

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE: AFLIBERCEPT PATENT LITIGATION

MDL No.: 1:24-md-3103-TSK

This Document Relates to All Cases

**[JOINT PROPOSED] ORDER REQUIRING SERVING REDACTED VERSIONS OF
SEALED FILINGS AND CONFIDENTIAL DISCOVERY MATERIALS**

Whereas the Judicial Panel on Multi-District Litigation has consolidated actions brought by Plaintiff Regeneron Pharmaceuticals, Inc. (“Plaintiff”) against Defendants Mylan Pharmaceuticals Inc. and Biocon Biologics Inc., Samsung Bioepis Co., Ltd., Celltrion, Inc., Formycon AG, and Amgen Inc. (collectively, including any defendant to a case that is added to this Multi-District Litigation (“MDL”) in the future, the “Defendants”) (Plaintiff and Defendants together, the “Parties”) pursuant to its order dated April 11, 2024 (ECF No. 1);

Whereas the Parties have made and expect to make numerous filings under seal including materials related to preliminary injunction motions, summary judgment motions, and trial, which contain confidential information of one or more Parties;

Whereas the Parties have designated and will designate as confidential under the protective orders entered in each case various discovery materials including written discovery responses, expert reports, and deposition transcripts;

Whereas public, nonconfidential versions of all filings should be filed in the public record with redactions necessary to protect confidential information;

Whereas the Parties have a need for a procedure under which all Parties will have access to redacted non-confidential versions of all filings and certain discovery materials;

Whereas the Parties have jointly proposed procedures for the timely and orderly sharing of information that may be relevant to various member cases, while maintaining the Parties' confidential information and avoiding improper sharing of each Defendant's confidential information with other Defendants who are business competitors;

Now, therefore, for good cause shown, the Court **GRANTS** the Motion for an Order Requiring Filing of Redacted Copies of Sealed Filings, and **ORDERS** as follows:

1. **Non-Public Service Copies of Future Sealed Filings, Written Discovery, Expert**

Reports, and Deposition Transcripts: Any Party who files a document with the Court under seal, or serves written discovery, responses thereto, or an expert report or declaration on opposing counsel, shall serve (but not file) on all other Parties within seven (7) calendar days of such service or filing, a redacted copy that does not include any Defendant's confidential information. Such redacted copy shall be clearly marked "REDACTED VERSION – CONTAINS PLAINTIFF CONFIDENTIAL INFORMATION" as appropriate. Further, any Party who takes a deposition in this MDL that is not solely related to issues of infringement, shall serve (but not file) on all other Parties to this MDL within ten (10) business days of receipt of the court reporter's official transcript before submission of any potential errata, a redacted copy of the transcript that does not include any Defendant's confidential information. Such redacted copy shall be clearly marked "REDACTED VERSION – CONTAINS [PARTY] CONFIDENTIAL INFORMATION" as appropriate.

2. **Public Versions of Future Court Filings:** Any Party who files a document with the Court under seal shall file on the public record within seven (7) calendar days of such

filing, a redacted copy that does not include any Party's confidential information. Such redacted copy shall be clearly marked "PUBLIC VERSION".

3. **Public Versions of Sealed Court Orders:** If the Court enters a sealed order, memorandum opinion, or any other sealed document (each, a "Sealed Court Order") in any member case to this MDL, the affected Parties shall coordinate to jointly file, on the public record, a copy of the Sealed Court Order with all confidential information redacted within three (3) business days of issuance of the Sealed Court Order. Such redacted copy shall be clearly marked "PUBLIC VERSION".
4. **Non-Public Service Copies of Sealed Court Orders:** Regeneron shall serve (but not file) on each Party to this MDL within three (3) business days of issuance of a Sealed Court Order, a redacted copy of the Sealed Court Order that does not include any Defendant's confidential information. Regeneron's confidential information shall not be redacted in these non-public service copies. Such redacted copy shall be clearly marked "REDACTED VERSION – CONTAINS PLAINTIFF CONFIDENTIAL INFORMATION" as appropriate.
5. **Non-Public Service Copies of Past Sealed Filings:** Any Party to this MDL that filed a document under seal in any member case prior to the issuance of this Order shall serve (but not file) on all other parties to this MDL within ten (10) business days of the entry of this Order, a redacted copy that does not include any Defendant's confidential information. Regeneron's confidential information shall not be redacted in these non-public service copies. Such redacted copy shall be clearly marked "REDACTED VERSION – CONTAINS PLAINTIFF CONFIDENTIAL INFORMATION" as appropriate.

6. **Non-Public Service Copies of Past Written Discovery, Expert Reports and**

Deposition Transcripts: Any Party to this MDL that served written discovery, responses thereto, or an expert report or declaration on opposing counsel, or took a deposition not solely related to issues of infringement, in any member case prior to the issuance of this Order shall serve (but not file) on all other Parties to this MDL within fifteen (15) business days of the entry of this Order, a redacted copy of the written discovery or deposition transcript that does not include any Defendant's confidential information. Regeneron's confidential information shall not be redacted in these non-public service copies. Such redacted copy shall be clearly marked "REDACTED VERSION – CONTAINS PLAINTIFF CONFIDENTIAL INFORMATION" as appropriate.

7. **Defendants' Responsibility to Provide Redactions:** It is the responsibility of the Defendant whose confidential information is at issue to timely provide redactions to the Party that is required by this Order to file or serve a redacted copy that does not contain any Defendant's confidential information.

8. **Regeneron's Confidential Information:** Regeneron's confidential information shall not be redacted from non-public service copies required by this Order, but shall be subject to the applicable Protective Order in each recipient Defendant's case, or shall be maintained on an Outside Counsel Eyes Only ("OCEO") basis by the Defendant's counsel pending entry of a Protective Order. Regeneron shall designate any non-public service copies accordingly.

It is so **ORDERED**.

Dated: _____

HONORABLE THOMAS S. KLEEH
CHIEF UNITED STATES DISTRICT JUDGE