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Fish & Richardson P.C.
222 Delaware Avenue
17th Floor
P.O. Box 1114
Wilmington, DE 19899-1114

302 652 5070 main
302 652 0607 fax

BY E-FILING [redacted]

REDACTED VERSION

June 14, 2017

Santosh V. Coutinho
Associate
coutinho@fr.com
302 778 8453 direct

Honorable Leonard P. Stark
U.S. District Court for the District of Delaware
844 N. King Street
Wilmington, DE 19801

RE: ***GlaxoSmithKline LLC, et al. v. Teva Pharmaceuticals USA, Inc.*,**
C.A. No. 14-878-LPS-CJB

Dear Chief Judge Stark:

The parties submitted a letter with their respective positions involving a dispute regarding deposition designations on June 13, 2017. (D.I. 427.) GSK has informed Teva that GSK has withdrawn its objections to the following designations, and thus the dispute concerning those designations is moot.

Witness	Objecting Party	Basis/Response
Murray (Ex. A)	GSK	274:9-274:13; 274:16-274:17; 274:20-274:21

The following shortened table presents the remaining objections to the Court.

Witness	Objecting Party	Basis/Response
Murray (Ex. B)	GSK	375:6-376:6; 376:20-377:2, 377:9-377:24; 378:23-379:8 GSK Position: GSK objects under FRE 602, 402, and 403 because the Court rejected Teva's argument that GSK's decision to sue Teva, decision not to sue other generics, and the timing of GSK's suit against Teva had any bearing on the but-for world (D.I. 383 at n.6, adopted D.I. 412) and moreover, these factors relate solely to equitable defenses that "are exclusively for the District Court to decide and therefore . . . not [] relevant for the jury trial." (*Id.*) Teva Position: As Teva explained at the Final Pretrial Conference (May 26, 2017 Tr. at 15:6-17:12), the evidence relating to Teva's equitable defenses also overlaps with

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		evidence that is relevant to Teva's defenses to GSK's inducement allegations and its claim that Teva's infringement was willful; the designated testimony regarding GSK learning of Teva's launch but delaying in filing its lawsuit for over six years is probative that (i) Teva did not intend to induce infringement, (ii) Teva did not know that the action it was allegedly inducing constituted infringement, and (iii) Teva's infringement was not willful.

Respectfully submitted,

/s/ Santosh V. Coutinho

Santosh V. Coutinho (#5470))

SVC::pfc

c: All Counsel of Record
Clerk of the Court (by e-filing)