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June 11, 2021

The Honorable Leonard P. Stark
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC MAIL

Re: *Natera, Inc. v. ArcherDX, Inc., et al*, C.A. No. 20-125 (LPS) (Consolidated)

Dear Chief Judge Stark:

The parties in the above-referenced matter write to request the scheduling of a discovery teleconference.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in verbal meet-and-confers by telephone, including on June 10, 2021. Delaware Counsel included Anthony Raucci on behalf of Natera and Brian Farnan on behalf of Defendants. Lead Counsel included Mandy Kim and Jodi Benassi on behalf of Natera and Derek Walter and Kaitlin Paulson on behalf of Defendants.

The disputes requiring judicial attention are listed below:

- Defendants' continued refusal to provide witnesses and propose any dates in response to Natera's Rule 30(b)(6) and 30(b)(1) deposition notices such that depositions may be completed prior to the fact discovery deadline of July 9, 2021 (D.I. 60) as initially set forth in Natera's June 8 response to Defendants' request for a status conference (D.I. 218).¹
- Defendants' refusal to produce Rule 26 discovery of documents and information in response to Natera's Interrogatory No. 2 and RFP No. 8 related to the factual uses of the accused products that Archer claims are subject to the protection of the Hatch-Waxman Safe Harbor, 35 U.S.C. § 271(e)(1).

¹ Natera respectfully requests expedited consideration of this issue in particular in light of the upcoming deadline.

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- Defendants' refusal and failure to produce the agreed upon scope of documents to Natera's Request for Production No. 9 pursuant to the parties' Joint Status Report (D.I. 175) and Court's Order adopting the parties' agreements, including agreed deadlines (D.I. 184).
- Defendants' refusal to supplement their responses to Interrogatory Nos. 10 and 11.
- Thomas Jefferson University Hospital's refusal to produce a witness for deposition.
- Defendants' request to extend the discovery deadline and coordinate discovery with the Genosity action.²
- Plaintiffs' refusal to answer interrogatories 3 through 7.

Respectfully,

/s/ Anthony D. Raucci

Anthony D. Raucci (#5948)

cc: All Counsel of Record (*via* CM/ECF and e-mail)

² Natera disagrees that the extension of discovery request is ripe for judicial resolution as Natera has asked for a proposal from Defendants but has not received that proposal. The Court also directed Defendants to file a motion if they sought coordination with the Genosity case (D.I. 220).