

Exhibit 10

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF
3 WEST VIRGINIA

4 Civil Action No. 1:22-cv-00061-TSK

5 -----x

6 REGENERON PHARMACEUTICALS, INC.,

7 Plaintiff,

8 -against-

9 MYLAN PHARMACEUTICALS INC.,

10 Defendant.

11 -----x

12 650 Fifth Avenue
13 New York, New York

14 December 16, 2022

15 9:12 a.m.

16 VIDEOTAPED HYBRID DEPOSITION of
17 KAREN CHU, a witness in the
18 above-entitled action, held at the above
19 time and place, taken before Dawn Matera,
20 a Shorthand Reporter and Notary Public of
21 the State of New York.

22 * * *

23

24

25

Page 2

1 A P P E A R A N C E S : (Continued)
 2
 3 WILLIAMS & CONNOLLY LLP
 Attorneys for Regeneron Pharmaceuticals,
 4 Inc.
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 Washington, D.C. 20024
 5 By: ELLEN E. OBERWETTER, ESQ.
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 KATHRYN S. KAYALI, ESQ.
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 7
 8
 9 RAKOCZY MOLINO MAZZOCHI SIWIK LLP
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 10 6 W. Hubbard Street
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 11 Chicago, Illinois 60654
 12
 By: DEANNE M. MAZZOCHI, ESQ.
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 (Remote Attendance)
 13 JEFFREY A. MARX, ESQ.
 jmarx@rmmslegal.com
 14 HEINZ J. SALMEN, ESQ.
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 (Remote Attendance)
 15
 16 CAREY DOUGLAS KESSLER & RUBY PLLC
 Local Counsel for Regeneron
 17 Pharmaceuticals, Inc.
 707 Virginia Street East
 901 Chase Tower
 18 Charleston, West Virginia 25301
 19
 By: DAVID POGUE, ESQ.
 drpogue@cdkrlaw.com
 (Remote Attendance.)
 20
 21
 22
 23
 24
 25

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1 THE VIDEOGRAPHER: Good morning.
 2 We are going on the record at
 3 a.m. Eastern Standard Time. Please
 4 note that the microphones are
 5 sensitive and may pick up whispering
 6 and private conversations. Please
 7 mute your phones at this time. Audio
 8 and video recording will continue to
 9 take place unless all parties agree to
 10 go off the record.
 11 This is media unit 1 of the
 12 video-recorded deposition of Karen Chu
 13 taken by counsel in the matter of
 14 Regeneron Pharmaceuticals, Inc. versus
 15 Mylan Pharmaceuticals, Inc., filed in
 16 the United States District Court for
 17 the Northern District of West
 18 Virginia, civil action number
 19 1:22-CV-00061-TSK.
 20 The location of this deposition
 21 is in the offices of Williams &
 22 Connolly, 650 Fifth Avenue, New York,
 23 New York. My name is Zef Cota and I
 24 am the videographer. The court
 25 reporter is Dawn Matera, from the firm

Page 3

1 A P P E A R A N C E S : (Continued)
 2
 3 STEPTOE & JOHNSON PLLC
 Local Counsel for Mylan
 4 707 Virginia Street East
 Chase Tower, 17th Floor
 5 Charleston, West Virginia 25301
 6 By: JOHN PIZZO, ESQ.
 john.pizzo@steptoe-johnson.com
 (Remote Attendance)
 7
 8
 9
 10 Also Present:
 11 ADAM BERNSTEIN, Regeneron
 12 PETRA SCAMBOROVA, Regeneron
 13 ZEF COTA, Videographer
 14 ~oOo~
 15
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 17
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 21
 22
 23
 24
 25

Page 5

1 of Veritext.
 2 I am not authorized to
 3 administer an oath. I am not related
 4 to any party in this action nor am I
 5 financially interested in the outcome.
 6 Counsel and all present in the
 7 room have been noted for the
 8 stenographic record.
 9 Will the court reporter please
 10 swear in the witness and then counsel
 11 may proceed.
 12 K A R E N C H U, the Witness herein,
 13 having first been duly sworn by the
 14 Notary Public, was examined and testified
 15 as follows:
 16 EXAMINATION BY MS. MAZZOCHI:
 17 Q. Thank you. Good morning,
 18 Ms. Chu, my name is Deanne Mazzochoi.
 19 Can you please state your full
 20 name and address for the record.
 21 A. Yes, Karen Chu, and my home
 22 address is 73 Richbell Road, White
 23 Plains, New York 10605.
 24 Q. Is this your first time given
 25 testimony under oath?

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1 A. I previously gave testimony
2 under oath in a different case many, many
3 years ago.
4 Q. Okay. Do you recall -- did
5 that case involve Regeneron?
6 A. It did not.
7 Q. Did it involve any VEGF
8 inhibitors?
9 A. It did not. It involved a
10 personal liability suit against the
11 summer camp I went to.
12 Q. Have you participated at all in
13 any FTC proceedings prior to being
14 deposed in this case?
15 A. No, I have not.
16 Q. Have you been asked to provide
17 documents or records in connection with
18 any matter involving the United States
19 government and Regeneron?
20 A. I have not.
21 Q. How about any claims involving
22 a state government?
23 A. No, not that I am aware.
24 Q. How about any litigation
25 involving Regeneron and an insurer or an

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1 HMO?
2 A. Not that I am aware of.
3 Q. Have you received any subpoenas
4 to appear before a state or federal grand
5 jury?
6 A. I have not received any
7 subpoenas.
8 Q. Can you please state for the
9 record your educational background post
10 high school?
11 A. Sure. I have a bachelor's of
12 science degree in biology from Cal Poly
13 San Luis Obispo and a master's in human
14 nutrition from Columbia University.
15 Q. And can you please describe
16 your employment history after you
17 graduated from Columbia University with
18 you are your MS in human nutrition?
19 A. Sure. After graduation and
20 completion of my degree, I joined a small
21 biotech company located in the San
22 Francisco Bay area called Seqirus
23 Pharmaceuticals.
24 After working at that company
25 for a little over a year, I moved to a

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1 company here on the East Coast, Purdue
2 Pharma. And then worked for them for
3 approximately a little over two years
4 before moving to a small contract
5 research organization called Barton &
6 Polansky, located here in New York City.
7 After that, I joined a company
8 that was headquartered in Gaithersburg,
9 Maryland called GenVec. They were a gene
10 therapy company. And after I left -- I
11 was with GenVec for four years before
12 joining Regeneron.
13 Q. How did you get involved in or
14 what training did you receive in
15 connection with clinical -- human
16 clinical trials?
17 MS. OBERWETTER: Object to the
18 form.
19 You can answer it.
20 A. Okay. Just a clarification,
21 are you asking about training I received
22 throughout my career or specific to
23 Regeneron?
24 Q. Right, throughout your career,
25 because with an MS in nutrition, jumping

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1 into quality assurance roles and clinical
2 research roles such as at GenVec, you
3 know, how did you -- what type of
4 training did you get in order to --
5 either in connection with those roles?
6 A. Sure. So the very first
7 position I had in clinical research was
8 as a clinical trial assistant. And as
9 part of my role I helped with the
10 operations of clinical trials and
11 received good clinical practice training
12 as part of my role.
13 So GCP training was provided
14 both by in-house individuals as well as
15 I've attended external courses on both
16 good clinical practice, as well as
17 international conference on harmonization
18 practices.
19 Q. Do you have any certifications
20 in connection with either clinical
21 practice work or the international
22 harmonization standards?
23 A. I do not hold any current
24 certifications.
25 Q. Have you previously?

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1 A. Previously I did have a
2 certified contract research associate
3 certification.
4 Q. And how did you get that?
5 A. That required a certain number
6 of hours as well as taking an exam
7 through the Association of Clinical
8 Research Professionals.
9 Q. Is there a reason why you
10 allowed your certification on that to
11 lapse?
12 A. So in my over 25 years of
13 experience in clinical development, it
14 was not critical to the role I have now
15 and felt that it was not necessary to
16 keep that certification.
17 Q. All right. Tell me how you
18 came to be employed at Regeneron?
19 A. So the company I worked for
20 just prior to Regeneron, GenVec, was a
21 small biotechnology firm, and they were
22 having some, as many biotechnology
23 companies do, some troubles with funding
24 as well as some hiccups in terms of being
25 able to move products forward in their

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1 pipeline. And at the time I was working
2 both on a product they had in development
3 for oncology as well as ophthalmology.
4 And when the company conducted a round of
5 layoffs I personally was not laid off,
6 but it certainly signaled some
7 uncertainty in the company's future. I
8 made a decision to start looking
9 potentially for another position.
10 At the time I was already
11 living in the New York area and Regeneron
12 was very much in the news because of
13 their -- because of the VEGF-Trap
14 molecule and their work in oncology. And
15 so I networked with a friend of mine and
16 contacted a few people in the company to
17 see if they had a need for somebody with
18 my background. Dr. Jesse Cedarbaum was
19 the person who hired me first at
20 Regeneron.
21 Q. And then what was your initial
22 role and responsibilities at Regeneron?
23 A. So when I joined the company I
24 joined as a senior clinical trial
25 manager. And then as is true, I think,

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1 for a lot of small companies, in that
2 role wore several different hats and had
3 a broad range of responsibilities as it
4 related to clinical development. And
5 over the years moved into more of a
6 clinical project management role and then
7 finally into my current role.
8 Q. Okay. And was your initial
9 title, what was it, director of
10 therapeutic area, project management?
11 A. So that was not my first title
12 at Regeneron.
13 Q. Okay. What was your first
14 title?
15 A. My recollection is that my
16 first title was senior clinical trial
17 manager. But the director of therapeutic
18 area project management was a promotion
19 into a broader clinical project
20 management role.
21 Q. And then did you ever have any
22 individuals who reported to you in those
23 roles?
24 A. At the time that I was a
25 clinical trial manager I had a group of

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1 people that reported to me who, who were
2 more junior clinical trial managers and
3 involved in the operations of the
4 clinical trials.
5 Q. Okay. How do you differentiate
6 what your role was versus what you call
7 the operations of the clinical trials?
8 A. So within clinical research,
9 there are several people who contribute
10 to any aspect of conducting a clinical
11 trial. So the actual operations of the
12 clinical trial, which includes everything
13 from ensuring that clinical study sites
14 are identified and trained appropriately
15 to providing supplies for the clinical
16 study sites, to deciding which
17 laboratories to use or how labs will be
18 collected. That typically is considered
19 part of the operations role. So they're
20 really, that, you know, they really
21 oversee the actual execution of the
22 clinical trials.
23 Q. Okay. And then who -- when you
24 were at Regeneron, say, in the -- when
25 you first joined Regeneron, who was

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