

- VOLUME 2 -

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

NOVARTIS PHARMACEUTICALS : CIVIL ACTION
CORPORATION and NOVARTIS :
AG, :

Plaintiffs, :

vs. :

BRECKENRIDGE :
PHARMACEUTICALS INC., :
Defendant. :

NO. 14-1043 (RGA)

----- : CIVIL ACTION

NOVARTIS PHARMACEUTICALS :
CORPORATION and NOVARTIS :
AG, :

Plaintiffs, :

vs. :

ROXANE LABORATORIES, :
INC., :

Defendant. :

NO. 14-1196 (RGA)

----- : CIVIL ACTION

NOVARTIS PHARMACEUTICALS :
CORPORATION and NOVARTIS :
AG, :

Plaintiffs, :

vs. :

PAR PHARMACEUTICAL, :
INC., :

Defendant. :

NO. 14-1289 (RGA)

Wilmington, Delaware
Tuesday, August 30, 2016
8:30 o'clock, a.m.

- - -

BEFORE: HONORABLE RICHARD G. ANDREWS, U.S.D.C.J.

1 **APPEARANCES :**

2 **McCARTER & ENGLISH, LLP**
3 **BY: DANIEL M. SILVER, ESQ.**

4 **-and-**

5
6 **FITZPATRICK, CELLA, HARPER & SCINTO**
7 **BY: NICHOLAS N. KALLAS, ESQ.**
8 **CHARLOTTE JACOBSEN, ESQ.,**
9 **WILLIAM E. SOLANDER, ESQ.,**
10 **CHRISTINA SCHWARZ, ESQ. and**
11 **CHRISTOPHER E. LOH, ESQ.**
12 **(New York, New York)**

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14 **Counsel for Plaintiffs**
15 **Novartis Pharmaceuticals Corporation**
16 **and Novartis Ag,**

17 **RICHARDS, LAYTON & FINGER**
18 **BY: KELLY E. FARNAN, ESQ.**

19 **-and-**

20 **MERCHANT & GOULD PC**
21 **BY: B. JEFFERSON BOGGS, JR., ESQ. and**
22 **MATTHEW L. FEDOWITZ, ESQ.**
23 **(Alexandria, Virginia)**

24 **Counsel for Defendant**
Breckenridge Pharmaceuticals, Inc.

-and-

1 APPEARANCES (Continued):

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3 MERCHANT & GOULD PC
4 BY: CHRISTOPHER J. SORENSON, ESQ.,
5 RACHEL C. HUGHEY, ESQ. and
6 MARY BRAM, ESQ.
7 (Minneapolis, Minnesota)

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9 Counsel for Defendant
10 Breckenridge Pharmaceutical, Inc.

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12 POTTER, ANDERSON & CORROON LLP
13 BY: DAVID E. MOORE, ESQ.

14 -and-

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16 GOODWIN & PROCTER LLP
17 BY: KEITH A. ZULLOW, ESQ.,
18 MICHAEL B. COTTLER, ESQ.,
19 RICHARD WARE, ESQ. and
20 MARCIA GROSS, ESQ.
21 (New York, New York)

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23 Counsel for Defendant
24 Roxane Laboratories, Inc.

RICHARDS, LAYTON & FINGER, P.A.
BY: STEVEN J. FINEMAN, ESQ.

-and-

1 **APPEARANCES (Continued):**

2 **LATHAM & WATKINS LLP**
3 **BY: DANIEL G. BROWN, ESQ.**
4 **(New York, New York)**

5 **-and-**

6 **LATHAM & WATKINS LLP**
7 **BY: BRENDA L. DANEK, ESQ.**
8 **(Chicago, Illinois)**

9 **-and-**

10 **LATHAM & WATKINS LLP**
11 **BY: PARKER M. TRESEMER, ESQ.**
12 **(Los Angeles, California)**

13 **Counsel for Defendant**
14 **Par Pharmaceutical, Inc.**

15 **- - -**

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P R O C E E D I N G S

(Proceedings commenced in the courtroom,
beginning at 8:30 a.m.)

THE COURT: All right. Please be
seated. Good morning.

Dr. Fung is somewhere around here.

THE WITNESS: Good morning, your
Honor.

THE COURT: Good morning.

Dr. FUNG, having been previously
sworn resumed the witness stand.

MR. LOH: Good morning, your
Honor.

THE COURT: Good morning.

BY MR. LOH:

Q. Good morning, Dr. Fung.

A. Good morning.

Q. Yesterday we were talking about a
selection of a lead chemical compound for
chemical modification.

I would like to turn to a
different topic this morning, and that's

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