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VIA ELECTRONIC FILING

The Honorable Colm F. Connolly
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street, Unit 31, Room 4124
Wilmington, DE 19801-3555

Re: Herceptin Litigation: *Genentech v. Amgen*, C.A. No. 18-924-CFC; *Genentech, Inc. & City of Hope v. Samsung Bioepis Co., Ltd.*, C.A. No. 18-1363-CFC

Dear Judge Connolly,

I write on behalf the parties regarding the joint appendix of intrinsic evidence for claim construction previously filed in these cases on December 11, 2018. *See* C.A. No. 18-924-CFC, D.I. 60-1 through 60-14; C.A. No. 18-1363-CFC, D.I. 48-1 through 48-14.

Subsequent to the filing of the joint appendix, the Patent Office issued U.S. Patent No. 10,160,811 (“the ’811 patent”) to Genentech. After the corresponding patent application was allowed, Genentech notified the defendants of its intention to assert this patent in the case. Genentech is adding this newly-issued patent to the case through amended complaints, and the parties will address a term from the ’811 patent in their claim construction briefing.

To facilitate claim construction briefing, and consistent with the Court’s requirements for claim construction appendices, the parties wish to submit a supplemental joint appendix that includes a copy of the ’811 patent. A copy of this supplemental joint appendix is attached to this letter. Please let us know if the Court prefers that the parties submit this material in a different format.

Respectfully,

/s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)

cc: All Counsel of Record (via email)

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