



reasonably search, including only such electronically stored information that is reasonably accessible.

Because this is early discovery for purposes of the preliminary injunction proceedings, a protective order has not yet been entered. Accordingly, Plaintiffs will produce documents upon Defendants' agreement that access to all documents and information provided in response to these Requests and designated as "CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" is limited to the Fredrikson and Byron law firm and Chad Hanson and Matt Anderson of Medtronic until the Court's Protective Order is in place.

Plaintiffs object to Medtronic's "Instructions" to the extent they seek to impose obligations or requirements beyond those imposed by the Federal Rules of Civil Procedure, applicable case law, or the rules of this Court, including at least with respect to Instructions 18, 21, 23, and 24. Plaintiffs further object to Medtronic's "Definitions" of the terms "Document," "Date," and "Identify" as overly broad, unduly burdensome, and not proportional to the matters at issue in limited preliminary injunction discovery. Finally, Plaintiffs object to the definition of "Teleflex," "Plaintiffs," "you," and "your" as overly broad, as seeking to include entities or individuals that are not within the control of Plaintiffs and as seeking to include third parties. As used herein, "Plaintiffs" refers to the plaintiffs in this action: Vascular Solutions LLC, Teleflex Innovations S.à r.l., Arrow International, Inc., and Teleflex LLC.

All documents produced by Plaintiffs in response to Defendants' Interrogatories are produced without waiver of Plaintiffs' right to object to the production of other

documents. Additionally, production of a document in response to an Interrogatory is not an admission of that document's relevance, admissibility at trial or any other objection.

Plaintiffs have made every effort to provide complete answers to these Interrogatories for purposes of the preliminary injunction proceedings. However, discovery is ongoing and Plaintiffs will amend, supplement, or otherwise update their answers to these discovery requests as appropriate. Plaintiffs additionally respond to Defendants' Interrogatories as follows:

### **INTERROGATORIES**

#### **INTERROGATORY NO. 1:**

Identify Teleflex's annual sales, both in the U.S. and globally, of GuideLiner from 2009 to the present, including the number of units sold of each available version of GuideLiner, the revenues received, and the average annual profit margin.

#### **RESPONSE:**

Pursuant to Federal Rule of Civil Procedure 33(d), Plaintiffs respond by identifying at least the documents produced as VSIQXM\_E00056202, -56203, -56323, -44868, and -56294. Plaintiffs are collecting and will produce and identify additional documents from which additional information responsive to this Interrogatory can be derived or ascertained.

**FIRST SUPPLEMENTAL RESPONSE DATED SEPTEMBER 20, 2019**

Plaintiffs hereby incorporate its objections as if set forth verbatim. Subject to and without waiving the forgoing objections, in addition to the original response to Interrogatory No. 1, and based on its continuing and reasonable investigation to date, Plaintiffs further respond to this Interrogatory as follows. Pursuant to Federal Rule of Civil Procedure 33(d), Plaintiffs respond by identifying, in addition to those documents identified in Plaintiffs' original response, at least the document produced as VSIMDT\_00028305. Plaintiffs reserve the right to supplement and/or amend this Response as further relevant information is discovered during the course of this litigation.

**INTERROGATORY NO. 2:**

Identify the average annual list price and sales price of GuideLiner from 2009 to the present.

**RESPONSE:**

Pursuant to Federal Rule of Civil Procedure 33(d), Plaintiffs respond by identifying at least the document produced as VSIQXM\_E00044867. Plaintiffs are collecting and will produce and identify additional documents from which additional information responsive to this Interrogatory can be derived or ascertained.

**FIRST SUPPLEMENTAL RESPONSE DATED SEPTEMBER 20, 2019**

Plaintiffs hereby incorporate its objections as if set forth verbatim. Subject to and without waiving the forgoing objections, in addition to the original response to Interrogatory No. 2, and based on its continuing and reasonable investigation to date, Plaintiffs further respond to this Interrogatory as follows. Pursuant to Federal Rule of

Civil Procedure 33(d), Plaintiffs respond by identifying, in addition to those documents identified in Plaintiffs' original response, at least the documents produced as VSIMDT\_00023796 and 00028305. Plaintiffs reserve the right to supplement and/or amend this Response as further relevant information is discovered during the course of this litigation.

**INTERROGATORY NO. 3:**

Identify Teleflex's average annual market share for guide extension catheters in the U.S. from 2009 to the present.

**RESPONSE:**

Plaintiffs object to this Interrogatory to the extent it calls for information not in Plaintiffs' possession, custody, or control. Plaintiffs further object to this Interrogatory as burdensome and oppressive to the extent it seeks information that is in Defendants' possession or is available from public sources such as the internet. Plaintiffs further object to this Interrogatory to the extent it is duplicative of Medtronic's other Interrogatories, including at least Interrogatory No. 4.

Subject to and without waiving the foregoing objections, Plaintiffs respond that prior to Boston Scientific's Guidezilla guide extension catheters entering the U.S. market in 2013, Plaintiffs believe there were no competitors to its own GuideLiner guide extension catheters in the United States. For the time period after Boston Scientific's Guidezilla products entered the U.S. market in 2013, pursuant to Federal Rule of Civil Procedure 33(d), Plaintiffs respond by identifying at least the documents produced as VSIQXM\_E00056205, -56290, -56291, and -56292. Plaintiffs are collecting and will

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