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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 22, 2022

15 9:07 a.m.

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17 VIDEOTAPED HYBRID DEPOSITION of AMY
18 JOHNSON, Ph.D., a 30(b)(6) Witness, held
19 at the above time and place, taken before
20 Dawn Matera, a Shorthand Reporter and
21 Notary Public of the State of New York.

22 * * *

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Page 2

1 APPEARANCES:
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Page 3

1 APPEARANCES (Continued):
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10 (Remote Attendance)
11
12
13 Also Present:
14 James Evan, Regeneron
15 Zef Cota, Videographer
16 Andrew Gesior, Regeneron (Remotely)
17
18 * * *
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Page 4

1 THE VIDEOGRAPHER: Good morning.
2 We are going on the record at
3 a.m. Eastern Standard Time on December
4 22nd, 2022. Please note that the
5 microphones are sensitive and may pick
6 up whispering and private
7 conversations. Please mute your
8 phones at this time. Audio and video
9 will begin recording unless all
10 parties agree to go off the record.
11 This is media unit one of the
12 video-recorded deposition of Amy
13 Johnson taken by counsel in the matter
14 of Regeneron Pharmaceuticals, Inc.
15 versus Mylan Pharmaceuticals, Inc.,
16 filed in the United States District
17 Court for the Northern District of
18 West Virginia, civil action number
19 1:22-CV-00061-TSK. The location of
20 this deposition is 650 Fifth Avenue,
21 New York, New York.
22 My name is Zef Cota representing
23 Veritext. I am the videographer. The
24 court reporter is Dawn Matera from the
25 firm of Veritext. I am not authorized

Page 5

1 to administer an oath. I am not
2 related to any party in this action,
3 nor am I financially interested in the
4 outcome.
5 Counsel and all present
6 including remotely have been noted for
7 the stenographic record. Will the
8 court reporter please swear in the
9 witness and then counsel may proceed.
10 A M Y J O H N S O N , the Witness
11 herein, having first been duly sworn by
12 the Notary Public, was examined and
13 testified as follows:
14 MR. MCLAUGHLIN: I am Neil
15 McLaughlin, Rakoczy Molino law firm on
16 behalf of the Mylan Pharmaceuticals
17 defendant.
18 MR. FLETCHER: For Regeneron
19 Pharmaceuticals, Inc., Tom Fletcher
20 from Williams & Connolly, LLP. With
21 me is my colleague Renee Griffen.
22 Remotely attending also from my law
23 firm is my colleague Shaun Mahaffy.
24 Also present in the room from
25 Regeneron Pharmaceuticals, Inc. is

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Page 6

1 James Evan. Also attending remotely
 2 from Regeneron Pharmaceuticals is
 3 secondee Andrew Gesior, and my
 4 colleague David Pogue from Cary
 5 Douglas in West Virginia is attending
 6 remotely.
 7 MR. EHRICH: Also Thomas Ehrich
 8 also for Rakoczy Molino, also for the
 9 Mylan defendant.
 10 MR. O'BRIEN: And William
 11 O'Brien from Steptoe & Johnson, also
 12 for the Mylan defendant.
 13 MR. MCLAUGHLIN: Is that
 14 everyone?
 15 EXAMINATION BY
 16 MR. MCLAUGHLIN:
 17 Q. All right. Good morning,
 18 Dr. Johnson. Could you please state your
 19 name and address for the record.
 20 A. Amy Johnson. You would like me
 21 to state my home address?
 22 Q. Sure.

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25 MR. MCLAUGHLIN: Now, the court

Page 7

1 reporter, can you please hand
 2 Dr. Johnson what has been marked as
 3 Exhibits 301, 302 and 303.
 4 (Defendant's Exhibit 301, Notice
 5 of Deposition of Amy Johnson, was so
 6 marked for identification, as of this
 7 date.)
 8 (Defendant's Exhibit 302,
 9 Defendant Mylan Pharmaceutical, Inc.'s
 10 Notice of Deposition to Regeneron
 11 Pharmaceuticals, Inc., was so marked
 12 for identification, as of this date.)
 13 (Defendant's Exhibit 303, List
 14 of documents on which Dr. Johnson is
 15 designated to testify, was so marked
 16 for identification, as of this date.)
 17 Q. Do you have those three
 18 documents before you?
 19 A. Yes, I have the three
 20 documents.
 21 Q. Okay. Let's start with Exhibit
 22 301. This is Defendant Mylan
 23 Pharmaceutical, Inc.'s Notice of
 24 Deposition of Amy Johnson.
 25 Have you seen this document

Page 8

1 before today?
 2 A. I have not seen this document
 3 before today.
 4 Q. Do you understand that you're
 5 appearing here today pursuant to this
 6 Notice of Deposition?
 7 A. Can you repeat the question
 8 again?
 9 Q. Do you understand that you're
 10 appearing here today pursuant to this
 11 Notice of Deposition, Exhibit 301?
 12 A. Yes, I understand that I am
 13 here for this deposition.
 14 Q. If you could please take a look
 15 at Exhibit 302, this is a document
 16 entitled "Defendant Mylan Pharmaceutical,
 17 Inc.'s Notice of Deposition to Regeneron
 18 Pharmaceuticals, Inc. pursuant to Federal
 19 Rule of Civil Procedure 30(b)(6)."
 20 Do you see that?
 21 A. Yes, I see the title of the
 22 document as you stated.
 23 Q. Have you seen this document
 24 before?
 25 A. I have seen this document

Page 9

1 before.
 2 Q. And do you understand that you
 3 have been designated by Regeneron
 4 Pharmaceuticals to provide testimony as a
 5 representative of Regeneron pursuant to
 6 certain topics enclosed within this
 7 Notice of Deposition?
 8 A. Yes, I am aware that I am going
 9 to be discussing topics on behalf of
 10 Regeneron today as listed in this
 11 document.
 12 Q. Exhibit 303 lists those topics
 13 on which you have been designated; do you
 14 see that before you?
 15 A. I have it Exhibit 303 in front
 16 of me.
 17 Q. And how did you decide which
 18 topics you would be providing testimony
 19 on today?
 20 A. The topics that I will be
 21 giving testimony on today were assigned
 22 to me.
 23 Q. Was this in consultation with
 24 attorneys?
 25 A. The attorneys selected which

Page 10

1 topics I would be discussing today.
 2 MR. FLETCHER: And Counsel, for
 3 the record, your Defendant's Exhibit
 4 303 is not a complete list pursuant to
 5 the party's correspondence over the
 6 course of the week. Dr. Johnson is
 7 also designated to testify concerning
 8 topic 74, of course subject to
 9 Regeneron's objections.
 10 MR. MCLAUGHLIN: Thank you,
 11 Counsel.
 12 Q. And are you prepared today to
 13 provide testimony on the topics listed in
 14 Exhibit 303 in addition to topic 74?
 15 A. I'm reviewing the specific
 16 topics that are stated in Exhibit 303.
 17 (Witness reviews document.)
 18 A. Yes, I'm prepared to testify on
 19 the topics listed here.
 20 Q. How did you prepare for today's
 21 deposition?

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Page 11

1 Q. And did you meet with any
 2 attorneys in preparation for today's
 3 deposition?
 4 A. Yes. I met with attorneys to
 5 prepare for today's deposition.
 6 Q. Do you recall who you met with?
 7 A. I met with the attorneys that
 8 are in the room with me here today, and
 9 some of them that are online as well.
 10 Q. For approximately how long did
 11 you prepare for this deposition? Strike
 12 that. Let me rephrase that.
 13 How long did you meet with the
 14 attorneys in preparation for today's
 15 deposition?
 16 A. The past two days I met with
 17 the attorneys for approximately eight
 18 hours each day.

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Page 12

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2 Q. Did you consult with anyone at
 3 Regeneron in preparation for today's
 4 deposition?
 5 A. During the past two days I did
 6 consult with a colleague at Regeneron.
 7 Q. And who was that?
 8 A. I consulted with Theodore
 9 Loney.
 10 Q. Theodore, how do you spell the
 11 last name?
 12 A. L-O-N-E-Y. Loney.
 13 Q. Who is Theodore Loney?
 14 A. Theodore Loney is in the
 15 Process Sciences Group at Regeneron.
 16 Q. Why did you consult with
 17 Theodore Loney?

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24 Q. Okay. When did you start at
 25 Regeneron?

Page 13

1 A. I started at Regeneron in 2008.
 2 Q. What was your first position at
 3 Regeneron?
 4 A. My initial position at
 5 Regeneron was a research engineer.
 6 Q. What's your current position at
 7 Regeneron?
 8 A. My current title at Regeneron
 9 is associate director of cell culture
 10 development.
 11 Q. So when you joined in 2008 as a
 12 research engineer, can you briefly
 13 describe what your responsibilities were
 14 at that time?

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