

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARY K. JONES, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

-vs-

PFIZER INC., et al.,

Defendants.

Civil Action No. 1:10-cv-03864-AKH

Hon. Alvin K. Hellerstein

ECF Case

**DEFENDANT IAN C. READ'S LOCAL RULE 56.1
STATEMENT OF UNDISPUTED MATERIAL FACTS**

Michael B. Carlinsky
Sheila Birnbaum
Brant Duncan Kuehn
QUINN EMANUEL URQUHART & SULLIVAN, LLP
51 Madison Avenue
New York, New York 10010
(212) 849-7000

Lori Alvino McGill
QUINN EMANUEL URQUHART & SULLIVAN, LLP
777 6th Street, NW
Washington, DC 20001
(202) 538-8000

Attorneys for Defendant Ian C. Read

October 30, 2014

TABLE OF CONTENTS

	<u>Page</u>
STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF MR. READ’S MOTION FOR SUMMARY JUDGMENT	1
A. Key Facts Supporting Summary Judgment.....	1
B. General Background.....	2
C. Mr. Read’s Role in the Company During the Class Period	2
D. Mr. Read Had No Role in Preparing Pfizer Disclosures During the Class Period	4
E. Mr. Read’s Statements to Investors.....	5
F. Mr. Read’s Pfizer Stock Holdings	8
G. Loss Causation and the Alleged Corrective Disclosure.....	8
H. Mr. Read’s Purported Status as a “Control Person”	10

Pursuant to Pursuant to Civil Rule 56.1(a) of the Local Rules of Civil Procedure for the Southern District of New York, Defendant Ian C. Read (“Mr. Read”) respectfully submits the following Statement of Undisputed Material Facts in support of his motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. Pursuant to Local Rule 56.1(d) of this Court, each statement of material fact is followed by a citation to evidence that would be admissible.

**STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF MR. READ’S
MOTION FOR SUMMARY JUDGMENT**

A. Key Facts Supporting Summary Judgment

1. Mr. Read did not sign or certify any of Pfizer’s SEC filings during the Class Period.¹
2. Mr. Read was not involved in drafting or approving the allegedly false disclosures of legal proceedings or of internal controls in any SEC disclosures during the Class Period.²
3. Mr. Read had no role in setting, approving, or disclosing reserves under FAS 5.³
4. Plaintiffs have alleged only a single corrective disclosure, and that disclosure did not include any information about Geodon or Lyrica.⁴
5. Plaintiffs do not allege that Mr. Read made any misleading statements about Bextra, the government’s Bextra investigation, or the settlement of that investigation.⁵
6. Mr. Read was not involved in the government’s Bextra investigation or settlement.⁶

¹ Petrosinelli Decl. Ex. N-2 (excerpts of transcript of November 20, 2013 deposition of Mr. Ian C. Read) at 328:14-20.

² Petrosinelli Decl. Ex. N-2 at 328:25-330:4; 85:23-86:4.

³ Petrosinelli Decl. Ex. N-2 at 330:19-331:6.

⁴ Petrosinelli Decl. Ex. L-1 (Pfizer January 26, 2008 Form 8-K attaching Press Release, Pfizer, Pfizer to Acquire Wyeth, Creating The World’s Premier Biopharmaceutical Company (Jan. 26, 2008)); Petrosinelli Decl. Ex. K-1 (Pfizer January 26, 2008 Form 8-K attaching Press Release, Pfizer, Pfizer Reports Fourth-Quarter and Full-Year 2008 Results and 2009 Financial Guidance (Jan. 26, 2008)).

⁵ First Amended Complaint (“AC”), Dkt. No. 71.

B. General Background

7. This class action was brought by Plaintiffs following Pfizer's disclosures with respect to the Department of Justice's ("DOJ") investigation into the domestic marketing of one of Pfizer's pharmaceutical products, Bextra, and Pfizer's subsequent settlement with the DOJ that was announced on January 26, 2009.⁷

8. Mr. Read currently serves as Chief Executive Officer of Pfizer. He assumed this role in 2010, well after the Class Period ended on January 23, 2009.⁸

C. Mr. Read's Role in the Company During the Class Period

9. For the first seven months of the Class Period, Mr. Read was responsible for managing Pfizer's commercial operations in Europe, Latin America, Africa and Canada. Petrosinelli Decl.⁹

10. In August 2006, Mr. Read was appointed President of Worldwide Pharmaceutical Operations ("WPO").¹⁰

11. During this time he reported to Mr. Kindler, who was Pfizer's CEO.¹¹

12. Mr. Read retained this position until after the end of the Class Period, when he was appointed CEO of Pfizer in December 2010, replacing Mr. Kindler.¹²

13. As President of WPO, Mr. Read had responsibility for Pfizer's sales and marketing operations globally.¹³

⁶ Petrosinelli Decl. Ex. N-2 at 166:16-20; 315:11-320:10.

⁷ AC at ¶ 1.

⁸ AC at ¶¶ 1, 31; Petrosinelli Decl. Ex. N-2 at 40:12-18.

⁹ Petrosinelli Decl. Ex. N-2 at 37:23-38:12; 40:12-18.

¹⁰ Petrosinelli Decl. Ex. N-2 at 40:12-18.

¹¹ Petrosinelli Decl. Ex. N-2 at 40:19-41:16.

¹² Petrosinelli Decl. Ex. N-2 at 41:17-25.

¹³ Petrosinelli Decl. Ex. N-2 at 40:19-24.

14. Mr. Read's responsibilities with respect to the United States included "interaction with the U.S. leadership team, understanding the overall strategies for the year, which would be the capital allocations, size of resources, HR talent and planning, things of that strategic nature."¹⁴

15. With responsibility for approximately 40,000 employees, including 2,000 doctors and 2,000 marketing personnel, Mr. Read's focus was at a high level, in his words, "one principally of leadership."¹⁵

16. When Mr. Read was promoted to head the WPO, he joined what was referred to as the Executive Leadership Team ("ELT").¹⁶

17. The ELT acted as a consulting body for the CEO, who had ultimate authority to make decisions on behalf of the Company.¹⁷

18. Mr. Read did not have any responsibility during the Class Period for disclosures or for litigation, including government investigations.¹⁸

19. Mr. Read took no part in the government investigation or negotiating the settlement with DOJ.¹⁹

¹⁴ Petrosinelli Decl. Ex. M-2 (excerpts of transcript of September 3, 2010 Deposition of Mr. Ian C. Read) at 9:11-19.

¹⁵ Petrosinelli Decl. Ex. M-2 at 10:25-11:12; Petrosinelli Decl. Ex. M-2 at 13:10-18 (Mr. Read describing his role with respect to marketing: "So I would interact with the leadership teams on a level that would be more the aspect of what are the overall objectives of the business unit, what are the resources they are bringing to bear, what are the aspirations of the products. I would very rarely get into, if at all, any of the marketing plan details or platforms or things of that nature.").

¹⁶ Petrosinelli Decl. Ex. N-2 at 31:21-33:2.

¹⁷ Petrosinelli Decl. Ex. N-2 at 107:7-13; 109:2-8.

¹⁸ Petrosinelli Decl. Ex. N-2 at 328:24-329:13.

¹⁹ Petrosinelli Decl. Ex. N-2 166:16-20 (no involvement in government investigation); 315:11-320:10 (no recollection of settlement discussions with government).

20. The record reflects more than 30 meetings between Pfizer and Pfizer's counsel and DOJ related to the investigation and settlement leading up to the announcement, and Mr. Read did not attend a single one of them.²⁰

D. Mr. Read Had No Role in Preparing Pfizer Disclosures During the Class Period

21. Mr. Read did not sign or certify any of Pfizer's SEC filings, including proxy statements, Form 10-K annual reports, or Form 10-Q quarterly reports from 2006 through January 2009.²¹

22. Mr. Read was not involved in drafting or approving the disclosures in the legal proceedings section of any Form 10-K annual report or Form 10-Q quarterly report from 2006 through January 2009, and did not exercise any control over the content of that section.²²

23. Mr. Read was not involved in drafting or approving the internal controls section of any of those SEC filings, and did not exercise any control over those sections.²³

24. Mr. Read had no role in setting, approving, or disclosing FAS 5 reserves.²⁴

25. Mr. Read was not involved in drafting or approving disclosures setting forth revenues that Pfizer achieved for any sales of its pharmaceutical products.²⁵

²⁰ Petrosinelli Decl. Ex. X-2 (Supplement to Responses and Objections to Plaintiffs' First Set of Interrogatories Direct to Defendant Pfizer, Inc.) at PFE-JONES 000006991.

²¹ Petrosinelli Decl. Ex. N-2 at 328:14-20; Petrosinelli Decl. Ex. D-1 (Pfizer 2006 Form 10-K); Petrosinelli Decl. Ex. F-1 (Pfizer 2007 Form 10-K); Petrosinelli Decl. Ex. J-1 (Pfizer 2008 Form 10-K); Petrosinelli Decl. Ex. C-1 (Pfizer 1Q 2006 Form 10-Q); Carlinsky Decl. Ex. K-R (Pfizer 2Q 2006 Form 10-Q); Carlinsky Decl. Ex. L-R (Pfizer 3Q 2006 Form 10-Q); Petrosinelli Decl. Ex. E-1 (Pfizer 1Q 2007 Form 10-Q); Carlinsky Decl. Ex. M-R (Pfizer 2Q 2007 Form 10-Q); Carlinsky Decl. Ex. N-R (Pfizer 3Q 2007 Form 10-Q); Petrosinelli Decl. Ex. G-1 (Pfizer 1Q 2008 Form 10-Q); Petrosinelli Decl. Ex. H-1 (Pfizer 2Q 2008 Form 10-Q); Petrosinelli Decl. Ex. I-1 (Pfizer 3Q 2008 Form 10-Q) (none signed or certified by Mr. Read).

²² Petrosinelli Decl. Ex. N-2 at 328:25-329:13; 59:4-19 (testifying that he had no recollection of discussing with anyone Pfizer's disclosures in its SEC filings regarding the status of the DOJ investigation).

²³ Petrosinelli Decl. Ex. N-2 at 329:10-330:4.

²⁴ Petrosinelli Decl. Ex. N-2 at 330:19-331:6.

²⁵ Petrosinelli Decl. Ex. N-2 at 330:5-18.

26. During the Class Period, Pfizer had a Disclosure Committee—and Mr. Read was not a member of that committee.²⁶

27. Mr. Read was one of nearly 100 individuals on a distribution list for draft SEC filings, such as 10-Ks.²⁷

28. Mr. Read’s role was limited to ensuring that his “organization reviewed the parts that pertained to the market risks or the commercialization of [Pfizer’s] products in regard to pricing in Europe and other parts of the world.”²⁸

E. Mr. Read’s Statements to Investors

29. In the Amended Complaint, Plaintiffs identify three investor conferences in 2007 and 2008 during which Mr. Read allegedly made misleading statements.²⁹

30. On January 22, 2007, at an analyst meeting, Plaintiffs alleged that Mr. Read made the following statements about Lyrica and Geodon:

- “Lyrica’s launch has gone extremely well...”
- “Another drug, Geodon, is a quiet but impressive success story. It is now the fastest-growing atypical agent in the US...”
- “Sales of our underlying portfolio - that is revenue excluding products that have lost or are losing exclusivity - grew by 9%. This reflects solid performance of Lipitor, Celebrex, Lyrica, Geodon, among other products.”
- “Let’s now look at Geodon, a growing success story. Geodon’s 2006 sales of over \$600 million and a growth of 31% is a clear sign that the atypical antipsychotic market is changing. With the publication of the landmark CATIE study last year focus on the metabolic profiles of these agents has intensified.”

²⁶ Petrosinelli Decl. Ex. N-2 at 85:23-86:4.

²⁷ Carlinsky Decl. Ex. A-R (Preparation of the 2006 Form 10-K Process Summary) at PFE JONES 00036631 [Ex. 756]; Carlinsky Decl. Ex. B-R (Preparation of the 2007 Form 10-K Process Summary) at PFE JONES 00036865 [Ex. 757].

²⁸ Petrosinelli Decl. Ex. N-2 at Tr. 81:18-24.

²⁹ AC at Ex. B at 12, 16, 19.

- “Better understanding of Geodon’s dosing, as well as its superior metabolic profile, has made Geodon the fastest-growing atypical medicine in the US market. This growth is being fueled by the results of the major NIMH CATIE study, which showed Geodon to have a benign metabolic profile.”
- “This program and the favorable market dynamics highlights the growth potential for Geodon.”³⁰

31. On March 5, 2008, at another analyst meeting, Plaintiffs allege that Mr. Read

made the following statements about Lyrica:

- “The pain market is a \$45 billion opportunity with a variety of treatment options. Lyrica is one of our anchor products in this category with a very promising long term outlook.”
- “Lyrica is backed by strong data.”
- “Lyrica has demonstrated rapid and sustained uptake. 2007 U.S. sales were up 46% with international sales growing 78% to \$781 million.”
- “To accomplish this [revenue growth], we are using a broad-based, multi-channel campaign to build awareness, e-newsletters, webcasts, in pharmacy adherence programs and a call center for patients, to mention a few of the examples you see on the screen. To maximize the value of Lyrica to patients, we have a robust life cycle plan in place.”
- “We also plan to broaden the Lyrica label over time through areas such as post stroke pain, cancer pain, restless legs syndrome and post operative pain.”³¹

32. On September 22, 2008, at a UBS Global Life Sciences Conference, Plaintiffs

allege that Mr. Read made the following remarks about Lyrica:

- “Lyrica is demonstrating strong performance in the United States and around the world, primarily driven by the rapid uptake of fibromyalgia indication in the US and by global growth in neuropathic pain conditions.”
- “We’re differentiating it based on its rapid onset of action, persistence of efficacy and lack of titration, as well as clinical development for new indications such as poststroke pain, cancer pain, restless leg syndrome and postoperative pain.”³²

³⁰ AC Ex. B at 12.

³¹ AC Ex. B at 16.

³² AC Ex. B at 19.

33. Pfizer warned attendees at the outset of each of the three conferences that the discussion would involve forward-looking statements.³³

34. Mr. Read's comments regarding Geodon and Lyrica were based on materials prepared and vetted by various professionals, including Pfizer's in-house counsel and operations teams.³⁴

35. Revenue from sales of Geodon grew slightly from 2009 to 2010—*after* the settlement was finalized—and only dropped in 2012 when Pfizer's patent expired and it lost exclusivity of the product.³⁵

36. Lyrica's revenue has grown dramatically every year from the start of the Class Period through the present, including expanding from \$2.8 billion in revenue in 2009 (when the settlement was announced) to \$4.6 billion in revenue in 2013.³⁶

37. Plaintiffs allege that the CATIE study “revealed that Geodon was not more effective than the other anti-psychotic drugs to which it was compared.”³⁷

³³ Carlinsky Decl. Ex. C-R (transcript of January 22, 2007 Pfizer Analyst Meeting); Carlinsky Decl. Ex. D-R (transcript of the March 5, 2008 Pfizer Analyst Meeting); Carlinsky Decl. Ex. E-R (transcript of Pfizer at the September 22, 2008 UBS Global Life Sciences Conference).

³⁴ Petrosinelli Decl. Ex. N-2 at 302:14-24; Carlinsky Decl. Ex. F-R (Email from Ron Aldridge to Jeffrey B. Kindler, et al., dated January 17, 2007, 2:53 a.m. circulating conference preparation materials) at PFE DERIV 01018056; Carlinsky Decl. Ex. G-R (Email from Sandra J. Beaty to Jeffrey B. Kindler, et al., dated January 15, 2007, 2:20 a.m. circulating conference preparation materials) at PFE DERIV 01018166; Carlinsky Decl. Ex. H-R (Email from Jeffrey B. Kindler to Martin Mackay & Frank D'Ameilio dated March 1, 2008, 2:18 p.m. attaching previously circulated conference preparation materials) at PFE DERIV 01136291).

³⁵ Petrosinelli Decl. Ex. B-1 (Pfizer 2005 Form 10-K) Exhibit 13 at 13; Petrosinelli Decl. Ex. D-1 (Pfizer 2006 Form 10-K) Exhibit 13 at 16; Petrosinelli Decl. Ex. F-1 (Pfizer 2007 Form 10-K) Exhibit 13 at 17; Petrosinelli Decl. Ex. J-1 (Pfizer 2008 Form 10-K) Exhibit 13 at 2; Carlinsky Decl. Ex. Q-R (Pfizer 2009 Form 10-K) Exhibit 13 at 21; Carlinsky Decl. Ex. R-R (Pfizer 2010 Form 10-K) Exhibit 13 at 25; Carlinsky Decl. Ex. S-R (Pfizer 2011 Form 10-K) Exhibit 13 at 21; Carlinsky Decl. Ex. T-R (Pfizer 2013 Form 10-K) Exhibit 13 at 24.

³⁶ Petrosinelli Decl. Ex. B-1 (Pfizer 2005 Form 10-K) Exhibit 13 at 13; Petrosinelli Decl. Ex. D-1 (Pfizer 2006 Form 10-K) Exhibit 13 at 16; Petrosinelli Decl. Ex. F-1 (Pfizer 2007 Form 10-K) Exhibit 13 at 17; Petrosinelli Decl. Ex. J-1 (Pfizer 2008 Form 10-K) Exhibit 13 at 2; Carlinsky Decl. Ex. Q-R (Pfizer 2009 Form 10-K) Exhibit 13 at 21; Carlinsky Decl. Ex. R-R (Pfizer 2010 Form 10-K) Exhibit 13 at 25; Carlinsky Decl. Ex. S-R (Pfizer 2011 Form 10-K) Exhibit 13 at 21; Carlinsky Decl. Ex. T-R (Pfizer 2013 Form 10-K) Exhibit 13 at 24.

³⁷ AC ¶ 88.

38. One of Plaintiffs' own experts helped author a brochure that specifically highlighted that Geodon was the only one of six atypical antipsychotics addressed that was not associated with "weight gain and metabolic effect."³⁸

39. Plaintiffs did not question Mr. Read about any of these three statements during his November 20, 2013 deposition.³⁹

F. Mr. Read's Pfizer Stock Holdings

40. Mr. Read more than tripled his ownership of Pfizer shares during the Class Period.⁴⁰

G. Loss Causation and the Alleged Corrective Disclosure

41. On January 26, 2009 Pfizer announced the same time Pfizer announced its \$68 billion acquisition of Wyeth and an unprecedented 50 percent dividend cut.⁴¹

42. On that day, Pfizer did not disclose any information about Geodon or Lyrica—the only two products mentioned by Mr. Read in his challenged statements.⁴²

³⁸ Carlinsky Decl. Ex. I-R (excerpts of transcript of August 7, 2014 deposition of Jerome Avorn, M.D.) 154:11-155:24; Carlinsky Decl. Ex. J-R (Ex. 2258 to Avorn Deposition).

³⁹ Petrosinelli Decl. Ex. N-2.

⁴⁰ Carlinsky Decl. Ex. O-R (Pfizer Inc. Schedule 14A, Notice of Annual meeting of Shareholders, Proxy Statement, 2006 Financial Report and Peer Group Performance Graph, dated March 15, 2007) at 22 (Mr. Read owned 281,471 Pfizer shares and stock units as of March 1, 2007); Carlinsky Decl. Ex. P-R (Pfizer Inc. Schedule 14A, Notice of Annual Meeting of Shareholders and Proxy Statement and 2008 Financial Report, dated March 12, 2009) at 17 (Mr. Read owned 893,621 shares and stock units as of February 27, 2009).

⁴¹ Petrosinelli Decl. Ex. C-4 (Expert Report of Stephen P. Feinstein, dated June 10, 2014 ("Feinstein Report") at ¶¶ 108-110; Petrosinelli Decl. Ex. L-1 (Pfizer January 26, 2008 Form 8-K attaching Press Release, Pfizer, Pfizer to Acquire Wyeth, Creating The World's Premier Biopharmaceutical Company (Jan. 26, 2008); Petrosinelli Decl. Ex. K-1 (Pfizer January 26, 2008 Form 8-K attaching Press Release, Pfizer, Pfizer Reports Fourth-Quarter and Full-Year 2008 Results and 2009 Financial Guidance (Jan. 26, 2008).

⁴² Petrosinelli Decl. Ex. C-4 (Feinstein Report) at ¶¶ 108-110; Petrosinelli Decl. Ex. L-1 (Pfizer January 26, 2008 Form 8-K attaching Press Release, Pfizer, Pfizer to Acquire Wyeth, Creating The World's Premier Biopharmaceutical Company (Jan. 26, 2008); Petrosinelli Decl. Ex. K-1 (Pfizer January 26, 2008 Form 8-K attaching Press Release, Pfizer, Pfizer Reports Fourth-Quarter and Full-Year 2008 Results and 2009 Financial Guidance (Jan. 26, 2008).

43. During its analyst calls, not a single analyst inquired about or referenced the settlement during the analyst calls; nothing was asked about what products were involved in the “other open investigations.” Instead, analysts were focused on the news regarding the Wyeth acquisition, the dividend cut, and lower 2009 earnings guidance.⁴³

44. Indeed, the market did not learn that Geodon and Lyrica were part of the government investigation until September 2009, when Pfizer announced the details of the final settlement, resolving the investigations of Geodon and Lyrica with civil settlements and no admissions of liability, at which point there was no significant price movement in the Company’s stock. According to Defendants’ expert Prof. Kenneth Lehn, who performed an event study for September 2, 2009, “there is no reliable basis to conclude” that the additional information disclosed about the final settlement, including the identities of Geodon and Lyrica, “caused Pfizer’s stock price to decline.” Expert Report of Kenneth Lehn, dated July 22, 2014, at ¶ 126. At his deposition, even Plaintiffs’ expert on damages and loss causation agreed that “there was not a statistically significant price reaction on that day.”⁴⁴

45. Similarly, there was no restatement or prior revenues for these products, and their future revenues were unaffected—Geodon’s sales were slightly higher after the Class Period than before, and Lyrica revenue has more than doubled since 2008, to nearly \$5 billion in 2013.⁴⁵

⁴³ Petrosinelli Decl. Ex. W-1 (excerpts of October 14, 2004 deposition of Steven Feinstein (“Feinstein Tr.”) at 331:10-13 (“Q. In fact, at all three conferences, if you add them all up, there is not a single question out of the dozens of questions that were asked that was about the settlement; correct? A. That’s right.”)).

⁴⁴ Petrosinelli Decl. Ex. T-3 (Pfizer press release, Pfizer Concludes Previously Disclosed Settlement Agreement With U.S. Department of Justice Regarding Past Promotional Practices, dated September 2, 2009); Petrosinelli Decl. Ex. W-1, (Feinstein Tr.) at 51:6-16.

⁴⁵ Petrosinelli Decl. Ex. B-1 (Pfizer 2005 Form 10-K) Exhibit 13 at 13; Petrosinelli Decl. Ex. D-1 (Pfizer 2006 Form 10-K) Exhibit 13 at 16; Petrosinelli Decl. Ex. F-1 (Pfizer 2007 Form 10-K) Exhibit 13 at 17; Petrosinelli Decl. Ex. J-1 (Pfizer 2008 Form 10-K) Exhibit 13 at 2; Carlinsky Decl. Ex. Q-R (Pfizer 2009 Form 10-K) Exhibit 13 at 21; Carlinsky Decl. Ex. R-R (Pfizer 2010 Form 10-K) Exhibit 13 at 25; Carlinsky Decl. Ex. S-R (Pfizer 2011 Form 10-K) Exhibit 13 at 21; Carlinsky Decl. Ex. T-R (Pfizer 2013 Form 10-K) Exhibit 13 at 24.

46. The identification of Geodon, Lyrica, and Zyvox as part of the settlement came long after the “single event date identified” by Plaintiffs’ damages and loss causation expert, after which “no detectable inflation remained” and all inflation was “dissipated.”⁴⁶

47. Professor Feinstein explicitly states that “[t]he artificial inflation [of Pfizer stock] was dissipated upon the 26 January 2009 announcement of a record \$2.3 billion fine Pfizer agreed to pay to settle the government’s investigation into the Company’s unlawful promotional activities.”⁴⁷

H. Mr. Read’s Purported Status as a “Control Person”

48. Plaintiffs did not question Mr. Read with regard to any alleged control over any other individual defendant during the Class Period.⁴⁸

49. With respect to Pfizer, there is no evidence that Mr. Read exercised any control over the allegedly misleading disclosures in Pfizer’s public filings.⁴⁹

⁴⁶ Petrosinelli Decl. Ex. C-4 (Feinstein Report) at ¶¶ 31, 132, 258.

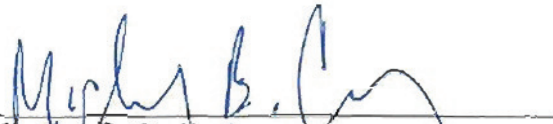
⁴⁷ Petrosinelli Decl. Ex. C-4 at ¶ 18, 31.

⁴⁸ Petrosinelli Ex. N-2.

⁴⁹ Petrosinelli Decl. Ex. N-2 at 328:14-331:6; 81:18-24; 85:23-86:4.

DATED: New York, New York
October 30, 2014

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: 
Michael B. Carlinsky
Sheila Birnbaum
Brant Duncan Kuchn (*pro hac pending*)

QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue
New York, New York 10010
(212) 849-7000

Lori Alvino McGill
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
777 6th Street, NW
Washington, DC 20001
(202) 538-8000

Attorneys for Defendant Ian C. Read