IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF DELAWARE

NOVARTIS PHARMACEUTICALS CORPORATION, NOVARTIS AG, NOVARTIS PHARMA AG, NOVARTIS INTERNATIONAL PHARMACEUTICALS LTD, and LTS LOHMANN THERAPIE-SYSTEME AG, Plaintiffs,	:	CIVIL ACTION
vs.	:	- VOLUME C -
PAR PHARMACEUTICAL, INC., Defendant.	:	NO. 11-1077-RGA CONSOLIDATED
NOVARTIS PHARMACEUTICALS CORPORATION, NOVARTIS AG, NOVARTIS PHARMA AG, NOVARTIS INTERNATIONAL PHARMACEUTICALS LTD, and LTS LOHMANN THERAPIE-SYSTEME AG, Plaintiffs	:	CIVIL ACTION
vs.	:	
WATSON LABORATORIES, INC., WATSON PHARMA, INC., and WATSON PHARMACEUTICALS, INC., Defendants.	:	NO. 11-1112-RGA

Wilmington, Delaware
Wednesday, August 28, 2013
8:33 o'clock, a.m.

- - -

BEFORE: HONORABLE RICHARD G. ANDREWS, U.S.D.C.J.

Q. Good afternoon, Dr. Tiemessen.

A. Good afternoon.

Q. Please tell us a little about yourself.

A. I'm Henricus, also go by Harry, Tiemessen, and I am born, raised, and educated in Holland, and currently I work for Novartis Pharma in Basel in Switzerland, and I work there as a senior fellow in the department developing injectables and topical formulations.

Q. Would you please review your education and training for us?

A. I did my bachelor and master degree in Nijmejn, N-i-j-m-e-j-n, and afterwards I did my Ph.D. in University of Leiden, L-e-i-d-e-n.

I did Ph.D. focusing on the development of topical formulations for drug delivery, and I was also dealing with the study of permeation of skins, through skin, in order to mimic the situation in man.

Q. And since graduating with your Ph.D., has there been a particular focus to your professional life?

A. I have been working as a pharmaceutical scientist formulator expert since then.

Q. What did you do following your doctoral studies?

A. After my Ph.D., I went to work for Sandoz in Basel, Switzerland.

Q. When was that?

A. That was in 1989.

Q. What is Sandoz?

A. Sandoz is the predecessor to Ciba-Geigy -- Novartis. They merged with Ciba-Geigy early in '97 in order to form Novartis.

Q. Why did you join Sandoz?

A. When I had finished my Ph.D., there were not that many opportunities in Holland, then I started to look around in Europe, then I found the work that I could do at Sandoz the most interesting, particularly in the field of transdermal drug delivery.

Q. What was your title when you first joined Sandoz?

A. When I started Sandoz, I was head of formulation group.

Q. What were your responsibilities?

A. There, I was formulation expert for the rivastigmine transdermal drug delivery project,

Garinot. He was the analytical expert situated in France. And we had Karen Ann Bergmann. She was project team leader. And that role was taken over by Mr. Ogorka in early '96.

And Mr. Richter was also -- Fritz, he was my department head.

Q. Okay. That was from the Novartis side; is that right?

A. That's correct. Yeah.

Q. What about the LTS side?

A. The LTS side we had Mr. Asmussen, the department head, the department of development. We had Michael Horstmann. He was the RD head.

And in '95, I was working together with Kai Kopke. He was the project leader at the Lohmann site.

Q. Thank you. Can you tell us a little bit about the makeup of the team in terms of their educational background and experience?

A. They were all Ph.D.s in their areas. And, in addition, they had quite some development experience.

Q. Now I would like you to take us back to 1989 through 1988 -- 1998 and walk us through the

MR. FIGG: Well, that was the point I was wanting to make clear on the record that I'm not sure why this is being offered. But if that is the reason it's being offered, I would object to it.

THE COURT: Okay. Do you have anything to say in response, Mr. Prugo?

MR. PRUGO: It's the context behind the invention. Okay.

THE COURT: All right. Keep going.

BY MR. PRUGO:

Q. So you see the word stability that's referred to in this document. Is that a reference to oxidative degradation?

A. No. This is referencing to stability in general. The chemical stability in general and also the physical stability in general.

Q. And can you characterize the team's expectations regarding encountering the stability issue?

A. In fact, we didn't expect stability issues to come because, at that point in time, we had a lot of experience with oral forms which were in the development. And at that point in time, we

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