're getting towards
17 the end of this trial. So if you don't refile --
18 you don't have to refile this, by the way. But you
19 run the risk of us not looking at all at any of it.

20 So if you do opt to refile, you're
21 authorized to refile. We'll dismiss it and you
22 have the option to refile. But I think that we

1 need to have it quickly because due date 5 is
2 coming up on the 20th.

3 MR. AMON: Your Honor, we read you loud
4 and clear and the 16th would be fine.

5 JUDGE MEDLEY: Okay.

6 MR. SCHWARTZ: Your Honor --

7 JUDGE MEDLEY: And I also -- we were
8 looking at the schedule. I think with respect to
9 responses to observation, not altering the due
10 date 5 for authorization to motion to exclude, we
11 would extend that just for response observations to
12 the 21st. So that gives the Petitioner
13 opportunities to respond to the new motions on
14 observations.

15 MR. SCHWARTZ: So, Your Honor, we have
16 one additional day to respond? Is that what I'm
17 hearing?

18 JUDGE MEDLEY: Yes.

19 MR. SCHWARTZ: Okay. Your Honor, if I
20 could ask for another point of clarification, I
21 think one of the things that I would ask is that
22 with these new observations that may be filed that

1 Nuvasive be prohibited from raising new issues that
2 are not a subset of the observations that were
3 previously filed; that is, that they don't get the
4 opportunity to now that they've had an extra two
5 weeks come up with something else that they want to
6 add to the observation.

7 JUDGE MEDLEY: Well, I'm not going to
8 make that kind of restriction. And I think they
9 need to follow our guidelines and if they violate
10 it again then we won't consider it.

11 MR. SCHWARTZ: Yes, Your Honor.

12 JUDGE MEDLEY: Are there any other
13 questions regarding issue 1?

14 MR. AMON: Not from Patent Owner, Your
15 Honor.

16 MR. SCHWARTZ: Not from the Petitioner,
17 Your Honor.

18 JUDGE MEDLEY: Okay. So on to issue
19 number 2. As you know, the hearing requests have
20 not come in yet. Or have they yet? Yes. The
21 parties -- I'm sorry -- filed requests for oral
22 argument and the oral argument is tentatively

1 scheduled for November 18th.

2 And so there's -- we've read the
3 requests for oral argument. It seemed like the
4 parties aren't in agreement as to how it should go.
5 So we'll hear from the Petitioner first with
6 respect to how they think the oral hearing should
7 go, given that we have three IPRs and two of those
8 IPRs cover the same patent.

9 MR. SCHWARTZ: Yes, Your Honor. And
10 this is Jeff Schwartz, again, for the Petitioner.
11 And actually the parties after filing the notice
12 for the hearing did get a chance to communicate and
13 the Patent Owner agreed with Petitioner's request
14 for a single consolidated hearing, 90 minutes to be
15 attributed to each side, if that would be
16 acceptable to the Board, since the three IPRs,
17 although two of them pertain to one patent and one
18 of them pertains to the other patent, that one
19 patent is a related patent and so the claims are
20 fairly similar and the prior art does overlap.

21 JUDGE MEDLEY: Uh-huh.

22 MR. SCHWARTZ: So if that's acceptable

1 to the Board, I think that's what both parties are
2 now proposing. And if the Patent Owner thinks I've
3 misstated that obviously they can say so now.

4 MR. AMON: Your Honor, this is Michael
5 Amon for Patent Owner. No, we agree with that.

6 JUDGE MEDLEY: Okay. So it would be 90
7 minutes per side and then you use it however you
8 want. That is sort of what I think we envisioned
9 too. So that, for example, there will be no
10 demarcation necessarily between IPRs -- the Patent
11 Owner -- the Petitioner would get up there and
12 speak for, let's say, 60 minutes, reserve 30
13 minutes for rebuttal, and then the Patent Owner
14 would get up and give their whole 90 minute spiel.
15 Is that sort of what you envisioned?

16 MR. SCHWARTZ: Yes, Your Honor. From
17 Petitioner's side that's what we had envisioned.

18 MR. AMON: Yes, Your Honor. I think
19 that Patent Owner believes the same thing.

20 JUDGE MEDLEY: Okay. Let me put you on
21 hold and check with the Panel.

22 (Silence on the line from 3:25 p.m to

1 3:26 p.m.)

2 JUDGE MEDLEY: Okay. That sounds
3 reasonable to us too. I think what we'll do is in
4 the next few days -- I think in the next few days
5 we will send out a hearing order separate from the
6 order that we'll generate through to the motion for
7 observation, but it will likely be what we talked
8 about, 90 minutes each side, and likely will start
9 in the afternoon and run from 1:00 to 4:00, for
10 example.

11 MR. SCHWARTZ: Thank you, Your Honor.

12 JUDGE MEDLEY: Are there any other
13 questions?

14 MR. SCHWARTZ: I don't believe so from
15 the Petitioner's side, Your Honor.

16 JUDGE MEDLEY: Okay.

17 MR. AMON: Not from Patent Owner either,
18 Your Honor.

19 JUDGE MEDLEY: Okay. So we will send
20 out an order. I don't know that you're going to
21 get it today. It probably won't go out until
22 tomorrow, maybe even tomorrow afternoon. So the

1 Patent Owner, are you clear on what you need to do
2 before you get your papers together? I can give
3 you an example of what we think is beyond the pale
4 if that would help.

5 MR. AMON: That would help. Very much
6 so, Your Honor.

7 JUDGE MEDLEY: Okay. So if you're
8 looking in the 506 case on observation number 4 --

9 MR. AMON: Yes.

10 JUDGE MEDLEY: All right, so you say
11 that testimony is "relevant to Petitioner's
12 reply...regarding vertebral body replacements."
13 That's fine.

14 "The testimony is relevant because the
15 description of vertebral body replacement in
16 Exhibit 2034 shows that the size of fusion implants
17 disclosed in Michelson, SVS-PR, and Talamon cannot
18 possibly be used for a vertebral body replacement
19 as falsely implied in Petitioner's reply."

20 That's argumentative right there.

21 MR. AMON: Okay.

22 JUDGE MEDLEY: And then it goes on --

1 you know, besides just having the one sentence you
2 go on to say, "The information in Exhibit 2034 and
3 Dr. Hynes' testimony regarding the information
4 provided by 2034 also comports and confirms the
5 testimony by Dr. Yuan regarding what one of skill
6 in the art considered a vertebral body
7 replacement."

8 So now we're looping in another person
9 here when you're talking. And that's clearly
10 beyond the pale of what a motion for observation
11 should be.

12 MR. AMON: Understood, Your Honor.

13 JUDGE MEDLEY: Okay. So given that, I
14 just wanted that to be for the record, because I
15 know that this call is being transcribed. That way
16 you kind of know what you need to do without
17 waiting first for our order that maybe I'm a little
18 late.

19 MR. AMON: Yes, Your Honor. That helps
20 provide us guidance and we appreciate that very
21 much.

22 JUDGE MEDLEY: Okay. Any other

1 questions?

2 MR. SCHWARTZ: Your Honor, I have one
3 logistical question. This is Jeff Schwartz again.
4 Not having had a transcribed teleconference before,
5 do you want us to file a copy of this transcript or
6 how do you want that to be handled, Your Honor?

7 JUDGE MEDLEY: Yes. I'd like to have it
8 filed.

9 MR. SCHWARTZ: Okay, your Honor.

10 JUDGE MEDLEY: It doesn't actually have
11 to be filed before we send out an order, but as
12 soon as possible would be preferable.

13 MR. SCHWARTZ: Yes, Your Honor.

14 JUDGE MEDLEY: And you just title it --
15 you know, you just title -- have a sheet that
16 says -- you know, with the title "transcript" and
17 then you can file it as -- it's not really an
18 exhibit. I guess you could file it -- I've seen it
19 both, filed as an exhibit or just a paper. I guess
20 we'd prefer an exhibit.

21 MR. SCHWARTZ: Okay, Your Honor.

22 JUDGE MEDLEY: Okay. Anything else?

1 MR. SCHWARTZ: No, Your Honor. Not for
2 Petitioner.

3 MR. AMON: Not from Patent Owner, Your
4 Honor.

5 JUDGE MEDLEY: Okay. Thank you.

6 MR. SCHWARTZ: Thank you, Your Honor.

7 JUDGE MEDLEY: Goodbye.

8
9 (Whereupon, at 3:30 p.m. the
10 teleconference was adjourned.)

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1 CERTIFICATE OF REPORTER

2 I, Jonathan Wonnell, a Registered
3 Professional Court Reporter (NCRA #835577) and
4 Notary Public of the State of Minnesota, County of
5 Hennepin, do hereby certify that the foregoing
6 transcript is a true and accurate record of these
7 proceedings; that said proceedings were taken in
8 Stenotype note by me on the 14th day of October,
9 2014, commencing at 3:00 p.m. EST and ending at
10 3:30 p.m. EST.

11 I further certify that present on behalf
12 of Party Medtronic, Inc. were Jeff E. Schwartz,
13 Esq., and Seth A. Kramer, Esq., of Fox Rothschild
14 LLP; and on behalf of Party Nuvasive, Inc. were
15 Michael A. Amon, Esq., Stuart Nelson, Esq., and
16 Stephen R. Schaefer, Esq., of Fish & Richardson
17 P.C.

18 I further certify that I am not related
19 to, nor associated with any of the parties or their
20 attorneys, nor do I have any disqualifying
21 interest, personal or financial, in the actions
22 within.

Dated this 15th day of October, 2014, in
Hennepin County, Minnesota.

Jonathan Wonnell
Notary Public, Hennepin County, Minnesota
My Commission expires January 31, 2017

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