

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENENTECH, INC.,

Plaintiff,

v.

AMGEN INC.,

Defendant.

Case No. 1:18-cv-00924-CFC



REPLY DECLARATION OF DARALYN J. DURIE

I, Daralyn J. Durie, Esq., declare as follows:

1. I am an attorney at the law firm of Durie Tangri LLP, counsel to Plaintiff Genentech, Inc. in the above-captioned action. I respectfully submit this declaration for the purpose of transmitting certain documents filed in support of Plaintiff's Reply in Support of Its Motion for Sanctions Pursuant to Federal Rule of Civil Procedure 37(b).

2. Attached hereto as **Exhibit 1** are excerpts from a true and correct copy of the sealed June 18, 2019 hearing transcript.

3. Attached hereto as **Exhibit 2** are excerpts from a true and correct copy of the September 17, 2019 deposition of Lois Kwasigroch.

4. Attached hereto as **Exhibit 3** are excerpts from a true and correct copy of the September 13, 2019 deposition of Drew Diamond.

5. Attached hereto as **Exhibit 4** is a true and correct copy of a document produced in this litigation and Bates-numbered AMGKAN03000002.

6. Attached hereto as **Exhibit 5** is a true and correct copy of a document produced in this litigation and Bates-numbered AMGKAN03001204.

7. Attached hereto as **Exhibit 6** is a true and correct copy of a document produced in this litigation and Bates-numbered AMGKAN03002583.

8. Attached hereto as **Exhibit 7** is a true and correct copy of a document produced in this litigation and Bates-numbered AMGKAN03000425.

9. Attached hereto as **Exhibit 8** is a true and correct copy of a document produced in this litigation and Bates-numbered AMGKAN03000426.

10. Attached hereto as **Exhibit 9** is a true and correct copy of a document produced in this litigation and Bates-numbered AMGKAN03002857.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 15th day of October, 2019.

/s/ Daralyn J. Durie
Daralyn J. Durie

EXHIBIT 1

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- TRANSCRIPT UNDER SEAL -

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF DELAWARE

- - -

GENENTECH, INC. and CITY OF : CIVIL ACTION
HOPE, :
 :
Plaintiffs, :
 :
vs. :
 :
AMGEN INC., :
 :
Defendant. : NO. 17-1047-CFC
----- :
GENENTECH, INC. and CITY OF : CIVIL ACTION
HOPE, :
 :
Plaintiffs, :
 :
vs. :
 :
AMGEN INC., :
 :
Defendant. : NO. 18-924-CFC

- - -

Wilmington, Delaware
Tuesday, June 18, 2019
11:00 o'clock, a.m.

- - -

BEFORE: HONORABLE COLM F. CONNOLLY, U.S.D.C.J.

- - -

Valerie J. Gunning
Official Court Reporter

1 APPEARANCES:

2
3 McCARTER & ENGLISH, LLP
4 BY: DANIEL M. SILVER, ESQ.

5 -and-

6
7 WILLIAMS & CONNOLLY
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10 TEEGAN J. GREGORY, ESQ. and
11 LUKE McCLOUD, ESQ.
(Washington, D.C.)

12 -and-

13 WILMER CUTLER PICKERING HALE AND DORR LLP
14 BY: ROBERT J. GUNTHER, JR., ESQ.
(New York, New York)

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16 DURIE TANGRI LLP
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18 (San Francisco, California)

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20 Counsel for Plaintiffs
21 Genentech, Inc. and City of Hope
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