
From: Morin, Mike (DC)
Sent: Saturday, January 11, 2025 12:39 PM
To: Rosato, Michael; Chow, Arlene (NY)
Cc: dlippoldt@neurocrine.com
Subject: RE: Neurocrine/Spruce Correspondence

Mike, you misunderstood our previous letter, as well as our follow up, so let's be abundantly clear: we are not interested in a business discussion. Neurocrine is not going to pay Spruce anything to reward it for obtaining overly broad, invalid patents. We made clear our position in our initial letter more than a month ago and reiterated it last Monday—we need an unconditional covenant not to sue or we will have no choice but to begin legal and administrative proceedings. I hope that clears up any confusion.

You did not substantively respond to our request by the multiple reasonable deadlines we requested. If you are willing to commit in writing to giving us the covenant we requested, unconditionally and without charge, I'm happy to talk to you this weekend about papering it up. Otherwise, we will move forward with our plans.

Mike

Michael A. Morin

LATHAM & WATKINS LLP
555 Eleventh Street, NW
Suite 1000
Washington, D.C. 20004-1304
Direct Dial: +1.202.637.2298
Email: michael.morin@lw.com
<https://www.lw.com>

From: Rosato, Michael <mrosato@wsgr.com>
Sent: Friday, January 10, 2025 8:21 PM
To: Chow, Arlene (NY) <Arlene.Chow@lw.com>
Cc: dlippoldt@neurocrine.com; Morin, Mike (DC) <Michael.Morin@lw.com>
Subject: RE: Neurocrine/Spruce Correspondence

Counsel,

It would be helpful to have a telephone discussion. As you know, any communications or legal action in this matter have been initiated by Neurocrine rather than Spruce. We understood your previous letter as outreach expressing interest in a business discussion. A brief discussion would be beneficial to resolve any confusion. Please let me know a good day and time to speak.

Best regards,

Michael T Rosato
Wilson Sonsini Goodrich & Rosati
[o] 206.883.2529 | [f] 206.883.2699
mrosato@wsgr.com

From: Arlene.Chow@lw.com <Arlene.Chow@lw.com>
Sent: Monday, January 6, 2025 8:34 AM
To: Rosato, Michael <mrosato@wsgr.com>
Cc: dlippoldt@neurocrine.com; Michael.Morin@lw.com; Arlene.Chow@lw.com
Subject: RE: Neurocrine/Spruce Correspondence

EXT - arlene.chow@lw.com

Dear Mr. Rosato:
Please see the attached correspondence.
Best,

Arlene Lee Chow

LATHAM & WATKINS LLP

1271 Avenue of the Americas | New York, NY 10020
D: +1.212.906.1290 | M: +1.347.752.0547

From: Chow, Arlene (NY) <Arlene.Chow@lw.com>
Sent: Thursday, December 19, 2024 6:01 PM
To: Rosato, Michael <mrosato@wsgr.com>; jszwarcberg@sprucebiosciences.com
Cc: dlippoldt@neurocrine.com; Morin, Mike (DC) <Michael.Morin@lw.com>; Chow, Arlene (NY) <Arlene.Chow@lw.com>
Subject: RE: Neurocrine/Spruce Correspondence

Dear Mr. Rosato:
Neurocrine is not posturing, nor are they interested in business discussions (unless Spruce is offering to pay for Neurocrine's legal fees that have been incurred thus far). Neurocrine awaits your covenant not to sue. Please advise if it will be forthcoming shortly, otherwise our client will begin to enforce their rights.
Best,

Arlene Lee Chow

LATHAM & WATKINS LLP

1271 Avenue of the Americas | New York, NY 10020
D: +1.212.906.1290 | M: +1.347.752.0547

From: Rosato, Michael <mrosato@wsgr.com>
Sent: Tuesday, December 17, 2024 8:20 PM
To: Chow, Arlene (NY) <Arlene.Chow@lw.com>; jszwarcberg@sprucebiosciences.com
Cc: dlippoldt@neurocrine.com; Morin, Mike (DC) <Michael.Morin@lw.com>
Subject: RE: Neurocrine/Spruce Correspondence

Dear Ms. Chow,

We are in receipt of your letter. If the intent of the letter is to express interest in a business discussion rather than posturing, please let us know who at Neurocrine is the appropriate contact for a discussion with the Spruce management team.

Best regards,

Michael T Rosato
Wilson Sonsini Goodrich & Rosati
[o] 206.883.2529 | [f] 206.883.2699
mrosato@wsgr.com

From: Arlene.Chow@lw.com <Arlene.Chow@lw.com>
Sent: Tuesday, December 10, 2024 1:21 PM
To: jszwarcberg@sprucebiosciences.com
Cc: dlippoldt@neurocrine.com; Michael.Morin@lw.com; Rosato, Michael <mrosato@wsgr.com>
Subject: Neurocrine/Spruce Correspondence

EXT - arlene.chow@lw.com

Dear Dr. Szwarcberg:
Please see the attached correspondence relating to the recent PTAB Final Written Decisions on Spruce's patents.
Best,
Arlene Chow

Arlene Lee Chow

LATHAM & WATKINS LLP
1271 Avenue of the Americas | New York, NY 10020
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