

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

Case No.: 2:24-cv-00036-RWS-RSP

**APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER**

I, DeForest McDuff, Ph.D., declare that:

1. My address is 136 E Rosemary St, Suite 100, Chapel Hill, NC 27514
My current employer is Insight Economics
My current occupation is Economist
2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.
4. Promptly upon termination of these actions, I will return all documents and things

designated as “CONFIDENTIAL,” or “RESTRICTED -- ATTORNEYS’ EYES ONLY”
that came into my possession, and all documents and things that I have prepared relating
thereto, to the outside counsel for the party by whom I am employed as detailed in
Paragraph 24 of the Protective Order.

5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the
Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature R. D. McDunn

Date May 6, 2025

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

Case No.: 2:24-cv-00036-RWS-RSP

**APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER**

I, Ryan Penkowski, declare that:

1. My address is 4442 Moraga Ave, San Diego, CA 92117
My current employer is Insight Economics, LLC
My current occupation is Economic Consultant and Expert Witness
2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.
4. Promptly upon termination of these actions, I will return all documents and things

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that came into my possession, and all documents and things that I have prepared relating
thereto, to the outside counsel for the party by whom I am employed as detailed in
Paragraph 24 of the Protective Order.

5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the
Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature RT?

Date May 6, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NIVAGEN, INC.,

Plaintiff

v.

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

Case No.: 2:24-cv-00036-RWS-RSP

APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER

I, Alexander M. Klibanov, declare that:

1. My address is 209 Torrey Pines Terrace; Del Mar, CA 92014.

My current employer is Self-employed.

My current occupation is MIT Professor Emeritus and Independent Consultant

2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.

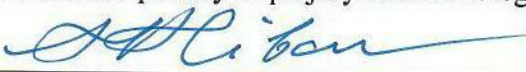
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.

4. Promptly upon termination of these actions, I will return all documents and things

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5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature 

Date April 19, 2025

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

Case No.: 2:24-cv-00036-RWS-RSP

**APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER**

I, RAJ SURYANARAYANAN, declare that:

1. My address is 2025 AUTUMN PLACE, ROSEVILLE, MN 55113
My current employer is UNIVERSITY OF MINNESOTA
My current occupation is PROFESSOR
2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.
4. Promptly upon termination of these actions, I will return all documents and things

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5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature R. Sugano

Date APRIL 29, 2025

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

Case No.: 2:24-cv-00036-RWS-RSP

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

**APPENDIX A
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PROTECTIVE ORDER**

I, Peter Malaspina, declare that:

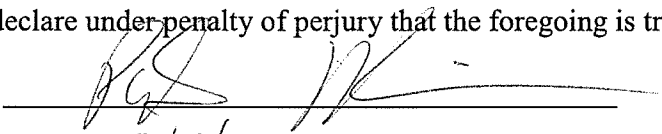
1. My address is 102 Thorndike St., Cambridge, MA, 02141
My current employer is Qes, LLC
My current occupation is Expert Economist
2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.
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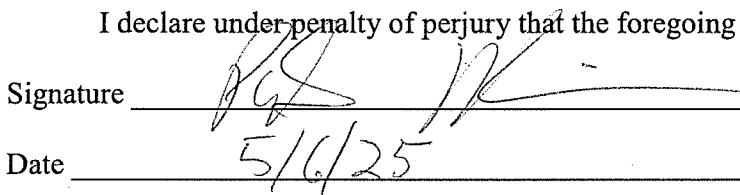
5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

A handwritten signature in black ink, appearing to be "JG" followed by a long horizontal stroke.

Date

A handwritten date "5/6/25" in black ink, positioned above a horizontal line.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

Case No.: 2:24-cv-00036-RWS-RSP

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

**APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER**

I, Nicholas Ahlemeyer, declare that:

1. My address is 10363 Roscommon Dr., St. Louis, MO 63123.
My current employer is Eurofins EAG Materials Science, LLC.
My current occupation is Manager of Analytical Chemistry.
2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.
4. Promptly upon termination of these actions, I will return all documents and things

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5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature Nicholas Ahlengren

Date 04/21/2025

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

Case No.: 2:24-cv-00036-RWS-RSP

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

**APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER**

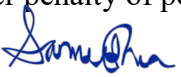
I, Samuel Pleasure, declare that:

1. My address is 15 Meriam Drive, San Rafael, CA 94903.
My current employer is UCSF Department of Neurology.
My current occupation is Professor of Neurology.
2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.
3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as "CONFIDENTIAL," or "RESTRICTED -- ATTORNEYS' EYES ONLY" that is disclosed to me.
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5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature  _____

Date 4/18/2025 _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NIVAGEN, INC.,

Plaintiff

v.

SUN PHARMACEUTICALS INDUSTRIES,
INC., SUN PHARMACEUTICAL INDUSTRIES
LTD., SUN PHARMA ADVANCED RESEARCH
COMPANY LTD., SUN PHARMACEUTICAL
MEDICARE LTD.,

Defendants.

Case No.: 2:24-cv-00036-RWS-RSP

**APPENDIX A
UNDERTAKING OF EXPERTS OR CONSULTANTS REGARDING
PROTECTIVE ORDER**

I, Steven L. Nail, declare that: Indiana

1. My address is 5801 Farm Ridge Rd, West Lafayette, IN 47906

My current employer is Self employed

My current occupation is Scientist

2. I have received a copy of the Protective Order in this action. I have carefully read and understand the provisions of the Protective Order.

3. I will comply with all of the provisions of the Protective Order. I will hold in confidence, will not disclose to anyone not qualified under the Protective Order, and will use only for purposes detailed in Paragraph 7 of the Protective Order any information designated as

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5. I hereby submit to the jurisdiction of this Court for the purpose of enforcement of the Protective Order in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

Steven J. Nivagen

Date

May 9, 2025