

Olinger, Jonathan

From: Kennedy, Michael <MKennedy@cov.com>
Sent: Tuesday, March 21, 2017 6:18 PM
To: Cobb, Jeremy; Olinger, Jonathan; Holloway, Clay; Stockwell, Mitch; Brouillette, Amanda; MJOFFRE@skgf.com; JCROZENDAAL@skgf.com; CVIRA@skgf.com; Delzicol-Cov
Cc: Moore, Susie; andrea@wsfirm.com; claire@wsfirm.com; wh@wsfirm.com; George Pappas; Elikan, Jeffrey
Subject: RE: Warner Chilcott, et al v Teva Pharmaceuticals USA, Inc. and Mylan Pharmaceuticals Inc., et al

All: In view of today's meet-and-confer, and Qualicaps' designation of Nigel Watson to cover some topics previously assigned to Tanjoh-san, the below now represents the topics for which Qualicaps is designating Tanjoh-san subject to our objections. I have indicated changes from Jeremy's 3/17 email with strikethrough and underline. I believe the edits below to topics 3, 4, and 6, and addition of 9 to the list, should address Mylan's concerns from this morning's call.

- Mylan and Teva Topic 1: Tanjoh-san will provide testimony regarding the conception, research, development, design, manufacture, reduction to practice, and diligence between conception and reduction to practice of the inventions claimed by the '180 patent
- Mylan and Teva Topic 2: Tanjoh-san will provide testimony regarding publications related to the '180 patent.
- Mylan and Teva Topic 3: Tanjoh-san will provide testimony regarding facts concerning the work on hard capsule products manufactured by Qualicaps, including but not limited to those that embody the invention claimed by the '180 patent.
- Mylan and Teva Topic 4: Tanjoh-san will provide testimony regarding the first offer for sale, public use, and first sale of any hard capsule products ~~manufactured by Qualicaps~~ that embody the invention claimed by the '180 patent.
- Mylan and Teva Topic 5: Tanjoh-san will provide testimony regarding facts concerning the identification of any hard capsule products manufactured by Qualicaps that incorporates, practices, or embodies that embody the invention claimed by the '180 patent.
- Mylan and Teva Topic 6: Tanjoh-san will provide testimony regarding facts concerning the development of hard capsule products manufactured by Qualicaps, including failed attempts, that led to the ~~are an embodiment of the~~ '180 patent.
- Mylan and Teva Topic 7: Tanjoh-san will provide testimony regarding the design, development, first sale, and/or first offer for sale of hard capsule products manufactured by Qualicaps that embodies the invention claimed by the '180 patent.
- Mylan and Teva Topic 8: Tanjoh-san will provide testimony regarding any non-privileged information that is responsive to this topic.
- Mylan and Teva Topic 9: Tanjoh-san will provide testimony regarding any non-privileged information that is responsive to this topic.
- ~~Mylan and Teva Topic 12: Tanjoh-san will provide testimony regarding facts concerning any assignment, license, or transfer of rights in the '180 patent to Warner Chilcott Company, LLC.~~

- Mylan and Teva Topic 15: Tanjoh-san will provide testimony regarding the benefits or advantages of hard capsule products manufactured by Qualicaps that embody the invention claimed by the '180 patent.
- Mylan and Teva Topic 16: Tanjoh-san will provide testimony regarding the facts concerning this topic subject to the objections and to the extent that it does not involve expert testimony or a legal conclusion
- Mylan and Teva Topic 17: Tanjoh-san will provide testimony regarding the facts concerning this topic subject to the objections and to the extent that it does not involve expert testimony or a legal conclusion
- Mylan and Teva Topic 18: Tanjoh-san will provide testimony regarding the people at Qualicaps involved in the development, manufacture, sales, and licensing of any hard capsule products manufactured by Qualicaps that embodies the invention claimed by the '180 patent. [Qualicaps will designate Mr. Watson for the portion of Topic 18 dealing with sales and licensing].
- ~~Mylan and Teva Topic 21: Tanjoh-san will provide testimony regarding facts concerning any assignment, license, or transfer of rights in the '180 patent to Warner Chilcott Company, LLC.~~
- Mylan and Teva Topic 22: Tanjoh-san will provide testimony regarding this topic subject to our objections.
- Mylan Topic 24 and Teva Topic 26: Tanjoh-san will provide testimony regarding this topic subject to our objections. [Clarification - Tanjoh-san will cover this topic as it relates to the topics for which he is designated, and Mr. Watson will cover this topic as it relates to his topics].
- Mylan Topic 25 and Teva Topic 27: Tanjoh-san will provide testimony regarding this topic subject to our objections.
- Mylan Topic 26 and Topic 28: Tanjoh-san will provide testimony regarding this topic subject to our objections. [Clarification - Tanjoh-san will cover this topic as it relates to the topics for which he is designated, and Mr. Watson will cover this topic as it relates to his topics].

From: Cobb, Jeremy

Sent: Monday, March 20, 2017 5:56 PM

To: Olinger, Jonathan; Holloway, Clay; Stockwell, Mitch; Brouillette, Amanda; MJOFFRE@skgf.com; JCROZENDAAL@skgf.com; CVIRA@skgf.com; Delzicol-Cov

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Jonathan,

We will be available at noon EST tomorrow. Please use the following dial-in: 1-866-798-7071 Conference Code 13504396.

Best,
Jeremy

Jeremy Cobb

Covington & Burling LLP