

Defendants' Exhibit 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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 TRIANTAFYLLOS TAFAS, :
 : Plaintiff, :
 : :
 -vs- :
 : :
 JON W. DUDAS, et al., :
 : Defendants. :
 :
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Case No. 1:07-cv-846

HEARING ON MOTIONS

November 16, 2007

BEFORE: T. Rawles Jones, Jr., Magistrate Judge

APPEARANCES:

James E. Nealon, Joseph D. Wilson or Steven J. Moore,
Counsel for the Plaintiff

Lauren A. Wetzler, Ralph A. Price, Jr. and R. Joseph Sher,
Counsel for the Defendant

John Desmarais, F. Christopher Mizzo and Michael McGettigan,
Counsel for SKB Corp.

1 log. Ms. Wetzler was kind enough to write back and say, can
2 you send me authority about whether one is-- So, the parties
3 are still discussing that. And that issue wasn't briefed.

4 Additionally, we have served FOIA requests to get
5 information that supports the administrative record. Those
6 are working its way through the Patent Office. The Patent
7 Office is not asking to quash those by this motion. So, we
8 wouldn't want any order from the Court to do that because the
9 Patent Office even agrees that those are appropriate.

10 When we get the answers back from those FOIA
11 requests depending upon what the answers are, that may lead to
12 targeted discovery that we may need to do at that point.

13 So, my only request would be from GSK that Your
14 Honor not issue any order that would be blanket prohibition,
15 that we take the discovery requests as they come up and
16 address today only whether these four deposition notices are
17 appropriate because there may be as we go forward in the case,
18 remember, we are at the very beginning of the case, as we get
19 the answers to the FOIA requests and as we negotiate with the
20 Patent Office whether they are going to give us a privilege
21 log, there may be targeted discovery that would be relevant.

22 And I find it, you know, today discussing what might
23 be appropriate as we move forward in the case much like it
24 would be an advisory opinion. You know, the record is still
25 developing, we are still moving forward, we still negotiating.