

1 UNITED STATES PATENT AND TRADEMARK OFFICE

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3 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
4 -----

5 MYLAN PHARMACEUTICALS, INC.,  
6 TEVA PHARMACEUTICALS USA, INC. and  
7 AKORN, INC.,  
8 Petitioners,  
9 v.  
10 ALLERGAN, INC.  
11 Patent Owner.  
12 -----

13 Case IPR2016-01127 (US 8,685,930 B2)  
14 Case IPR2016-01128 (US 8,629,111 B2)  
15 Case IPR2016-01129 (US 8,624,556 B2)  
16 Case IPR2016-01130 (US 8,633,162 B2)  
17 Case IPR2016-01131 (US 8,648,048 B2)  
18 Case IPR2016-01132 (US 9,248,191 B2)  
19 -----

20 DEPOSITION OF JOHN D. SHEPPARD, JR., M.D.  
21 Virginia Beach, Virginia  
22 Tuesday, June 20, 2017

23 Reported by:  
24 Carol L. Naughton, RPR, CCR  
25 Job No. 125465

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June 20, 2017

5:12 p.m.

Deposition of JOHN D. SHEPPARD, JR.,  
M.D., held at the Holiday Inn Virginia  
Beach - Norfolk Hotel & Conference Center,  
5655 Greenwich Road, Virginia Beach,  
Virginia, before Carol L. Naughton, RPR,  
CCR, a Notary Public of the Commonwealth of  
Virginia, at large.

1 A P P E A R A N C E S:

2 WILSON SONSINI GOODRICH & ROSATI  
Attorneys for Petitioner Mylan  
3 Pharmaceuticals, Inc.  
701 Fifth Avenue  
4 Seattle, Washington 98104

BY: JAD MILLS, ESQ.  
5 CHRISTINA DASHE, ESQ. (Via phone)  
GRACE WINSCHER, ESQ. (Via phone)

6  
7 CARLSON CASPERS VANDENBURGH LINDQUIST &  
SCHUMAN

Attorneys for Teva Pharmaceuticals  
8 USA, Inc.

225 South Sixth Street  
9 Minneapolis, Minnesota 55402

BY: GARY SPEIER, ESQ. (Via phone)

10  
11 FISH & RICHARDSON

Attorneys for Patent Owner Allergan, Inc.

3200 RBC Plaza  
12 60 South Sixth Street  
Minneapolis, Minnesota 55402

13 BY: TASHA FRANCIS, ESQ.  
DOROTHY WHELAN, ESQ.

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1 J. SHEPPARD

2 JOHN D. SHEPPARD, JR., M.D.,

3 called as a witness, having been duly sworn

4 by a Notary Public, was examined and

5 testified as follows:

6 EXAMINATION

7 BY MR. MILLS:

8 Q. Good afternoon. Please state your  
9 name and your business address for the record.

10 A. John Sheppard, M.D., Virginia Eye  
11 Consultants, 241 Corporate Boulevard, a mile  
12 west of here.

13 Q. My name is Jad Mills. I represent  
14 Mylan Pharmaceuticals, Inc., the petitioner in  
15 each of the six IPRs that are at issue here  
16 today. It's nice to meet you.

17 A. The same.

18 Q. When I say the six IPRs that are at  
19 issue today, do you understand what I'm talking  
20 about?

21 A. Yes.

22 Q. There are -- there are six different  
23 patents that are at issue; correct?

24 A. Correct.

25 Q. And so there are six different

1 J. SHEPPARD

2 Patent Office proceedings dealing with the  
3 patentability of each one of those patents;  
4 correct?

5 A. Yes.

6 Q. And you submitted a declaration in  
7 each of those IPR proceedings dealing with each  
8 of those patents; correct?

9 A. Yes.

10 Q. Is it correct that each of those  
11 declarations are substantially the same?

12 A. Yes.

13 Q. So just to get it out of the way,  
14 I'll go ahead and hand it to you.

15 It's the wrong one.

16 A. Is that '903, or which one is it?

17 Q. That one, I only have one copy of.  
18 Okay.

19 A. Thank you, sir.

20 Q. So -- and this is specifically --

21 A. '191.

22 Q. Right. This is for the '191 patent  
23 in the 1132 IPR. But you said a moment ago the  
24 declarations are essentially identical?

25 A. Other than the cover page.

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