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**Subject:** RE: IPR2017-01295: Edwards Lifesciences Corp. v. Boston Scientific Scimed  
**Date:** Thursday, May 10, 2018 1:45:47 PM

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Good Afternoon:

In response to the Panel's inquiry during yesterday's conference call and without waiving Patent Owner's objections, Patent Owner submits that, in the event that Petitioner is permitted to address the newly instituted claims and grounds in its Reply, Patent Owner hereby supplements its January 31, 2018 Response by incorporating by reference its August 9, 2017 Preliminary Response with respect to the newly instituted claims and grounds.

We appreciate the Panel's assistance and clarification during yesterday's call. To the extent that Patent Owner's above response is unclear or incomplete, please let us know. Thank you.

Counsel for Petitioner are copied on this e-mail.

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Wallace Wu for Patent Owner

**Arnold & Porter Kaye Scholer**

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**From:** Wu, Wallace  
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**To:** Trials  
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**Subject:** IPR2017-01295: Edwards Lifesciences Corp. v. Boston Scientific Scimed

Dear Board:

Pursuant to the Board's April 30, 2018 Order (the "Order," Paper 17) in the above-referenced IPR, the parties have met and conferred and hereby submit the following competing scheduling proposals. Patent Owner elects not to supplement its Response to address the newly instituted claims or grounds in the Order. Petitioner requests the opportunity to address the newly instituted claims and grounds, including responding to the Institution Decision and the Patent Owner's Preliminary Response. For efficiency, Petitioner proposes to address the newly instituted claims and grounds in its Reply when it addresses the originally instituted claims and grounds. Patent Owner opposes Petitioner's request given Patent Owner's election not to supplement its Response and seeks a ruling on the propriety of Petitioner's request. The parties are available for a conference call with the Board on Wednesday (May 9) or Friday (May 11) at 2 pm, 3 pm, or 4 pm Eastern.

The competing scheduling proposals are as follows:

Due Date Number	Current Due Date	Petitioner's Proposal	Patent Owner's Proposal
1 (Patent Owner's Response)	January 31, 2018		
2 (Petitioner's Reply)	May 1, 2018 (postponed per Order)	30 days after the Board's revised scheduling order	Within two business days of the date of the conference call with the Board
3 (Patent Owner's Reply to Petitioner's opposition to motion to amend)	June 1, 2018 (moot in light of the absence of Patent Owner's motion to amend)		
4 (Motion for observation regarding cross-examination of reply witness; Motion to exclude evidence; Request for oral argument)	June 22, 2018	52 days following Due Date 2	June 22, 2018
5 (Response to observation; Opposition to motion to exclude)	July 6, 2018	14 days following Due Date 4	July 6, 2018
6 (Reply to opposition to motion to exclude)	July 13, 2018	7 days following Due Date 5	July 13, 2018
7 (Oral argument (if requested))	August 7, 2018	To be adjusted depending on the Board's revised schedule and the Board's hearing calendar	August 7, 2018

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