

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

VASCULAR SOLUTIONS LLC,)	
TELEFLEX INNOVATIONS S.à r.l.,)	
ARROW INTERNATIONAL, INC.,)	
and TELEFLEX LLC)	No. 0:19-cv-01760-PJS-TNL
)	
Plaintiffs,)	
)	
v.)	Jury Trial Demanded
)	
MEDTRONIC, INC., and)	
MEDTRONIC VASCULAR, INC.,)	
)	
Defendants.)	

**PLAINTIFFS’ OBJECTIONS AND RESPONSES TO DEFENDANTS’
INTERROGATORIES CONCERNING PRELIMINARY INJUNCTION ISSUES**

Plaintiffs Vascular Solutions LLC, Teleflex Innovations S.à r.l., Arrow International, Inc., and Teleflex LLC (collectively “Plaintiffs”) hereby object and respond to Defendants Medtronic, Inc., and Medtronic Vascular, Inc.’s (“Defendant” or “Medtronic”) Interrogatories Concerning Preliminary Injunction Issues as follows:

INTRODUCTION

Plaintiffs will respond to Medtronic’s Interrogatories in accordance with the federal discovery rules and laws, and the rules of this Court, including but not limited to Federal Rule of Civil Procedure 26 for purposes of the preliminary injunction proceedings. Plaintiffs are only required by the Federal Rules of Civil Procedure to search for and produce responsive information within their personal knowledge or from documents within their possession, custody, or control, that are located following a

versions of the “Telescope” guide extension catheter since 2019), Boston Scientific (all versions of the “Guidezilla” guide extension catheter since 2013), and QX Medical (all versions of the “Boosting Catheter” guide extension catheter since 2017). For the time period after Boston Scientific’s Guidezilla entered the U.S. market, 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 produce and identify additional documents from which additional information responsive to this Interrogatory can be derived or ascertained.

INTERROGATORY NO. 7:

For each claim in the Patents-in-Suit, identify the Date of first conception and each reduction to practice, and describe the facts and circumstances relating to your contention of the conception and reduction to practice of the alleged invention, including, without limitation, where, when, how, and by whom the claim was conceived and reduced to practice, and identify all documents and things allegedly corroborating such conception and diligence in reducing the claimed invention to practice.

RESPONSE:

Plaintiffs object to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege, work product doctrine, or any other privilege. Plaintiffs do not agree to waive any applicable privilege by its response to this Interrogatory.

Plaintiffs further object to this Interrogatory as overly broad, unduly burdensome, irrelevant, and not proportional to the needs of the case at least to the extent it seeks information regarding the conception and reduction to practice for “each claim in the Patents-in-Suit,” because only a limited number of the large number of claims of the Patents-in-Suit are at issue in this litigation and because not all claims asserted against

Defendants in Plaintiffs' Complaint are included in Plaintiffs' motion for preliminary injunction.

Subject to and without waiving the foregoing objections, Plaintiffs respond that the inventors came up with the idea for what became the GuideLiner catheter product and that led to the inventions claimed in the patents-in-suit at some point in 2004 after the annual Transcatheter Cardiovascular Therapeutics conference that took place in late September of that year. Pursuant to Federal Rule of Civil Procedure 33(d), Plaintiffs further respond by identifying at least the following documents: pages from Gregg Sutton's laboratory notebook dated January 4, 2005 (VSIQXM_E00005937), Howard Root's notes dated February 7, 2005 (VSIQXM_E00005949), and Howard Root's market feasibility memorandum dated February 4, 2005 (VSIQXM_E00005947).

INTERROGATORY NO. 8:

Identify each claim in the Patents-in-Suit that you have alleged or will allege is infringed by Telescope.

RESPONSE:

Plaintiffs object to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege, work product doctrine, or any other privilege. Plaintiffs do not agree to waive any applicable privilege by its response to this Interrogatory. Plaintiffs further object to this Interrogatory as seeking information already provided in its Complaint. Plaintiffs further object to this Interrogatory as premature, particularly to the extent it requires Plaintiffs to set forth their infringement positions before the deadline for infringement contentions has been set by the court and to the extent it calls for a legal

Dated: August 15, 2019

s/ J. Derek Vandenburg

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CERTIFICATE OF SERVICE

I certify that I caused to be served Plaintiffs' Objections and Responses to Defendants' Interrogatories Concerning Preliminary Injunction Issues via email, as agreed to by the parties, on the following persons or entities on the date noted below:

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