

## Anastasia Renard

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**From:** Argall, Arthur <aargall@wc.com>  
**Sent:** Friday, April 18, 2025 3:39 PM  
**To:** Louis Fogel  
**Cc:** dberl@wc.com; tfletcher@wc.com; Shaun Van Horn; DG-Aflibercept; QE - Samsung Bioepis; DG-Aflibercept; SERVICE - Formycon Team; MGB-Amgen-ABP938; ABP938; Martina Hufnal; Lance Wyatt; Ann Vermeersch; Christina Rivituso; Eylea@wc.com; REGENERONPATENT@lists.kellogghansen.com; GRP-PW-EYLEA-Biosimilars@paulweiss.com; sruby@cdkrlaw.com; David Pogue  
**Subject:** RE: In re Aflibercept Patent Litigation (23-md-3103) -- status conference request

[This email originated outside of F&R.]

Louis,

I've copied counsel for Celltrion, SB, Sandoz, and Amgen. I have also copied counsel for Alvotech, whom we expect to become a party to this multi-district litigation shortly.

In order to make discussions between the parties and any potential status conference before Judge Kleeh productive, we propose that defendants, including Alvotech, circulate a single coordinated proposed schedule for the remainder of the case, with due regard for potential preliminary injunction proceedings. Regeneron will then respond, and all the parties can then confer regarding the case schedule, in an attempt to reach agreement or at least narrow differences in advance of a status conference with the Court. We are happy to discuss the foregoing if you think it would be helpful.

Best,

**Arthur J. Argall**  
**Associate | Williams & Connolly LLP**  
680 Maine Avenue, S.W., Washington, DC 20024  
(P) 202-434-5251 | (202) 434-5029  
[aargall@wc.com](mailto:aargall@wc.com) | [www.wc.com](http://www.wc.com)

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**From:** Argall, Arthur  
**Sent:** Wednesday, April 16, 2025 2:31 PM  
**To:** Louis Fogel <fogel@fr.com>  
**Cc:** Berl, David <DBerl@wc.com>; Fletcher, Thomas <TFletcher@wc.com>; Shaun Van Horn <vanhorn@fr.com>  
**Subject:** RE: In re Aflibercept Patent Litigation (23-md-3103) -- status conference request

Louis,

David has been traveling for deposition this week and forwarded me your email. We are considering your request with our client and expect to get back to you by Friday.

Best,

**Arthur J. Argall**  
**Associate | Williams & Connolly LLP**  
680 Maine Avenue, S.W., Washington, DC 20024

Formycon 1122  
FORMYCON v. REGENERON  
IPR2025-00233

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**From:** Louis Fogel <[fogel@fr.com](mailto:fogel@fr.com)>  
**Date:** Wednesday, Apr 16, 2025 at 12:25 PM  
**To:** Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>  
**Cc:** Fletcher, Thomas <[TFletcher@wc.com](mailto:TFletcher@wc.com)>, Shaun Van Horn <[vanhorn@fr.com](mailto:vanhorn@fr.com)>  
**Subject:** RE: In re Aflibercept Patent Litigation (23-md-3103) -- status conference request

Thoughts about this approach? Please let me know.

Thanks,  
Louis

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**From:** Louis Fogel  
**Sent:** Monday, April 14, 2025 6:16 PM  
**To:** Berl, David <[DBerl@wc.com](mailto:DBerl@wc.com)>  
**Cc:** [tfletcher@wc.com](mailto:tfletcher@wc.com); Shaun Van Horn <[vanhorn@fr.com](mailto:vanhorn@fr.com)>  
**Subject:** In re Aflibercept Patent Litigation (23-md-3103) -- status conference request

Hi David,

I wanted to follow up on Formycon's motion for a status conference. In its briefing, Regeneron represented to Judge Kleeh that it would be helpful a status conference after the resolution of the two pending appeals in this MDL. We saw that Biocon and Regeneron filed a voluntary dismissal of the appeal this morning. Now that the Biocon and Amgen appeals have resolved, please let us know (preferably by Wednesday morning) if Regeneron will agree to a joint request to chambers to set a status conference. We can prepare a draft email to chambers for your review.

We have informally discussed this proposal with counsel for Celltrion and SB and expect they would not be opposed to this approach.

Best regards,  
Louis

**Louis Fogel, Ph.D., J.D.**  
Office Managing Principal ■ Fish & Richardson P.C.

**Direct:** 847 772 7652 | **Firm:** 312 278 2601 | [fogel@fr.com](mailto:fogel@fr.com) | [fr.com](http://fr.com)

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