

“methylmalonic acid lowering agent”	“an agent such as vitamin B12 which can be used to lower the concentration of methylmalonic acid in a mammal”
“an effective amount of pemetrexed disodium”	“an amount of pemetrexed disodium that is capable of providing a therapeutic benefit to the patient in need thereof”

The parties have also agreed that the preambles of claims 1 and 12 are limiting.

(b) The following chart reflects Plaintiff’s and Defendants’ proposed constructions for the claim terms, phrases, or clauses identified by one or more of the parties as requiring construction:

Claim Term/Phrase	Plaintiff’s Proposed Construction	Defendants’ Proposed Construction
“patient”	“patient (i.e., a human under medical care)”	“mammal”
“vitamin B12”	“vitamin B12 (i.e., cyanocobalamin)”	Indefinite

- (c) The parties anticipate that less than one day will be needed for the *Markman* hearing.
- (d) The parties will not call any witnesses at the *Markman* hearing.
- (e) The parties will first address the “patient” claim term (with a background introduction) and then will address the “vitamin B12” claim term, with Plaintiff going first for each issue.

Respectfully submitted,

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