

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAR PHARMACEUTICAL, INC.,
Petitioner,

v.

HORIZON THERAPEUTICS, LLC,
Patent Owner.

Case IPR2017-01767 (Patent 9,254,278)
Case IPR2017-01768 (Patent 9,095,559)
Case IPR2017-01769 (Patent 9,326,966)

Deposition of

GREGORY M. ENNS, M.B., Ch.B.

Wednesday, July 18, 2018

REPORTED BY: JOHN WISSENBACH, RDR, CRR, CRC
CSR 6862

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF EXAMINATIONS

	Page
WITNESS:	
GREGORY M. ENNS, M.B., Ch.B.	
Examination by Mr. Silverstein	4
Examination by Mr. Green	284

E X H I B I T S

No.	Description	Page
Exhibit 1026	Inborn Metabolic Diseases, Diagnosis and Treatment, 3rd, Revised Edition, J. Fernandes, et al., Springer-Verlag; Chapter 17, Disorders of the Urea Cycle, J.V. Leonard (title pages and pages 215-222)	4

1 BE IT REMEMBERED that, pursuant to the laws
2 governing the taking and use of depositions, on
3 Wednesday, July 18, 2018, commencing at 8:57 a.m.
4 thereof, at the offices of Regus, 228 Hamilton Avenue,
5 3rd Floor, Palo Alto, California, before me, JOHN
6 WISSENBACH, a Certified Shorthand Reporter, personally
7 appeared GREGORY M. ENNS, M.B., Ch.B., called as a
8 witness by the Petitioner, who, being by me first duly
9 sworn, was thereupon examined as a witness in said
10 action.

11 APPEARANCES OF COUNSEL

12 For the Petitioner:

13 AXINN, VELTROP & HARKRIDER LLP
14 BY: DAVID H. SILVERSTEIN, Attorney at Law
15 114 West 47th Street
16 New York, New York 10036
17 (212) 261-5651 dsilverstein@axinn.com

18 AXINN, VELTROP & HARKRIDER LLP
19 BY: AZIZ BURGY, Attorney at Law
20 950 F Street, NW
21 Washington, DC 20004
22 (202) 721-5417 aburgy@axinn.com

23 For the Patent Owner:

24 GREEN, GRIFFITH & BORG-BREEN LLP
25 BY: ROBERT F. GREEN, Attorney at Law
 ANN K. KOTZE, Attorney at Law
 676 North Michigan Avenue, Suite 3900
 Chicago, Illinois 60611
 (312) 883-8080 rgreen@greengriffith.com
 (312) 883-8015 akotze@greengriffith.com

-----o0o-----

1 (Deposition Exhibit 1026 was marked for
2 identification.)

3 EXAMINATION BY MR. SILVERSTEIN

4 Q. Good morning, Dr. Enns.

5 A. Good morning.

6 Q. My name is David Silverstein. I'll be taking
7 your deposition today. Do you mind stating your full
8 name and address for the record.

9 A. Gregory Mark Enns. Shall I state my home or my
10 work address?

11 Q. Both.

12 A. Okay. My home address is 907 Whitehall Lane,
13 Redwood City, California 94601, and my work address is
14 300 Pasteur Drive, Stanford, California 94305.

15 Q. I think I've -- I've seen a couple of them, so
16 I know you've been deposed a number of times, and you've
17 testified a number of times; is that correct?

18 A. Yes.

19 Q. How many times have you been deposed?

20 A. Approximately 30 to 35 times.

21 Q. Okay. And how many of those were patent cases?

22 A. The patent cases are a handful of times. I
23 don't recall off the top of my head. It would be five
24 or so, I think; maybe more. It's all a bit of a blur.

25 Q. Have you testified at trial before?

1 A. Yes.

2 Q. How many times?

3 A. I've testified once for plaintiffs in a medical
4 malpractice case by a video deposition for a trial. I
5 was a defense expert in another medical malpractice
6 case. And recently -- this wasn't a trial; it was an
7 arbitration, so I'm not sure if that counts. But I
8 testified in an arbitration recently.

9 Q. Testified in any patent cases?

10 A. No.

11 Q. In your role as expert witnesses in patent
12 cases, has it always been on the side of the brand?

13 A. Yes.

14 Q. Okay. Have you ever been sued before?

15 A. Yes.

16 Q. What was the nature of those matters?

17 A. It was a single case, several years back now,
18 related to a genetic test that I had performed in a
19 patient I had seen once, ten years before getting notice
20 of being sued. The case related to a laboratory result
21 being report -- reported as negative, and then ten years
22 later the laboratory redid the test and found out that
23 they had made a mistake.

24 Q. So was that a medical malpractice case?

25 A. It was.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.