

Egan, Brian P.

From: Louden, William <William.Louden@apks.com>
Sent: Saturday, May 06, 2017 2:56 PM
To: Cordrey, Gregory; Wu, Wallace; Sklenar, Jennifer
Cc: Nyarady, Catherine; Egan, Brian P.
Subject: RE: IPR2017-00060 [JMBM-OC.FID560329]

Greg,

BSC agrees to take the deposition of Dr. Buller on June 15 at the offices of Morris Nichols in Wilmington, DE. This examination will only be in regards to Dr. Buller's testimony submitted in IPR2017-00060. Examining Dr. Buller on his IPR2017-01293 testimony at the same deposition is contrary to the rules, particularly as the second '608 proceeding has not been instituted, and it would prejudice BSC to be forced to take a single deposition on grounds from different petitions on the same date and without the benefit of an institution decision in the second proceeding. If IPR2017-01293 is instituted, we will schedule a second deposition of Dr. Buller in accordance with the PTO's rules and guidelines.

Moreover, we think it is best for the party taking the cross-examination testimony to make arrangements for a court reporter. Accordingly, BSC will make arrangements for a court reporter for Dr. Buller's deposition. Please let me know if you have any questions.

Best,

William

William Z. Loudon | Associate
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From: Cordrey, Gregory [mailto:GXC@JMBM.com]
Sent: Monday, May 01, 2017 5:02 PM
To: Louden, William; Wu, Wallace; Sklenar, Jennifer
Cc: Nyarady, Catherine; 'began@MNAT.com'
Subject: RE: IPR2017-00060 [JMBM-OC.FID560329]

Counsel,

Dr. Buller is not available during the weeks of 5/29 and 6/5. However, Dr. Buller is available on June 15th (Thursday) for his deposition at the offices of Morris Nichols in Wilmington, DE. Also, at that time, Dr. Buller also will be prepared to be examined on his declaration provided in support of the Edwards' second IPR petition on the '608 Patent.

We look forward to hearing from you.

Regards,
Greg

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From: Louden, William [<mailto:William.Louden@apks.com>]
Sent: Tuesday, April 25, 2017 8:53 AM
To: Cordrey, Gregory; 'began@MNAT.com'; Nyarady, Catherine
Cc: Sklenar, Jennifer; Wu, Wallace
Subject: IPR2017-00060

Counsel,

Boston Scientific intends to take the deposition of Dr. Buller. Please let us know when he is available during the weeks of 5/29 and 6/5.

Best,

William

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