MAYER BROWN LLP
ELIZABETH MANN (SBN 106524)
emann@mayerbrown.com
350 S. Grand Avenue, 25th Floor
Los Angeles, CA 90071
Telephone: (213) 229-9500
Facsimile: (213) 625-0248

LISA M. FERRI (*pro hac vice*)
lferri@mayerbrown.com
BRIAN W. NOLAN (*pro hac vice*)
bnolan@mayerbrown.com
RICHARD J. McCORMICK (*pro hac vice*)
rmccormick@mayerbrown.com
1221 Avenue of the Americas
New York, New York 10020-1001
Telephone: (212) 506-2500
Facsimile: (212) 262-1910

Attorneys for Attorneys for Plaintiffs and Counterclaim Defendants SANOFI-AVENTIS U.S. LLC and REGENERON PHARMACEUTICALS, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

SANOFI-AVENTIS U.S. LLC and REGENERON PHARMACEUTICALS, INC.,

Plaintiffs,

vs.

GENENTECH, INC., and CITY OF HOPE,

Defendants.

GENENTECH, INC., and CITY OF HOPE,

Counterclaim Plaintiffs,

vs.

SANOFI-AVENTIS U.S. LLC and REGENERON PHARMACEUTICALS, INC.,

Counterclaim Defendants.

Case No. 2:15-cv-05685-GW-AGR

DISCOVERY MATTER

DECLARATION OF LISA M. FERRI IN SUPPORT OF PLAINTIFFS SANOFI-AVENTIS U.S. LLC AND REGENERON PHARMACEUTICALS, INC.'S MOTION TO COMPEL

Date: March 22, 2016
Time: 10:00 AM
Ctrm: B, 8th Floor, Spring Street
Judge: Alicia G. Rosenberg
Fact discovery cutoff:
March 4, 2016 (Current)
April 1, 2016 (Stipulation Pending)
Pretrial Conference: Sept. 8, 2016
Trial: Sept. 27, 2016

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, Lisa M. Ferri, declare:

1. I am an attorney at Mayer Brown LLP, the law firm representing Plaintiffs sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc. (collectively, "Plaintiffs") in the above captioned matter.

2. This declaration is based on my personal knowledge, and I would testify to the matters set forth in this Declaration if called upon as a witness.

3. Attached hereto as **Exhibit A** is a true and correct copy of Genentech, Inc., and City of Hope's Responses and Objections to sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc.'s First Set of Interrogatories, dated February 8, 2016.

4. Attached hereto as **Exhibit B [PROVISIONALLY FILED UNDER SEAL]** is a true and correct copy of the Joint Stipulation Re: Plaintiffs Eli Lilly and Company and Inclone Systems LLC's Motion to Compel in *Eli Lilly v. Genentech, Inc.*, Civil Action No. 2:13-cv-07248-MRP-JEM.

5. Attached hereto as **Exhibit C** is a true and correct copy of the August 11, 2014 Order in *Eli Lilly v. Genentech, Inc.*, Civil Action No. 2:13-cv-07248-MRP-JEM.

6. Attached hereto as **Exhibit D [PROVISIONALLY FILED UNDER SEAL]** is a true and correct copy of the July 12, 2011 letter from Kenneth A. Gallo to Judge Mariana R. Pfaelzer in *Glaxo Group Limited v. Genentech Inc.*, Civil Action No. 2:10-cv-02764-MRP-FMO.

7. Attached hereto as **Exhibit E** is a true and correct copy of sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc.'s First Set of Requests for Production, dated October 26, 2015.

8. Attached hereto as **Exhibit F** is a true and correct copy of Genentech, Inc. and City of Hope's Responses and Objections to sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc.'s First Set of Requests for Production, dated November 25, 2015.

9. Attached hereto as **Exhibit G** is a true and correct copy of sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc.'s Notice of Deposition Notice of Rule 30(b)(6), dated January 7, 2016.

10. Attached hereto as **Exhibit H** is a true and correct copy of Genentech, Inc., and City of Hope's Responses and Objections to sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc.'s Notice of Deposition Notice of Rule 30(b)(6), dated January 27, 2016.

11. Attached hereto as **Exhibit I** is a true and correct copy of the February 5, 2016 e-mail from Adam Brausa to Neil DuChez.

12. Attached hereto as **Exhibit J [PROVISIONALLY FILED UNDER SEAL]** is a true and correct copy of the Summary of Genentech's Licensing Deals for the Cabilly II and III Patents, produced by Defendants Genentech, Inc. and City of Hope (collectively, "Defendants") at GNE-REG00876132-140.

13. Attached hereto as **Exhibit K** is a true and correct copy of the Seattle Genetics Fact Sheet, dated May 22, 2014.

14. Attached hereto as **Exhibit L** is a true and correct copy of the Genmab 2013 Annual Report Company Announcement, dated March 4, 2014.

15. Attached hereto as **Exhibit M** is a true and correct copy of the Claim Construction Order in *MedImmune, Inc. v. Genentech, Inc.*, Civil Action No. 2:03-cv-02567-MRP-CTx.

16. Attached hereto as **Exhibit N** is a true and correct copy of the Complaint in *Glaxo Group Limited v. Genentech Inc.*, Civil Action No. 2:10-cv-02764-MRP-FMO.

17. Attached hereto as **Exhibit O** is a true and correct copy of the Claim Construction Order in *Centocor, Inc., v. Genentech, Inc.*, Civil Action No. 2:08-cv-03573-MRP-JEM.

18. Attached hereto as **Exhibit P** is a true and correct copy of the Complaint in *Genentech, Inc. v. Glaxo Group Limited*, Civil Action No. 2:11-cv-03065-MRP-JEM.

19. Attached hereto as **Exhibit Q** is a true and correct copy of the Complaint in *Eli Lilly v. Genentech, Inc.*, Civil Action No. 2:13-cv-07248-MRP-JEM.

20. Attached hereto as **Exhibit R** is a true and correct copy of the Complaint in *Bristol-Myers Squibb Co. v. Genentech, Inc.*, Civil Action No. 2:13-cv-05400-MRP-JEM.

21. Attached hereto as **Exhibit S [PROVISIONALLY FILED UNDER SEAL]** is a true and correct copy of the September 8, 2011 letter from Kenneth A. Gallo to Judge Mariana Pfaelzer in *Glaxo Group Limited v. Genentech Inc.*, Civil Action No. 2:10-cv-02764-MRP-FMO.

22. Attached hereto as **Exhibit T** is a true and correct copy of the January 7, 2016 e-mail from Adam Brausa to Richard McCormick and Neil DuChez.

23. [redacted]

24. On February 3, 2016, the parties met and conferred regarding Defendants' refusal to produce the requested executed settlement agreements and testimony regarding the same.

I declare under penalty of perjury that the following is true and correct.

Executed on February 26, 2016, at New York, New York.

By Lisa M. Ferri

Lisa M. Ferri