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Trial Testimony of Dr. John Plachetka
Oct. 12, 2010, Morning Session

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TYLER DIVISION

POZEN, INC. * Civil Docket No.
* 6:08-CV-437
VS. *
* Tyler, Texas
PAR PHARMACEUTICALS, INC., * October 12, 2010
ET AL * 9:20 A.M.

TRANSCRIPT OF BENCH TRIAL
MORNING SESSION
BEFORE THE HONORABLE LEONARD DAVIS
UNITED STATES DISTRICT JUDGE

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2 COURT SECURITY OFFICER: All rise.

3 THE COURT: Please be seated.

4 All right. Ms. Ferguson, if you'll call
5 the case, please.

6 THE CLERK: Case No. 6:08-CV-437, Pozen,
7 Inc., vs. Par Pharmaceutical, et al.

8 THE COURT: All right. Announcements.

9 MR. MALONEY: Your Honor, Collin Maloney
10 here for Pozen. Mr. Plachetka, who is in the empty
11 chair, just had to run down the hall; but he will be
12 back momentarily.

13 I'm here with Vinson & Elkins and Bill
14 Schuurman. We have Erin Ator Thomson, Steve Hash,
15 Tracey Davies; and you'll also be hearing from Stephanie
16 Lollo, who is in the gallery.

17 Your Honor, this is Mr. Plachetka coming
18 in.

19 THE COURT: Okay. Thank you.

20 MR. JONES: Your Honor, for the record,
21 Mike Jones. I represent Par Pharmaceutical. Here on
22 behalf of Par Pharmaceutical, our corporate
23 representative is Mr. Lawrence Brown, who is the senior
24 director of intellectual property. Our lead attorney is
25 Ms. Janine Carlan. She's from Washington, D.C., with

1 Arsent, Fox

2 And also presenting, or presenting the
3 evidence on behalf of Par will be Mr. Aziz Burgy,
4 Mr. Timothy Bucknell, and Mr. J. T. Morris. And they're
5 all seated back there, Your Honor.

6 THE COURT: Thank you, sir.

7 MR. DACUS: Morning, Judge. Deron Dacus
8 here with Natalie Clayton and Bob Hanlon from Alston &
9 Bird on behalf of Alphapharm. We're ready to proceed,
10 Your Honor.

11 MR. AINSWORTH: Your Honor, I'm Charlie
12 Ainsworth. I'm here with Dr. Reddy's Laboratories. And
13 with me today is Paul Kochanski; and also will be
14 questioning is Mike Teschner, who is also in the back.
15 And we're ready, Your Honor.

16 THE COURT: All right. Well, we have a
17 lot to do to get started. Anything before we go to
18 opening statements from the parties? Yes.

19 MS. CARLAN: Your Honor, Par has a few
20 issues with respect to some of the exhibits. I believe
21 with all of the exhibits -- the large number of exhibits
22 that we have in this case, there is -- we're down to
23 just four for which there is a dispute. And they are
24 actually in two categories. So we'd like to bring that
25 up at this time.

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