



## PATENTED MEDICINE PRICES REVIEW BOARD

IN THE MATTER OF the Patent Act, R.S.C. 1985, c. P-4,  
as amended

AND IN THE MATTER OF Alexion Pharmaceuticals Inc.  
and the medicine "Soliris"

### ORDER REGARDING SCHEDULING

1. The panel (the "**Panel**") of the Patented Medicine Prices Review Board seized with this proceeding has reviewed the submissions regarding scheduling submitted by Board Staff and Alexion Pharmaceuticals Inc. (the "**Respondent**").
2. With respect to the issue of whether the parties (including, for greater certainty, Intervenor(s)) shall file sworn affidavits, witness statements or will-say statements setting out the evidence of witnesses in advance of the hearing, the Panel orders as follows:
  - (a) The parties shall file witness statements setting out the evidence in chief in full of the non-expert (lay) witnesses in accordance with the schedule set out below;
  - (b) Witness statements for non-expert witnesses shall include only fact evidence that could be given orally by the witness, together with admissible documents as attachments or references to such documents;
  - (c) The parties shall ensure that each non-expert witness is available for examination and cross-examination at the hearing;
  - (d) The duration of the examination in chief of a non-expert witness may not, without the Panel's consent, exceed ninety (90) minutes; and

- (e) The parties shall file expert witness reports supported by affidavits in accordance with Rule 8 of the *Patented Medicine Prices Review Board Rules of Practice and Procedure* and the schedule set out below.

3. The Panel orders that the schedule for the pre-hearing steps and hearing shall be as follows:

Board Staff, Intervenors and Respondent shall exchange documents on which they intend to rely, to the extent identified	December 24, 2015
Board Staff shall file expert reports	February 16, 2016
Ministers of Health shall file any expert reports	February 23, 2016
Respondent shall file expert reports	March 16, 2016
Board Staff and Ministers of Health shall file responding expert reports	April 15, 2016
Board Staff shall file witness statements for non-expert witnesses	May 2, 2016
Intervenors shall file witness statements for non-expert witnesses	May 6, 2016
Respondent shall file witness statements for non-expert witnesses	May 13, 2016
Deadline for filing any pre-hearing motions	May 20, 2016
Pre-hearing conference (including hearing of any pre-hearing motions)	June 1, 2016
Deadline to provide documents to the Panel for use at the hearing (agreed books of documents, briefs of authorities, etc.)	June 8, 2016
Hearing Dates	June 27, 28, 29 and 30, 2016 July 4, 5, 6, 7 and 8, 2016

Closing Arguments	July 11 and 12, 2016 (if necessary)
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Dated at Ottawa, this 7th day of December, 2015.



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Signed on behalf of the Panel by  
Dr. Mitchell Levine

Panel Members:  
Dr. Mitchell Levine  
Carolyn Kobernick  
Normand Tremblay