

Filed: September 21, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC., TEVA PHARMACEUTICALS USA,  
INC. and AKORN INC.,<sup>1</sup>  
Petitioners,

v.

ALLERGAN, INC.  
Patent Owner.

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Case IPR2016-01127 (US 8,685,930 B2)  
Case IPR2016-01128 (US 8,629,111 B2)  
Case IPR2016-01129 (US 8,642,556 B2)  
Case IPR2016-01130 (US 8,633,162 B2)  
Case IPR2016-01131 (US 8,648,048 B2)  
Case IPR2016-01132 (US 9,248,191 B2)

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**PETITIONER MYLAN PHARMACEUTICALS INC.'S MOTION FOR PRO  
HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10(c)**

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<sup>1</sup> Cases IPR2017-00576 and IPR2017-00594, IPR2017-00578 and IPR2017-00596, IPR2017-00579 and IPR2017-00598, IPR2017-00583 and IPR2017-00599, IPR2017-00585 and IPR2017-00600, and IPR2017-00586 and IPR2017-00601, have respectively been joined with the captioned proceedings. The word-for-word identical paper is filed in each proceeding identified in the caption pursuant to the Board's Scheduling Order (Paper 10).

Pursuant to 37 C.F.R. § 42.10(c), Petitioner Mylan Pharmaceuticals Inc. (“Petitioner”) respectfully requests that the Board recognize (1) Shannon M. Bloodworth, (2) Charles G. Curtis, Jr., (3) Jennifer A. MacLean, (4) Eric D. Miller, and (5) Benjamin S. Sharp as counsel pro hac vice in this proceeding. Petitioner seeks the counsel of Shannon Bloodworth due to her experience in pharmaceutical patent matters. Petitioner seeks the counsel of Charles G. Curtis, Jr., Jennifer A. MacLean, Eric D. Miller, and Benjamin S. Sharp for their expertise in claims of Tribal sovereign immunity. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper No. 4).

## **I. STATEMENT OF FACTS**

### **A. Shannon M. Bloodworth**

Ms. Bloodworth is a patent litigation attorney with experience representing clients in multiple jurisdictions, including United States District Courts and the Federal Circuit Court of Appeals. Ms. Bloodworth has experience in all stages of litigation, from preliminary injunction through trial and appeal, and across a wide range of technologies, including pharmaceutical drugs, formulations, and dosages. Ms. Bloodworth has previously been admitted pro hac vice to three inter partes reviews: IPR No. 2015-00643, IPR No. 2015-00644, and IPR No. 2015-00830.

**B. Charles G. Curtis, Jr.**

Mr. Curtis has extensive experience litigating cases involving Indian law in many different courts across the United States, as well as Federal administrative boards. Many of these cases have involved disputed claims of Tribal sovereign immunity. He has represented private and public clients in litigation, agency proceedings, and business negotiations involving Native American tribes, tribal entities, and tribal members throughout the country, including with respect to the St. Regis Mohawk (Akwasasne) Tribe. He also has experience in constitutional, treaty rights, and intellectual property law.

**C. Jennifer A. MacLean**

Ms. MacLean has extensive experience litigating cases involving Indian law in many different courts across the United States, as well as Federal administrative boards. She has over 16 years of experience litigating Indian law and tribal sovereign immunity. Her practice focuses on helping State and local governments, businesses and community groups navigate issues related to Federal Indian law. Her experience in this area includes aboriginal land claims, treaty disputes, compact negotiations, Tribal acknowledgment, and Federal preemption questions.

**D. Eric D. Miller**

Mr. Miller has extensive experience litigating cases involving Indian law, including in *Lewis v. Clarke*, 137 S. Ct. 1285 (2017), where he obtained a unanimous decision establishing that the sovereign immunity of an Indian tribe does not bar damages actions against tribal employees.

**E. Benjamin S. Sharp**

Mr. Sharp has extensive experience litigating cases involving Indian law in many different courts across the United States, as well as Federal administrative boards, specifically including issues of Tribal sovereign immunity.

**F. Meet & Confer**

Counsel for the St. Regis Mohawk Tribe indicated that it did not oppose this motion.

**II. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR**

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Shannon M. Bloodworth (EX1138), a Declaration of Charles G. Curtis, Jr. (EX1139), a Declaration of Jennifer A. MacLean (EX1140), a Declaration of Eric D. Miller (EX1141), and a Declaration of Benjamin S. Sharp (EX1142). In each

declaration, the declarant attests to each of the listed items required by the Order Authorizing Motion for *Pro Hac Vice* Admission in Case IPR2013-00639, Paper 7.

### III. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Board admit Shannon M. Bloodworth, Charles G. Curtis, Jr., Jennifer A. MacLean, Eric D. Miller, and Benjamin S. Sharp as counsel *Pro Hac Vice* in this proceeding.

Respectfully submitted,

Date: September 21, 2017

/ Steven W. Parmelee /  
Steven W. Parmelee, Lead Counsel  
Reg. No. 31,990

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