

Exhibit 5

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
-----)
REGENERON PHARMACEUTICALS, INC.,)
Plaintiff,) Case No.
vs.) 1:22-cv-00061
MYLAN PHARMACEUTICALS, INC.,)
Defendants.)
-----)

DEPOSITION OF KARL CSAKY, M.D., Ph.D.
WASHINGTON, D.C.
APRIL 14, 2023

REPORTED BY: Tina Alfaro, RPR, CRR, RMR

Page 2

1 Videotaped deposition of
 2 KARL CSAKY, M.D., Ph.D., held at the offices of:
 3
 4 Williams & Connolly, LLP
 5 680 Maine Avenue, SW
 6 Washington, D.C.
 7
 8 Taken pursuant to notice before Tina M.
 9 Alfaro, a Notary Public within and for the District
 10 of Columbia.
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1 APPEARANCES:
 2 ON BEHALF OF THE PLAINTIFF:
 3 WILLIAMS & CONNOLLY, LLP
 4 BY: ELLEN OBERWETTER, ESQ.
 5 KAT KAYALI, ESQ.
 6 680 Maine Avenue, SW
 7 Washington, D.C. 20024
 8 and
 9 CAREY DOUGLAS KESSLER & RUBY
 10 BY: DAVID POGUE, ESQ. (remote)
 11 707 Virginia Street East
 12 901 Chase Tower
 13 Charleston, WV 25323
 14
 15 ON BEHALF OF THE DEFENDANT:
 16 RAKOCZY MOLINO MAZZOCHI SIWIK
 17 BY: NEIL McLAUGHLIN, ESQ.
 18 LAUREN LESKO, ESQ.
 19 JAKE RITTHAMEL, ESQ.
 20 ERIC HUNT, ESQ. (remote)
 21 6 West Hubbard, Suite 500
 22 Chicago, IL 60610

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1 APPEARANCES: (cont'd)
 2 ON BEHALF OF THE DEFENDANT:
 3 STEPTOE & JOHNSON
 4 BY: GORDON COPLAND, ESQ. (remote)
 5 400 White Oaks Boulevard
 6 Bridgeport, WV 26330
 7
 8 ALSO PRESENT: Petra Scamborova (Regeneron)
 9 Gene Aronov (videographer)
 10
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6	New England Journal of Medicine article, MYL-AFL-0008138	
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12	"DME Target Product Profile," RGN-EYLEA-MYLAN-00 631453	
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14	2/22/08 e-mail, RGN-EYLEA-MYLAN-00531609; EMEA letter, RGN-EYLEA-MYLAN-00531612	
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16	"VEGF Trap-Eye in Wet AMD Clear-IT 2 Summary of One-Year Key Results," MYL-AFL-0008075	
17	Exhibit 2041	238
18	"New Approach of Anti-VEGF Agents for Age-Related Macular Degeneration," RGN-EYLEA-MYLAN-00741809	
19	Exhibit 2042	241
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1 THE VIDEOGRAPHER: Good morning. We're
 2 going on the record at 9:17 a.m. on April 14th,
 3 2023. Please note that the microphones are
 4 sensitive and may pick up whispering and private
 5 conversations. Please mute your phones at this
 6 time. Audio and video recording will continue to
 7 take place unless all parties agree to go off the
 8 record.

9 This is media unit 1 of the video-recorded
 10 deposition of Karl Csaky taken by counsel for
 11 Defendant in the matter of Regeneron
 12 Pharmaceuticals, Inc. versus Mylan Pharmaceuticals,
 13 Inc., filed in the United States District Court for
 14 the Northern District of West Virginia, Clarksburg
 15 Division, Case No. 1:22-CV-61-TSK. The location of
 16 this deposition is Williams & Connolly, 680 Maine
 17 Avenue, Southwest, Washington, D.C.

18 My name is Gene Aronov representing
 19 Veritext, and I'm the videographer. The court
 20 reporter is Tina Alfaro from the firm Veritext. I
 21 am not authorized to administer an oath, I'm not
 22 related to any party in this action, nor am I

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1 financially interested in the outcome.
 2 If there are any objections to proceeding,
 3 please state them at the time of your appearances.
 4 Counsel and all present, including
 5 remotely, will now state their appearances and
 6 affiliations for the record beginning with the
 7 noticing attorney.

8 MR. McLAUGHLIN: Neil McLaughlin from
 9 Rakoczy Molino Mazzochi Siwik on behalf of the
 10 Mylan Defendant.

11 MR. RITTHAMEL: Jake Ritthamel on behalf
 12 of Mylan, also from RMMS.

13 MS. LESKO: Lauren Lesko from RMMS, also
 14 on behalf of Mylan.

15 MS. OBERWETTER: Ellen Oberwetter -- go
 16 ahead, Gordon.

17 MR. COPLAND: Yeah, sorry.
 18 Gordon Copland with Steptoe & Johnson,
 19 local counsel for Mylan.

20 MS. OBERWETTER: Ellen Oberwetter from
 21 Williams & Connolly on behalf of Regeneron, and
 22 with me today is Kat Kayali, also from Williams &

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1 Connolly on behalf of Regeneron. Also present
2 today is Petra Scamborova from Regeneron.
3 MR. DOUGLAS: David Pogue, Carey Douglas
4 Kessler & Ruby, local counsel for Regeneron.
5 MR. McLAUGHLIN: Good morning, Dr. Csaky.
6 THE WITNESS: Good morning.
7 THE VIDEOGRAPHER: I'm sorry, sir. Not
8 quite there yet. We have one more person involved
9 I think who hasn't introduced themselves.
10 MR. HUNT: Eric Hunt. I'm From Rakoczy
11 Molino Mazzochi Siwik on behalf of the Defendants.
12 THE VIDEOGRAPHER: Thank you.
13 Will the court reporter please swear in
14 the witness and then counsel may proceed.
15 (Witness sworn.)
16 WHEREUPON:
17 KARL CSAKY, M.D., Ph.D.,
18 called as a witness herein, having been first duly
19 sworn, was examined and testified as follows:
20 EXAMINATION
21 BY MR. McLAUGHLIN:
22 Q. Good morning, Dr. Csaky.

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1 A. Good morning.
2 (DX Exhibit 2025 was marked
3 for identification.)
4 Q. I'm going to be handing what we've
5 previously marked as DX-2025. This is a document
6 entitled "Defendant Mylan Pharmaceutical, Inc.'s
7 notice of deposition of Karl Csaky"; do you see
8 that?
9 A. I see that.
10 Q. Have you seen this document before?
11 A. I have not seen this document before.
12 Q. Okay. Do you understand that you're
13 appearing here today to provide testimony in the
14 case described in the caption of this document,
15 Regeneron Pharmaceuticals v. Mylan Pharmaceuticals,
16 Inc.?
17 A. I understand that I'm here to provide
18 deposition.
19 Q. And you understand that that deposition is
20 occurring in the case with Regeneron
21 Pharmaceuticals, Inc. versus Mylan Pharmaceuticals,
22 Inc., Case No. 22-CV-00061?

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1 A. I understand that this is in the case of
2 Regeneron versus Mylan Pharmaceuticals, Case
3 No. 1-22-CV-00061-TSK.
4 (DX Exhibit 2026 was marked
5 for identification.)
6 BY MR. McLAUGHLIN:
7 Q. Next I'm going to hand you what has been
8 marked as DX-2026. This is a copy of your opening
9 expert report filed in this case. If you could
10 please flip through that, including taking a look
11 at the back and the signature page, and confirm
12 that this is indeed a copy of your opening expert
13 report?
14 A. This is a copy of my opening expert report
15 regarding the infringement of U.S. Patent No.
16 11,253,572 and 10,088,601.
17 (DX Exhibit 2027 was marked
18 for identification.)
19 BY MR. McLAUGHLIN:
20 Q. And next I'll be handing you what's been
21 marked as DX-2027. This is a copy of the
22 responsive expert report of Dr. Karl Csaky. Could

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1 you also flip through that one, including the
2 signature page, and confirm that this is a copy of
3 your responsive report filed in this case.
4 A. This is my responsive expert report in
5 Case No. 1-22-CV-00061-TSK.
6 (DX Exhibit 2028 was marked
7 for identification.)
8 BY MR. McLAUGHLIN:
9 Q. And next I'm going to hand you what has
10 been marked as DX-2028. This is the reply expert
11 report of Dr. Karl Csaky. Can you please flip
12 through that, including the signature page, and
13 confirm that that is indeed your reply report.
14 A. This is my reply expert report on Case
15 No. 1-22-CV-00061-TSK.
16 Q. Dr. Csaky, do you know who Dr. Yancopoulos
17 is?
18 A. I do know who Dr. Yancopoulos is.
19 Q. Are you familiar with the background of
20 Dr. George Yancopoulos?
21 A. I am not familiar with the background of
22 Dr. George Yancopoulos.

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