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From: Neil B. McLaughlin <NMcLaughlin@rmmslegal.com>  
Sent: Friday, May 3, 2024 10:01 AM  
To: Laura Fairney; Hillier, Drew Alan  
Cc: QE - Samsung Bioepis; MYL\_REG\_IPR; 'Lora Green'; 'Franklin Chu';  
'rcerwinski@geminilaw.com'; 'azalcenstein@geminilaw.com';  
'bmorris@geminilaw.com'; Brausa, Adam R.; Durie, Daralyn J.; Davis, Kira A; Weires,  
Rebecca; Regeneron-MoFo-IPR; Wilk, Matthew M.; Cobb, Jeremy; Caine, David A.  
Subject: RE: IPR2023-00884: Additional Discovery

[EXTERNAL EMAIL from [nmclaughlin@rmmslegal.com](mailto:nmclaughlin@rmmslegal.com)]



Counsel:

Mylan and Biocon have no objection to the production of the requested materials set forth in Samsung's April 16 email.

Regards,  
Neil

**NEIL B. MCLAUGHLIN PH.D. | PARTNER**  
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From: Neil B. McLaughlin  
Sent: Thursday, May 2, 2024 1:31 PM  
To: Laura Fairney <laurafairney@quinnemanuel.com>; Hillier, Drew Alan <DHillier@mofo.com>  
Cc: QE - Samsung Bioepis <qe-samsungbioepis@quinnemanuel.com>; MYL\_REG\_IPR <MYL\_REG\_IPR@rmmslegal.com>;  
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<Jeremy.Cobb@arnoldporter.com>; Caine, David A. <David.Caine@arnoldporter.com>  
Subject: RE: IPR2023-00884: Additional Discovery

Counsel:

Mylan is taking this request under advisement. Initially, based on the general descriptions provided, we do not believe that they contain any information designated confidential by Mylan. However, we have undertaken a review of those materials in order to confirm and will not be able to provide confirmation until that review is complete. Given the number of documents, and the length of many of the documents, we will need at least another day before we can provide that confirmation.

Thank you for your patience.

Regards,  
Neil

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From: Laura Fairneny <[laurafairneny@quinnemanuel.com](mailto:laurafairneny@quinnemanuel.com)>

Sent: Wednesday, May 1, 2024 8:15 PM

To: Hillier, Drew Alan <[DHillier@mofo.com](mailto:DHillier@mofo.com)>

Cc: QE - Samsung Bioepis <[qe-samsungbioepis@quinnemanuel.com](mailto:qe-samsungbioepis@quinnemanuel.com)>; MYL\_REG\_IPR <[MYL\\_REG\\_IPR@rmmslegal.com](mailto:MYL_REG_IPR@rmmslegal.com)>;

'Lora Green' <[lgreen@geminilaw.com](mailto:lgreen@geminilaw.com)>; 'Franklin Chu' <[fchu@geminilaw.com](mailto:fchu@geminilaw.com)>; 'rcerwinski@geminilaw.com'

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<[Jeremy.Cobb@arnoldporter.com](mailto:Jeremy.Cobb@arnoldporter.com)>; Caine, David A. <[David.Caine@arnoldporter.com](mailto:David.Caine@arnoldporter.com)>

Subject: RE: IPR2023-00884: Additional Discovery

Mylan counsel,

Per the below, Regeneron informed us on a meet and confer today that they will not produce any of the documents requested in my April 16 email below until Mylan confirms that there is no objection based on Mylan confidentiality issues. Although we do not understand how any of the requested information could possibly include Mylan confidential information, can you please confirm you have no objection?

Regards,  
Laura

---

From: Laura Fairneny <[laurafairneny@quinnemanuel.com](mailto:laurafairneny@quinnemanuel.com)>  
Sent: Wednesday, May 1, 2024 9:13 PM  
To: Hillier, Drew Alan <[DHillier@mofo.com](mailto:DHillier@mofo.com)>  
Cc: QE - Samsung Bioepis <[qe-samsungbioepis@quinnemanuel.com](mailto:qe-samsungbioepis@quinnemanuel.com)>; 'MYL\_REG\_IPR@rmmslegal.com' <[MYL\\_REG\\_IPR@rmmslegal.com](mailto:MYL_REG_IPR@rmmslegal.com)>; 'Lora Green' <[lgreen@geminilaw.com](mailto:lgreen@geminilaw.com)>; 'Franklin Chu' <[fchu@geminilaw.com](mailto:fchu@geminilaw.com)>; 'rcerwinski@geminilaw.com' <[rcerwinski@geminilaw.com](mailto:rcerwinski@geminilaw.com)>; 'azalcenstein@geminilaw.com' <[azalcenstein@geminilaw.com](mailto:azalcenstein@geminilaw.com)>; 'bmorris@geminilaw.com' <[bmorris@geminilaw.com](mailto:bmorris@geminilaw.com)>; Brausa, Adam R. <[ABrausa@mofo.com](mailto:ABrausa@mofo.com)>; Durie, Daralyn J. <[DDurie@mofo.com](mailto:DDurie@mofo.com)>; Davis, Kira A <[KiraDavis@mofo.com](mailto:KiraDavis@mofo.com)>; Weires, Rebecca <[RWeires@mofo.com](mailto:RWeires@mofo.com)>; Regeneron-MoFo-IPR <[Regeneron-MoFo-IPR@mofo.com](mailto:Regeneron-MoFo-IPR@mofo.com)>; Wilk, Matthew M. <[Matthew.Wilk@arnoldporter.com](mailto:Matthew.Wilk@arnoldporter.com)>; Cobb, Jeremy <[Jeremy.Cobb@arnoldporter.com](mailto:Jeremy.Cobb@arnoldporter.com)>; Caine, David A. <[David.Caine@arnoldporter.com](mailto:David.Caine@arnoldporter.com)>  
Subject: RE: IPR2023-00884: Additional Discovery

Drew,

I appreciate the meet and confer earlier today and write to respond to the requests you made during our discussion.

First, we will confirm with Mylan that it does not object to the requested production. As explained on the call, we do not understand why this step is necessary given that the requested materials relate to Regeneron's fact witnesses and documents, but we will nevertheless make this request of Mylan in the interest of reaching agreement on these issues.

Second, SB agrees not to seek any additional deposition of Dr. Yancopoulos or Ms. Chu based on the production of the additional discovery assuming Regeneron does not submit any further declaration from these witnesses.

Third, SB agrees that documents produced on an Outside Counsel's Eyes Only basis in the Mylan Litigation can be designated as Outside Counsel Eye's Only in this IPR.

Finally, we do not agree to allow Regeneron to redact the requested materials for relevance before production. As explained on the call, it's not clear how Regeneron would be able to determine what is relevant versus what is not, and performing the redactions only requires more burden and delay in producing the materials.

As discussed on the call, we need to resolve whether the parties can reach an agreement or are at an impasse by tomorrow. Please let me know your availability to meet and confer between 11:00 am to 5:00 pm ET.

Regards,  
Laura

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From: Hillier, Drew Alan <[DHillier@mofo.com](mailto:DHillier@mofo.com)>  
Sent: Tuesday, April 30, 2024 11:12 AM  
To: Laura Fairneny <[laurafairneny@quinnemanuel.com](mailto:laurafairneny@quinnemanuel.com)>  
Cc: QE - Samsung Bioepis <[qe-samsungbioepis@quinnemanuel.com](mailto:qe-samsungbioepis@quinnemanuel.com)>; 'MYL\_REG\_IPR@rmmslegal.com' <[MYL\\_REG\\_IPR@rmmslegal.com](mailto:MYL_REG_IPR@rmmslegal.com)>; 'Lora Green' <[lgreen@geminilaw.com](mailto:lgreen@geminilaw.com)>; 'Franklin Chu' <[fchu@geminilaw.com](mailto:fchu@geminilaw.com)>; 'rcerwinski@geminilaw.com' <[rcerwinski@geminilaw.com](mailto:rcerwinski@geminilaw.com)>; 'azalcenstein@geminilaw.com' <[azalcenstein@geminilaw.com](mailto:azalcenstein@geminilaw.com)>; 'bmorris@geminilaw.com' <[bmorris@geminilaw.com](mailto:bmorris@geminilaw.com)>; Brausa, Adam R. <[ABrausa@mofo.com](mailto:ABrausa@mofo.com)>; Durie, Daralyn J. <[DDurie@mofo.com](mailto:DDurie@mofo.com)>; Davis, Kira A <[KiraDavis@mofo.com](mailto:KiraDavis@mofo.com)>; Weires, Rebecca <[RWeires@mofo.com](mailto:RWeires@mofo.com)>; Regeneron-MoFo-IPR <[Regeneron-MoFo-IPR@mofo.com](mailto:Regeneron-MoFo-IPR@mofo.com)>; Wilk, Matthew M. <[Matthew.Wilk@arnoldporter.com](mailto:Matthew.Wilk@arnoldporter.com)>; Cobb, Jeremy <[Jeremy.Cobb@arnoldporter.com](mailto:Jeremy.Cobb@arnoldporter.com)>; Caine, David A. <[David.Caine@arnoldporter.com](mailto:David.Caine@arnoldporter.com)>

<MYL\_REG\_IPR@rmmslegal.com>; 'Lora Green' <lgreen@geminilaw.com>; 'Franklin Chu' <fchu@geminilaw.com>; 'rcerwinski@geminilaw.com' <rcerwinski@geminilaw.com>; 'azalcenstein@geminilaw.com' <azalcenstein@geminilaw.com>; 'bmorris@geminilaw.com' <bmorris@geminilaw.com>; Brausa, Adam R. <ABrausa@mofo.com>; Durie, Daralyn J. <DDurie@mofo.com>; Davis, Kira A <KiraDavis@mofo.com>; Weires, Rebecca <RWeires@mofo.com>; Regeneron-MoFo-IPR <Regeneron-MoFo-IPR@mofo.com>; Wilk, Matthew M. <Matthew.Wilk@arnoldporter.com>; Cobb, Jeremy <Jeremy.Cobb@arnoldporter.com>; Caine, David A. <David.Caine@arnoldporter.com>

Subject: RE: IPR2023-00884: Additional Discovery

[EXTERNAL EMAIL from [dhillier@mofo.com](mailto:dhillier@mofo.com)]

Laura,

Thank you for the email. Before we have a call, as previously requested, please identify the specific transcript testimony that Samsung believes justifies this discovery request and explain the alleged relevance of the exhibits. We need this information so that we have a meaningful call. We are available May 1 or May 2 at 2:00 p.m. PT.

Samsung was undoubtedly aware of the requested documents before the depositions in this proceeding of Dr. Yancopoulos and Ms. Chu. The subject of Dr. Yancopoulos's and Ms. Chu's testimony was also apparent in their declarations which were filed some time ago. If Samsung wanted to examine whether past statements were consistent, Samsung should have asked the witnesses about those statements at their depositions. Therefore, it is not clear to us why Samsung waited until after the depositions to request these materials.

We will serve a higher-resolution printout of the PowerPoint presentation previously filed as Ex. 2007 and a version of Ex. 2011 without a trial exhibit stamp that had obscured some text on the cover page.

Best,

Drew

**Drew Alan Hillier**

Associate

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**MORRISON  
FOERSTER**

From: Laura Fairneny <[laurafairneny@quinnemanuel.com](mailto:laurafairneny@quinnemanuel.com)>

Sent: Friday, April 26, 2024 2:02 PM

To: Hillier, Drew Alan <[DHillier@mofo.com](mailto:DHillier@mofo.com)>

Cc: QE - Samsung Bioepis <[qe-samsungbioepis@quinnemanuel.com](mailto:qe-samsungbioepis@quinnemanuel.com)>; 'MYL\_REG\_IPR@rmmslegal.com' <MYL\_REG\_IPR@rmmslegal.com>; 'Lora Green' <lgreen@geminilaw.com>; 'Franklin Chu' <fchu@geminilaw.com>; 'rcerwinski@geminilaw.com' <rcerwinski@geminilaw.com>; 'azalcenstein@geminilaw.com' <azalcenstein@geminilaw.com>; 'bmorris@geminilaw.com' <bmorris@geminilaw.com>; Brausa, Adam R. <ABrausa@mofo.com>; Durie, Daralyn J. <DDurie@mofo.com>; Davis, Kira A <KiraDavis@mofo.com>; Weires, Rebecca <RWeires@mofo.com>; Regeneron-MoFo-IPR <Regeneron-MoFo-IPR@mofo.com>; Wilk, Matthew M. <Matthew.Wilk@arnoldporter.com>; Cobb, Jeremy <Jeremy.Cobb@arnoldporter.com>; Caine, David A. <David.Caine@arnoldporter.com>

Subject: RE: IPR2023-00884: Additional Discovery

## External Email

Drew,

Upon review of the trial transcript in the Mylan Litigation and the available deposition designations at that same trial from Ms. Chu, it appears that Dr. Yancopoulos and Ms. Chu provided testimony in the Mylan Litigation on subject matter that is substantially similar to their depositions in this IPR. SB should be allowed to examine Dr. Yancopoulos's and Ms. Chu's prior testimony in the Mylan Litigation for consistency with their IPR declarations and testimony. The exhibits cited in that prior testimony are necessary for us to fully evaluate and effectively use any statements therein.

As to Exhibits 2007 and 2011, at his deposition, Dr. Yancopoulos testified that there appeared to be information missing or obscured in both exhibits. See Yancopoulos Dep. Tr. at 16:13-17:3, 227:23-228:10.

We are available to meet and confer on Monday from 2-5pm ET or on Tuesday from 10am-2pm ET.

Regards,  
Laura

---

From: Hillier, Drew Alan <[DHillier@mofo.com](mailto:DHillier@mofo.com)>  
Sent: Thursday, April 25, 2024 5:01 PM  
To: Laura Fairney <[laurafairney@quinnemanuel.com](mailto:laurafairney@quinnemanuel.com)>  
Cc: QE - Samsung Bioepis <[qe-samsungbioepis@quinnemanuel.com](mailto:qe-samsungbioepis@quinnemanuel.com)>; 'MYL\_REG\_IPR@rmmslegal.com' <[MYL\\_REG\\_IPR@rmmslegal.com](mailto:MYL_REG_IPR@rmmslegal.com)>; 'Lora Green' <[lgreen@geminilaw.com](mailto:lgreen@geminilaw.com)>; 'Franklin Chu' <[fchu@geminilaw.com](mailto:fchu@geminilaw.com)>; 'rcerwinski@geminilaw.com' <[rcerwinski@geminilaw.com](mailto:rcerwinski@geminilaw.com)>; 'azalcenstein@geminilaw.com' <[azalcenstein@geminilaw.com](mailto:azalcenstein@geminilaw.com)>; 'bmorris@geminilaw.com' <[bmorris@geminilaw.com](mailto:bmorris@geminilaw.com)>; Brausa, Adam R. <[ABrausa@mofo.com](mailto:ABrausa@mofo.com)>; Durie, Daralyn J. <[DDurie@mofo.com](mailto:DDurie@mofo.com)>; Davis, Kira A <[KiraDavis@mofo.com](mailto:KiraDavis@mofo.com)>; Weires, Rebecca <[RWeires@mofo.com](mailto:RWeires@mofo.com)>; Regeneron-MoFo-IPR <[Regeneron-MoFo-IPR@mofo.com](mailto:Regeneron-MoFo-IPR@mofo.com)>; Wilk, Matthew M. <[Matthew.Wilk@arnoldporter.com](mailto:Matthew.Wilk@arnoldporter.com)>; Cobb, Jeremy <[Jeremy.Cobb@arnoldporter.com](mailto:Jeremy.Cobb@arnoldporter.com)>; Caine, David A. <[David.Caine@arnoldporter.com](mailto:David.Caine@arnoldporter.com)>  
Subject: RE: IPR2023-00884: Additional Discovery

[EXTERNAL EMAIL from [dhillier@mofo.com](mailto:dhillier@mofo.com)]

Laura,

We are looking into providing higher-resolution copies of Exhibits 2007 and 2011, although we are not aware of any "missing" information.

Regarding "the collaboration agreement between Bayer and Regeneron," we believe copies are equally available to Samsung at [SEC.gov](https://www.sec.gov).

Regeneron would like to meet and confer to understand the remainder of Samsung's request. Before we schedule a call, please identify the specific testimony in the depositions of Karen Chu and George Yancopoulos on which Samsung is relying to attempt to justify the additional discovery. For each requested exhibit, please explain the alleged relevance so that we can have a meaningful meet and confer.

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