



### THIRD AFFIDAVIT OF CHRISTOPHER BUTLER

1. I am the Office Manager at the Internet Archive, located in San Francisco, California. I make this declaration of my own personal knowledge.

2. I have reviewed Exhibit 2052, entitled "Affidavit of Christopher Butler," from the *inter partes* review proceeding captioned *Amneal Pharmaceuticals LLC, Par Pharmaceutical, Inc., and Wockhardt Bio AG v. Jazz Pharmaceuticals, Inc.*, IPR2015-00545. ("Second Butler Affidavit"). I am the same Christopher Butler who swore to the material set forth in the Second Butler Affidavit.

3. As I noted in ¶ 4 of the Second Butler Affidavit, the archived data made viewable and browseable by the Wayback Machine is compiled using software programs known as crawlers, which surf the Web and automatically store copies of web files, preserving these files as they exist at the point and time of capture.

4. The crawlers work off of initial lists of URLs to crawl and capture pages and may identify further URLs in the course of their crawling, which may be subsequently crawled in turn. The crawlers do not necessarily immediately crawl every URL that is identified, and it may be days, weeks, months, or years after a URL is identified that it is crawled and captured.

5. As I noted in ¶10 of the Second Butler Affidavit, the capture dates at the bottom of a calendar page are not indicative of when or whether a change was made on a webpage or in any file residing at the specified URL. Rather, they reflect only the dates for which records are available for that URL in the Wayback Machine.



6. The date a URL was first captured by the Wayback Machine is not indicative of the first date such material was available at that URL; it may have been available days, weeks, months, or years prior to the date it was first captured.

6. As I noted in ¶7 of the Second Butler Affidavit, the first available capture located in the Wayback Machine for the URL [http://www.fda.gov/ohrms/dockets/ac/01/briefing/3754b1\\_02\\_section%203.pdf](http://www.fda.gov/ohrms/dockets/ac/01/briefing/3754b1_02_section%203.pdf) is November 21, 2011; however, this date does not represent the first time that the pdf was posted online at that address and it is possible that the pdf was available at this URL on an earlier date.

7. As I noted in ¶8 of the Second Butler Affidavit, the first available capture located in the Wayback Machine for the URL [http://www.fda.gov/ohrms/dockets/ac/01/briefing/3754b1\\_01\\_1-orphan-medical.pdf](http://www.fda.gov/ohrms/dockets/ac/01/briefing/3754b1_01_1-orphan-medical.pdf) is September 13, 2011; however, this date does not represent the first time that the pdf was posted online at that address and it is possible that the pdf was available at this URL on an earlier date.

8. As I noted in ¶9 of the Second Butler Affidavit, the first available capture located in the Wayback Machine for the URL [http://www.fda.gov/OHRMS/DOCKETS/ac/01/briefing/3754b1\\_01\\_2-orphan-medical video tape Revised Script.pdf](http://www.fda.gov/OHRMS/DOCKETS/ac/01/briefing/3754b1_01_2-orphan-medical video tape Revised Script.pdf) is August 30, 2003; however, this date does not represent the first time that the pdf was posted online at that address and it is possible that the pdf was available at this URL on an earlier date.

9. I declare under penalty of perjury that the foregoing is true and correct.

Date: 12/30/15

  
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Christopher Butler

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