
From: Brausa, Adam R. <ABrausa@mofo.com>
Sent: Friday, May 3, 2024 2:40 PM
To: Laura Fairneny; Hillier, Drew Alan
Cc: QE - Samsung Bioepis; MYL_REG_IPR@rmmslegal.com; Lora Green; Franklin Chu; rcerwinski@geminilaw.com; azalcenstein@geminilaw.com; bmorris@geminilaw.com; 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

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL from abrausa@mofo.com]



Laura,

Drew is out with some appointments today, and I'm not sure of his availability, so I can respond. Regeneron is fully cooperating and is attempting to actually meet and confer. Samsung on the other hand refuses to provide any specific justification for its untimely requests for additional discovery. To date, Samsung has not offered any explanation for why its request for numerous trial exhibits is "necessary in the interest of justice" as articulated in *Garmin Int'l, Inc. v. Cuozzo Speed Tech. L.L.C.*, IPR2012-00001, Paper 26 (P.T.A.B. Mar. 5, 2013), or why it waited so long to seek this additional discovery. As such, Regeneron opposes Samsung's proposed motion for leave to seek additional discovery. We can be available on Tuesday or Thursday of next week from 11-5 ET for a call with the Board. Thanks.

Regards,
Adam

Adam Brausa

abrausa@mofo.com
T: +1 (415) 268-6053
M: +1 (773) 426-9492

Morrison Foerster
425 Market St.
San Francisco, CA 94105

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From: Laura Fairneny <laurafairneny@quinnemanuel.com>
Sent: Friday, May 3, 2024 12:30 PM
To: Hillier, Drew Alan <DHillier@mofo.com>
Cc: QE - Samsung Bioepis <qe-samsungbioepis@quinnemanuel.com>; MYL_REG_IPR@rmmslegal.com; Lora Green

<lgreen@geminilaw.com>; Franklin Chu <fchu@geminilaw.com>; rcerwinski@geminilaw.com;
azalcenstein@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

Counsel,

We have tried to resolve this request for additional discovery without requiring the Board's involvement, but Regeneron is not cooperating in that process. We plan to email the Board to request leave to file a motion for the additional discovery and raise Regeneron's refusal to meet and confer in a timely manner.

Please send us times you are available for a conference call with the Board next week.

Regards,
Laura

From: Laura Fairneny
Sent: Friday, May 3, 2024 12:16 PM
To: Hillier, Drew Alan <DHillier@mofo.com>
Cc: QE - Samsung Bioepis <qe-samsungbioepis@quinnemanuel.com>; MYL_REG_IPR@rmmslegal.com; Lora Green <lgreen@geminilaw.com>; Franklin Chu <fchu@geminilaw.com>; rcerwinski@geminilaw.com; azalcenstein@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

Drew,

We cannot wait that long. I'm happy to discuss with another member of your team at the proposed times today, talk to you on Saturday, or get Regeneron's position by email. This cannot be drawn out by Regeneron any longer.

Regards,
Laura

From: Hillier, Drew Alan <DHillier@mofo.com>
Sent: Friday, May 3, 2024 12:13 PM
To: Laura Fairneny <laurafairneny@quinnemanuel.com>
Cc: QE - Samsung Bioepis <qe-samsungbioepis@quinnemanuel.com>; MYL_REG_IPR@rmmslegal.com; Lora Green <lgreen@geminilaw.com>; Franklin Chu <fchu@geminilaw.com>; rcerwinski@geminilaw.com; azalcenstein@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

Laura,

I am not available today. Are you available at 10:00 a.m. on Tuesday? We can use the dial-in that I circulated below.

Thank you,

Drew

Drew Alan Hillier

Associate

DHillier@mofo.com

T +1 (858) 314-7711

M +1 (858) 252-5131

**MORRISON
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From: Laura Fairneny <laurafairneny@quinnemanuel.com>

Sent: Friday, May 3, 2024 8:04 AM

To: Hillier, Drew Alan <DHillier@mofo.com>

Cc: QE - Samsung Bioepis <qe-samsungbioepis@quinnemanuel.com>; MYL_REG_IPR@rmmslegal.com; Lora Green <lgreen@geminilaw.com>; Franklin Chu <fchu@geminilaw.com>; rcerwinski@geminilaw.com; azalcenstein@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,

Please let me know your availability today.

Regards,
Laura

From: Laura Fairneny

Sent: Thursday, May 2, 2024 5:19 PM

To: Hillier, Drew Alan <DHillier@mofo.com>

Cc: QE - Samsung Bioepis <qe-samsungbioepis@quinnemanuel.com>; MYL_REG_IPR@rmmslegal.com; Lora Green <lgreen@geminilaw.com>; Franklin Chu <fchu@geminilaw.com>; rcerwinski@geminilaw.com; azalcenstein@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

Drew,

I can also make myself available tomorrow from 2:30-5pm ET.

Regards,
Laura

On May 2, 2024, at 5:08 PM, Hillier, Drew Alan <DHillier@mofo.com> wrote:

[EXTERNAL EMAIL from dhillier@mofo.com]

Laura,

We do think it makes sense to wait until we hear from Mylan on whether Mylan objects. I am not available to speak tomorrow before 9:30 a.m. PT. If 10:00 a.m. PT does not work for you on Tuesday, please propose some additional times.

Thank you,

Drew

Drew Alan Hillier
Associate
DHillier@mofo.com
T +1 (858) 314-7711
M +1 (858) 252-5131

<image001.png>

From: Laura Fairneny <laurafairneny@quinnemanuel.com>
Sent: Thursday, May 2, 2024 12:27 PM
To: Hillier, Drew Alan <DHillier@mofo.com>
Cc: QE - Samsung Bioepis <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,

I don't think Mylan's review needs to hold up our discussions. I remain available to talk today or can talk before 12:30 pm ET tomorrow.

Regards,
Laura

From: Hillier, Drew Alan <DHillier@mofo.com>
Sent: Thursday, May 2, 2024 2:59 PM
To: Laura Fairney <laurafairney@quinnemanuel.com>
Cc: QE - Samsung Bioepis <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 from dhillier@mofo.com]

Laura,

As Mylan indicated in the attached email, Mylan "need[s] at least another day" before it can confirm whether it objects to the production. We also need more time to communicate with Regeneron's district court counsel because this implicates the district court litigation. Let's plan to discuss on Tuesday to make sure all the parties have time to make progress on resolving these issues without motion practice. Are you available at 10:00 a.m. PT? If so, we can use this dial-in information:

Microsoft Teams [Need help?](#)
[Join the meeting now](#)
Meeting ID: 242 612 177 303
Passcode: twwe6f

Dial-in by phone
[+1 628-212-0656](tel:+1628-212-0656), [681972533#](tel:+1681972533) United States, San Francisco
[Find a local number](#)
Phone conference ID: 681 972 533#
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Best,

Drew

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