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18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**
20 **SOUTHERN DIVISION**

21 BOSTON SCIENTIFIC CORPORATION
22 and
23 BOSTON SCIENTIFIC SCIMED, INC.

24 Plaintiffs,

25 v.

26 EDWARDS LIFESCIENCES
27 CORPORATION,

28 Defendant.

Case No. 8:16-cv-0730-CJC-GJS

**BOSTON SCIENTIFIC
CORPORATION'S AND BOSTON
SCIENTIFIC SCIMED, INC.'S
SUPPLEMENTAL OBJECTIONS
AND RESPONSES TO
EDWARDS'S
INTERROGATORIES NOS. 8, 10,
14**

Edwards Lifesciences v. Boston Scientific Scimed
IPR2017-01294, U.S. Patent 6,371,962
Exhibit 2002

PLAINTIFFS' SUPP. RES

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PLAINTIFFS' SUPP. RESPONSES TO INTERROGATORIES NOS. 8, 10, 14

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs
2 Boston Scientific Corporation and Boston Scientific Scimed, Inc. (collectively,
3 “Boston Scientific”) hereby serves its first supplemental objections and responses to
4 the Interrogatories Nos. 8, 10, and 14 served by Edwards Lifesciences Corporation
5 (“Edwards”).

6 **PRELIMINARY STATEMENT**

7 Boston Scientific’s investigation, discovery, and analysis are ongoing, and
8 Boston Scientific’s response to each of these interrogatories is based on information
9 and documents presently available to Boston Scientific after a reasonable
10 investigation. Boston Scientific reserves the right to supplement or amend these
11 responses in the event that further information and/or documents are disclosed or
12 discovered.

13 Specific objections to Interrogatories Nos. 8, 10, and 14 are made on an
14 individual basis in the response below. In addition to these specific objections,
15 Boston Scientific makes certain continuing objections (“General Objections”) to
16 Edwards’s “Definitions” and “General Instructions” for interrogatories. These
17 General Objections are hereby incorporated by reference into the responses made to
18 each separate interrogatory. For particular emphasis, Boston Scientific has, from
19 time to time, expressly included one or more of the General Objections in certain of
20 its responses below. Boston Scientific’s response to each individual interrogatory is
21 submitted without prejudice to, and without in any respect waiving, any General
22 Objections not expressly set forth in that specific response. Accordingly, the
23 inclusion of any specific objection in a response to an interrogatory below is neither
24 intended as, nor shall in any way be deemed to be, a waiver of any General
25 Objections or of any other specific objection made herein or that may be asserted at a
26 later date. In addition, the failure to include at this time any continuing or specific
27 objection to an interrogatory is neither intended as, nor shall in any way be deemed to
28

1 be, a waiver of Boston Scientific's right to assert that or any other objection at a later
2 date.

3 No incidental or implied admissions are intended by the responses herein. Any
4 response and/or objections to a particular interrogatory shall not be taken as an
5 admission that Boston Scientific accepts or admits the existence of any "fact" set
6 forth in or assumed by that request.

7 GENERAL OBJECTIONS

8 Boston Scientific makes the following General Objections to Edwards's
9 Interrogatories Nos. 8, 10, and 14, including without limitation the instructions and
10 definitions set forth therein, whether or not separately set forth in each response to
11 each individual interrogatory:

12 1. Boston Scientific objects to the interrogatories to the extent they seek
13 information protected by any relevant privilege or legal protection, including, without
14 limitation, the attorney-client privilege, the work product doctrine, the joint defense
15 privilege, the settlement or settlement negotiation privilege, settlement materials, or
16 trial preparation materials. Any statement herein to the effect that Boston Scientific
17 will provide information in response to an interrogatory is limited to information that
18 does not fall within the scope of any relevant privilege.

19 2. Boston Scientific objects to the interrogatories to the extent they are
20 overly broad, unduly burdensome, or seek information that is not relevant to any
21 party's claim or defense or not proportional to the needs of the case.

22 3. Boston Scientific objects to the interrogatories to the extent they are
23 vague, ambiguous, and use unlimited, undefined, subjective, or open-ended terms or
24 phrases.

25 4. Boston Scientific objects to the interrogatories to the extent they seek
26 purely legal conclusions.

27 5. Boston Scientific objects to the interrogatories to the extent that the
28 purported benefit of the discovery sought by the interrogatories is outweighed by the

1 burden and expense of responding to the interrogatories pursuant to Rule 26(b)(1) and
2 26(b)(2) of the Federal Rules of Civil Procedure. Boston Scientific objects to the
3 interrogatories to the extent they attempt to impose burdens on Boston Scientific
4 inconsistent with, or in excess of, the requirements of the Federal Rules of Civil
5 Procedure and the Local Rules of the United States District Court for the Central
6 District of California.

7 6. Boston Scientific objects to the interrogatories to the extent they seek
8 confidential, proprietary, trade secret, private or financial information that is
9 protected from disclosure by any applicable trade secret or privacy statute or law.
10 Boston Scientific will provide such information pursuant to an appropriate protective
11 order and, to the extent applicable, with the consent of any third party that may claim
12 confidentiality rights with respect to information responsive to the interrogatory.

13 7. Boston Scientific objects to the interrogatories to the extent they seek
14 information unknown to Boston Scientific, that refers to persons, entities, or events
15 not known to Boston Scientific, or that relates to documents not within Boston
16 Scientific's possession, custody, or control. Such a requirement would exceed
17 Boston Scientific's obligations under the Federal Rules of Civil Procedure and/or the
18 Local Rules of the Central District of California and would subject Boston Scientific
19 to unreasonable and undue oppression, burden, and expense. In responding to these
20 interrogatories, Boston Scientific shall respond only on behalf of itself and shall not
21 undertake the burden and expense of attempting to provide information presently
22 unknown to Boston Scientific or relating to documents outside Boston Scientific's
23 possession, custody, or control.

24 8. Boston Scientific objects to the interrogatories to the extent they fail
25 to specify a relevant time period, or to the extent any part of any specified time period
26 is irrelevant to any claim or defense at issue in this case, on the grounds that the
27 interrogatories are overly broad, unduly burdensome, and seek information that is
28 neither relevant to any party's claims or defenses nor proportional to the needs of the

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