

Razmig Messerian

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Thursday, September 7, 2023 3:28 PM
To: Razmig Messerian
Cc: Rosato, Michael; Westin, Lori; Devine, Wendy; Reed, Matthew; qelImpossibleIPR; Kielman, Christopher; Davidson, Callie
Subject: IPR2023-00206: McGorrin Deposition

[EXTERNAL EMAIL from tthomas@wsgr.com]

Hi Razmig,

We have decided not to move forward with Dr. McGorrin's deposition tomorrow. Please confirm receipt.

Best regards,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Wednesday, September 6, 2023 11:53 AM
To: Thomas, Tasha <tthomas@wsgr.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qeimpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>; Davidson, Callie <cdavidson@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Thanks, Tasha. The Scheduling Order does not allow the parties to move the motion to amend briefs associated with Due Dates 2 and 3 without prior authorization from the Board. Paper 25 at 8. Accordingly, we have edited the stipulation to specify that the parties are only stipulating to move the substantive briefing deadlines (POR, Reply, Sur-reply) and not the MTA briefing deadlines. You have our authorization to file with these edits.

As to this week's depositions, do you have links to Live Note (or its equivalent) you can forward us?

Noted that Ms. Davidson will attend the depositions.

Thanks.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Wednesday, September 6, 2023 5:48 AM
To: Razmig Messerian <razmesserian@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qeimpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>; Davidson, Callie <cdavidson@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

Thank you, Razmig. Attached is a draft stipulation modifying Due dates 1-3 by one week. Please let us know if the draft looks good and we will go ahead and file it.

Also attached are videoconference links for the remote depositions on Thursday and Friday. Please let us know if you have any issues with the links.

Lastly, an associate from WSGR, Callie Davidson, will be attending the depositions in person at Quinn's LA office. We will also forward the name of the court reporter who will be attending when we receive it.

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Monday, September 4, 2023 8:05 PM
To: Thomas, Tasha <tthomas@wsgr.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Tasha,

Petitioner agrees to a one-week extension to the briefing schedule. This includes the POR, Reply, and Sur-reply deadlines set out in Due Dates 1, 2, and 3, respectively.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Wednesday, August 30, 2023 2:17 PM
To: Razmig Messerian <razmesserian@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

Razmig,

As mentioned previously, in light of the new deposition dates, please let us know if Petitioner agrees to a one-week extension to the deadline for Patent Owner's Response, which would move the date to September 22nd. If so, we can prepare and circulate a draft joint stipulation for your review.

Best regards,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Monday, August 28, 2023 1:56 PM

To: Thomas, Tasha <tthomas@wsgr.com>

Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qeimpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>

Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Yes, witnesses will be at our LA office with counsel present.

From: Thomas, Tasha <tthomas@wsgr.com>

Sent: Friday, August 25, 2023 6:28 PM

To: Razmig Messerian <razmesserian@quinnemanuel.com>; Sarah Cork <sarahcork@quinnemanuel.com>

Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qeimpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>

Subject: RE: IPR2023-00206: Deposition Scheduling

[EXTERNAL EMAIL from tthomas@wsgr.com]

Razmig,

Thank you for providing dates for both Drs. McGorrin's and Tarté's depositions. We will move forward with Dr. Tarté's deposition on September 7th and Dr. McGorrin's deposition on September 8th. Since the witnesses will be located in Los Angeles, we will notice a start time of 9 AM Pacific for both depositions. Furthermore, can you confirm whether the witnesses will be located at Quinn's LA office with Petitioner's counsel present? If so, while we intend to conduct questioning remotely, we will ask that the court reporter be present with the witnesses to aid in transcription.

Best regards,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>

Sent: Thursday, August 24, 2023 6:20 PM

To: Thomas, Tasha <tthomas@wsgr.com>; Sarah Cork <sarahcork@quinnemanuel.com>

Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qeimpossibleipr@quinnemanuel.com>; Kielman, Christopher <ckielman@wsgr.com>

Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Tasha,

Both Dr. McGorrin and Dr. Tarté are available for deposition on either Sept. 7 or 8. In answer to your question in an earlier email thread, they will both be in Los Angeles for their depositions.

Thanks.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Thursday, August 24, 2023 11:04 AM
To: Sarah Cork <sarahcork@quinnemanuel.com>; Razmig Messerian <razmesserian@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>;
Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>; Kielman, Christopher
<ckielman@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

[EXTERNAL EMAIL from tthomas@wsgr.com]

Sarah,

Thank you for providing Dr. McGorrin's availability. However, as you can understand, cancellation of these depositions, which was done without explanation, has caused some disruption and logistical challenges on our part. As such, we need to receive both witnesses' availability by this week before we can confirm which dates will work on our end for scheduling purposes.

Thanks,
Tasha

From: Sarah Cork <sarahcork@quinnemanuel.com>
Sent: Wednesday, August 23, 2023 10:30 PM
To: Thomas, Tasha <tthomas@wsgr.com>; Razmig Messerian <razmesserian@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>;
Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>; Kielman, Christopher
<ckielman@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - sarahcork@quinnemanuel.com

Tasha,

Dr. McGorrin is available for deposition on Sept. 7 or 8. Dr. Tarté is currently traveling and we will follow up as soon as feasible with his availability.

Regards,
Sarah

Sarah Cork, Ph.D. | **Quinn Emanuel** | (d) 213-443-3633

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Wednesday, August 23, 2023 3:37 PM
To: Razmig Messerian <razmesserian@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>;
Reed, Matthew <MReed@wsgr.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>; Kielman, Christopher
<ckielman@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

Hi Razmig,

When providing new dates for Drs. Tarté's and McGorin's depositions, please provide multiple options for the week of September 5th to assure mutual availability and minimize disruption to the change. In addition, we may need an extension to the due date for Patent Owner's Response by a week to accommodate the new deposition dates.

Best regards,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Tuesday, August 22, 2023 9:44 PM
To: Thomas, Tasha <tthomas@wsgr.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>; qeImpossibleIPR <qeimpossibleipr@quinnemanuel.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Tasha,

We need to reschedule Dr. Tarté's and Dr. McGorin's depositions next week. We will provide revised availability within the next day during the week of Sept. 5-8.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Friday, August 18, 2023 11:24 PM
To: Razmig Messerian <razmesserian@quinnemanuel.com>; qeImpossibleIPR <qeimpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

Razmig,

Upon further consideration, we have decided to withdraw our requests for the remote depositions of Drs. Hall-Ellis and Batt.

In addition, for scheduling purposes, the court reporter service would like to know where Drs. Tarté and McGorin will be located for their depositions. Please let us know so we may forward that information along.

Best regards,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Monday, August 7, 2023 5:00 PM
To: Thomas, Tasha <tthomas@wsgr.com>; qeImpossibleIPR <qeimpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>;
Reed, Matthew <MReed@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Hello Tasha,

Our experts are available for remote depositions on the following dates:

Rodrigo Tarté → Sept. 1
Carl Batt → Sept. 1
Robert McGorrin → Aug. 31
Sylvia Hall-Ellis → Aug. 24.

Please confirm these dates are acceptable soon so our experts can block them out.

Thanks.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Thursday, August 3, 2023 5:54 PM
To: Razmig Messerian <razmesserian@quinnemanuel.com>; qeImpossibleIPR <qeimpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>;
Reed, Matthew <MReed@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

[EXTERNAL EMAIL from tthomas@wsgr.com]

Hi Razmig,

To facilitate identifying the witnesses' availability, we will agree to remote depositions.

Best regards,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Thursday, August 3, 2023 3:08 PM
To: Thomas, Tasha <tthomas@wsgr.com>; qeImpossibleIPR <qeimpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>;
Reed, Matthew <MReed@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Hello Tasha,

We're in the process of ascertaining our experts' availability during the time frame you've requested. To that end, can you let us know whether you intend to take their depositions remotely or in person?
Thanks.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Monday, July 31, 2023 7:22 PM
To: Razmig Messerian <razmesserian@quinnemanuel.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

[EXTERNAL EMAIL from tthomas@wsgr.com]

Hi Razmig,

We would like the availability for all four of Petitioner's witnesses.

Thanks,
Tasha

From: Razmig Messerian <razmesserian@quinnemanuel.com>
Sent: Monday, July 31, 2023 5:49 PM
To: Thomas, Tasha <tthomas@wsgr.com>; qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>
Subject: RE: IPR2023-00206: Deposition Scheduling

EXT - razmesserian@quinnemanuel.com

Tasha,

Motif has submitted declarations from 4 different experts in this proceeding including Drs. Tarté, McGorin, Batt, and Hall-Ellis. Please clarify whether Impossible intends to depose all 4 experts or a subset.

Thanks.

From: Thomas, Tasha <tthomas@wsgr.com>
Sent: Monday, July 31, 2023 2:32 PM
To: qelImpossibleIPR <qelImpossibleipr@quinnemanuel.com>
Cc: Rosato, Michael <mrosato@wsgr.com>; Westin, Lori <lwestin@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Reed, Matthew <MReed@wsgr.com>
Subject: IPR2023-00206: Deposition Scheduling

[EXTERNAL EMAIL from tthomas@wsgr.com]

Counsel,

Please let us know the availability of Petitioner's expert witnesses for depositions in IPR2023-00206 between August 21st through September 1st.

Best regards,

Tasha

Tasha M. Thomas | Wilson Sonsini Goodrich & Rosati

Tel.: 202-973-8883 | Email: tthomas@wsgr.com

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