

EXHIBIT 6

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 FILING AND SERVING OF REDACTED
VERSIONS OF SEALED FILINGS**

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 protective orders governing confidential information of the Parties either have been entered or will be entered in each of the actions that is part of this MDL;

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 public, nonconfidential versions of 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 MDL filings;

Now, therefore, for good cause shown, the Court **GRANTS** the Motion for an Order

Requiring Filing and Serving of Redacted Versions of Sealed Filings, and **ORDERS** as follows:

1. **Non-Public Service Copies of Future Sealed Filings:** Any Party who files a document in this MDL with the Court under seal shall serve (but not file) on all other Parties within seven (7) calendar days of such 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.
2. **Public Versions of Future MDL Court Filings:** Any Party who files a document in this MDL with the Court under seal shall file on the public record within fourteen (14) 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 this MDL or 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 fourteen (14) 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:** Within seven (7) business days of issuance of a Sealed Court Order, any Defendant asserting that such Sealed Court Order contains its confidential information shall provide to Regeneron a redacted copy of such Sealed Court Order that does not include its confidential information. Regeneron shall then produce to each party to this MDL the redacted copy provided by Defendants.

Deleted: <#>Applicability: This Order shall apply prospectively to any documents filed in this MDL and in any member case to this MDL on or after [insert filing date of stipulation]. This Order shall not apply to any documents filed in any member case to this MDL or in in the MDL prior to this date.

Deleted:

Deleted: Regeneron shall serve (but not file) on each Party to this MDL

Deleted: w

Deleted: three

Deleted: 3

Deleted: , a redacted copy of the Sealed Court Order that

Deleted: any

Deleted: Defendant’s

Formatted: Font: 12 pt

Formatted: Font: 12 pt

appropriately branded under the relevant protective order to reflect the level of Regeneron confidential information it contains (i.e., “REDACTED VERSION – CONTAINS PLAINTIFF CONFIDENTIAL INFORMATION” or “REDACTED VERSION – CONTAINS PLAINTIFF OUTSIDE COUNSEL’S EYES ONLY INFORMATION.”

Deleted: Regeneron’s confidential information shall not be redacted in these non-public service copies. Such redacted copy shall be clearly marked

Deleted: as

Deleted: appropriate.

5. Access to Pleadings Filed Before Entry of this Order. Within fourteen (14) calendar days of the entry of this Order, each Defendant shall provide to Regeneron redacted copies of all motions and supporting declarations filed under seal in each member case that do not contain the relevant Defendants’ confidential information. Within seven (7) calendar days of receipt, Regeneron shall then produce to each party to this MDL the redacted copy provided by Defendants, appropriately branded under the relevant protective order to reflect the level of Regeneron confidential information it contains (i.e., “REDACTED VERSION – CONTAINS PLAINTIFF CONFIDENTIAL INFORMATION” or “REDACTED VERSION – CONTAINS PLAINTIFF OUTSIDE COUNSEL’S EYES ONLY INFORMATION.”

6. Challenge to Redactions. On receipt of redacted copies of Sealed Court Orders pursuant to Paragraph 4, any party may within two (2) business days dispute in writing the confidential status of information redacted by any other party. The party that redacted the challenged information shall respond in writing within two (2) business days with either a version of the Sealed Court Order that does not redact the challenged information, or an explanation of why the information is entitled to confidential status under the relevant protective order. Within two (2) business days of such response, the challenging party may present the dispute to the Court for a ruling on the matter. On

Formatted: Font: 12 pt

Formatted: Font: 12 pt

receipt of redacted copies of pleadings filed before entry of this order, the parties shall have the same right to challenge a redaction, but shall have ten (10) business days to do so. The challenged party shall have three (3) business days to respond, and the challenging party must bring the dispute to the court within three (3) business days of the response. In every case, the party asserting the claim of confidentiality having the burden of proof.

It is so **ORDERED**.

Dated: _____

HONORABLE THOMAS S. KLEEH
CHIEF UNITED STATES DISTRICT JUDGE

Deleted: <#> **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. ¶
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.

Deleted: <#>¶

Formatted: Font: 12 pt

Formatted: Font: 12 pt