

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Vascular Solutions LLC et al.,

Court File No. 0:19-cv-01760 (PJS/TNL)

Plaintiffs,

v.

**DEFENDANTS' INTERROGATORIES
TO PLAINTIFFS CONCERNING
PRELIMINARY INJUNCTION ISSUES**

Medtronic, Inc. et al.,

Defendants.

TO: Plaintiffs and their attorneys of record, J. Derek Vandenburg, Tara C. Norgard, Joseph W. Winkels, Alexander S. Rinn, and Shelleaha L. Jonas, Carlson, Caspers, Vandenburg, & Lindquist, P.A., 225 South Sixth Street, Suite 4200, Minneapolis, MN 55402.

DEFINITIONS AND INSTRUCTIONS

1. "Teleflex," "Plaintiffs," "you," and "your" means Plaintiffs Vascular Solutions LLC, Teleflex Innovations S.à r.l., Arrow International, Inc., and Teleflex LLC, individually and collectively, their predecessor and successor companies, affiliates, parents, any partnership or joint venture to which they may be a party, and each of their employees, agents, officers, directors, representatives, consultants, accountants, and attorneys, including any person who served in any of these capacities during any relevant time period.

2. Defendants Medtronic, Inc. and Medtronic Vascular, Inc. are collectively referred to herein as "Medtronic."

3. "Document" is synonymous in meaning and equal in scope to its usage in Rule 34(a)(1)(A) of the Federal Rules of Civil Procedure, which states "any designated

Documents or electronically stored information-including writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form.” The term “Document” refers to any Document now or at any time in Teleflex’s possession, custody, or control. A person is deemed in control of a Document if the person has any ownership, possession, or custody of the Document, or the right to secure the Document or a copy thereof from any person or public or private entity having physical possession thereof.

4. “Patents-in-Suit” means U.S. Patent Nos. 8,048,032 (the “’32 patent”), RE45,380 (the “’380 patent”), RE45,776 (the “’776 patent”), RE47,379 (the “’379 patent”), and RE45,760 (the “’760 patent”).

5. “Claims-in-Suit” means each claim in the Patents-in-Suit that Teleflex contends or may contend that Medtronic has infringed or is infringing.

6. “Telescope” means all versions of Medtronic’s Telescope™ Guide Extension Catheter.

7. “GuideLiner” means all versions of Teleflex’s GuideLiner catheter.

8. “Boston Scientific” means third-party Boston Scientific Corporation.

9. “QXMédical” means third-party QXMédical, LLC.

10. “Complaint” means Plaintiffs’ Complaint in the above entitled action and any subsequent amendment thereto.

11. “Interventional Cardiology Market” means the market for interventional cardiology devices that includes, but is not limited to, catheters, stents, valves, balloons, guidewires, and other cardiac interventional instruments.

12. “Person” means any natural person or any legal entity, including, but not limited to, any business or governmental entity, organization, or association.

13. “Relate” or “Relating to” means consisting of, referring to, reflecting, concerning, or being in any way logically or factually connected with the matter discussed.

14. “Communication” means the transmission of information in any form, including without limitation, written, oral, or electronic transmissions.

15. “Date” means the exact day, month, and year, if ascertainable; if not, the closest approximation that can be made by means of relationship to other events, locations, or matters.

16. Where a natural person is required to be identified, the word “identify” as used herein means to state the person’s complete name, current or last known business address and residence address, current or last known employer and position, and his/her employer and position at the time of the events referred to in the interrogatory or answer.

17. When an entity other than a natural person is required to be identified, the term “identify” as used herein shall mean to state its full name and current business address, and state of incorporation, if applicable.

18. Where a document is required to be identified or produced, the information requested by the term “identify” shall include the following information with respect to each such document:

- (a) The type of document (e.g., letter, financial record, memorandum, etc.), its date and title, if any, and its present location;
- (b) A general description of the subject matter and contents of the document; and
- (c) The identity of each person who prepared or authored it, and each person for whom it was prepared. When a geographic location is to be identified, the term “identify” when so used shall mean to state the address of the geographic location, the owner or occupier, the name of the business entity or other operation at the geographic location or site, and the nature of such business or operation.

19. Unless the context requires otherwise, use of the singular shall include the plural, and the present tense shall include the past tense, and vice versa. Likewise, the terms “any” or “each” should be understood to encompass “all,” and “or” should be understood to include and encompass “and,” and vice versa.

20. To the extent there are terms in these requests that have not been specifically defined and that you contend are in any manner vague and/or ambiguous, please give those terms their ordinary meaning as you understand them and provide Medtronic with the given ordinary meaning.

21. If you cannot answer and/or respond to the following discovery requests in full after exercising due diligence to secure the information to do so, please so state and respond to the fullest extent possible, specifying your inability to answer and/or respond to the remainder, stating whatever information or knowledge you have concerning the portion to which you are unable to answer and/or respond.

22. Answers to these Interrogatories shall be made in writing and served upon the undersigned attorneys within thirty (30) days of service of these Interrogatories.

23. Each Interrogatory is to be answered fully based on information in your possession, custody, or control, or in the possession, custody, or control of your representatives, agents, or attorneys.

24. If you object to any Interrogatory or any portion of an Interrogatory on the ground that the answer would reveal the substance of any privileged information, provide all information required by Federal Rule of Civil Procedure 26(b)(5). If your objection is on the ground that the answer would reveal the substance of a privileged communication, include an identification of:

- (a) the nature of the privilege or protection claimed;
- (b) the person who made the communication, whether oral or in writing;
- (c) if the communication was oral, all persons present while the communication was made;
- (d) if the communication was written, the author, addressees, and any other recipients;
- (e) the date and place of the communication; and

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