

# The Patent '813 Story, Part II -- Version 2

## Introduction (From Part I)

### Thursday September 13, 2007:

Louis C. Sanfilippo's "**Provisional Patent Application and Fee Transmittal for U.S. Patent No. 8,318,813.pdf**," as filed with the US Patent and Trademark Organization, is available at: [http://www.4shared.com/download/1crSmukYba/Provisional\\_Patent\\_Application.pdf?lgfp=3000](http://www.4shared.com/download/1crSmukYba/Provisional_Patent_Application.pdf?lgfp=3000)

### Thursday January 24, 2008:

Louis C. Sanfilippo's "**PCT Application and Transmittal Letter for 'Method of Treating Binge Eating Disorder, Obesity Resulting from Binge Eating Behavior and Depressive Disorders'.pdf**," as filed with the World Intellectual Property Organization, is available at: [http://www.4shared.com/download/q9o-sZUJba/PCT\\_Application\\_and\\_Transmitta.pdf?lgfp=3000](http://www.4shared.com/download/q9o-sZUJba/PCT_Application_and_Transmitta.pdf?lgfp=3000)

### Tuesday April 15, 2008:

Assignment of Provisional Patent Application (for U.S. Patent No. 8,318,813) to LCS Group, LLC, as filed with the US Patent and Trademark Organization, is available as "**Executed Assignment U.S. Provisional Patent Application 60/972,046 to LCS Group, LLC.pdf**" at: [http://www.4shared.com/download/W-hDZ8g6ba/Executed\\_Assignment\\_US\\_Provisi.pdf?lgfp=3000](http://www.4shared.com/download/W-hDZ8g6ba/Executed_Assignment_US_Provisi.pdf?lgfp=3000)

### Tuesday October 14, 2008:

**From:** louis.sanfilippo@yale.edu  
**Subject:** Vyvanse - New Clinical Indications/Opportunities  
**Date:** October 14, 2008 10:44:11 AM EDT  
**To:** mcola@shire.com

Dear Mr. Cola,

By way of introduction, I am a psychiatrist in New Haven, CT, and also on faculty at Yale School of Medicine. The treatment of adult ADHD is one of my specialty areas and to date, I have had considerable success with Vyvanse, which I consider an important advance in the stimulant arena and a clear improvement on Adderall XR. The recent FDA approval for Adult ADHD will hopefully bring greater attention to this underdiagnosed and inadequately treated population. Back in August, I had the pleasure to meet with Shire's John Renna and discuss with him the favorable clinical effects I am seeing with Vyvanse.

I also wanted to share with you that in my psychiatry practice I have observed certain clinical actions for which Vyvanse is not currently marketed but for which it may offer important benefits beyond the treatment of ADHD. One area that I have seen quite striking clinical efficacy has been in binge eating disorder and even obesity resulting from such behavior; the other is within the class of depressive disorders, including major depression among others. My impression is that the unique pharmacokinetic profile of Vyvanse - smoother and steadier with longer effect and a softer late day taper, as I'd characterize it - confers it significant advantages for these clinical problems over any other stimulant medication and may offer patients a valuable treatment option. There are no FDA-approved treatments for binge eating disorder or obesity associated

## The Patent '813 Story, Part II -- Version 2

with such behavior. And depression remission rates with standard monotherapy are astoundingly low, in the range of 30-35%, and augmentation with additional medication(s) is often very limited and done 'off-label.'

I would ask your consideration in evaluating Vyvanse for such other indications. I would be happy to discuss with you intellectual property that I have filed on the use of amphetamine and methylphenidate prodrugs/analogues, also including lisdexamfetamine dimesylate, as a treatment for depressive disorders, binge eating disorder, and obesity resulting from binge eating behavior. While I have spoken to other companies around earlier stage development projects, establishing the efficacy of Vyvanse for clinical arenas in addition to ADHD treatment could provide a tremendous psychopharmacologic advance and potentially help many patients with unmet medical needs in a more expedited manner.

I would appreciate it if we might be able to speak about a potential development collaboration on Vyvanse. I would be willing to work with you on the design and execution of controlled clinical trials to demonstrate efficacy in these other indications. Attached is a brief overview I put together on the binge eating disorder and depression landscape, and where I think a drug like Vyvanse could prove helpful to patients. Vyvanse represents an important step forward in psychopharmacology and seeing its full potential realized clinically would be very rewarding.

Sincerely,  
Louis

Louis C. Sanfilippo, MD  
Assistant Clinical Professor, Department of Psychiatry  
Yale University School of Medicine  
President, LCS Group, LLC  
291 Whitney Avenue, Suite 305  
New Haven, CT 06511

**ATTACHMENT: "VYVANSE New Applications.pdf"** (available for download at:  
[http://www.4shared.com/download/R-WMja3Xba/VYVANSE\\_New\\_Applications\\_\\_1\\_.pdf?lgfp=3000](http://www.4shared.com/download/R-WMja3Xba/VYVANSE_New_Applications__1_.pdf?lgfp=3000))

### **Thursday March 19, 2009:**

LCS Group, LLC's "**PCT Application Published for 'Method of Treating Binge Eating Disorder, Obesity Resulting from Binge Eating Behavior and Depressive Disorders'.pdf,**" as published by the World Intellectual Property Organization, is available for download at:  
[http://www.4shared.com/download/ruZ3-hTUba/PCT\\_Application\\_for\\_Method\\_of\\_.pdf?lgfp=3000](http://www.4shared.com/download/ruZ3-hTUba/PCT_Application_for_Method_of_.pdf?lgfp=3000)

### **Thursday January 27, 2011:**

LCS Group, LLC's "**U.S. Patent Application 12/666,460 'Method of Treating Binge Eating Disorder and Obesity Resulting from Binge Eating Behavior'.pdf,**" as published by the United States Patent and Trademark Organization, is available at:  
[http://www.4shared.com/download/ycqPOLjce/US\\_Patent\\_Application\\_12\\_66646.pdf?lgfp=3000](http://www.4shared.com/download/ycqPOLjce/US_Patent_Application_12_66646.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

### **Friday February 4 - Tuesday May 24, 2011:**

Shire Pharmaceutical Development's **"Forced-dose Titration of SPD489 in Adults With Binge Eating Disorder Phase II Protocol.pdf,"** as first received at [www.clinicaltrials.gov](http://www.clinicaltrials.gov) on February 4, 2011 and updated as of May 24, 2011, is available at:  
[http://www.4shared.com/download/bX4hWib7ce/Shire\\_Pharmaceutical\\_Developme.pdf?lgfp=3000](http://www.4shared.com/download/bX4hWib7ce/Shire_Pharmaceutical_Developme.pdf?lgfp=3000)

### **Thursday April 26, 2012:**

Shire Plc's Press Release **"Shire Reports Positive Phase 2 Study Met Primary End Point for Investigative Use of Vyvanse (lisdexamfetamine dimesylate) Capsules, (CII) in Adults with Binge Eating Disorder"** is available at: [http://www.4shared.com/download/5IUR-scFba/Shire\\_VyvanseRelease\\_26April20.pdf?lgfp=3000](http://www.4shared.com/download/5IUR-scFba/Shire_VyvanseRelease_26April20.pdf?lgfp=3000)

### **Thursday January 31, 2013:**

LCS Group LLC's **"U.S. Patent Application 13/644,156 'Method of Treating Binge Eating Disorder'.pdf,"** as published by the United States Patent and Trademark Organization, is available at:  
[http://www.4shared.com/download/rX87QgUzce/US\\_Patent\\_Application\\_13\\_64415.pdf?lgfp=3000](http://www.4shared.com/download/rX87QgUzce/US_Patent_Application_13_64415.pdf?lgfp=3000)

### **Thursday October 24, 2013:**

Shire LLC's and LCS Group LLC's **"Confidentiality Disclosure Agreement,"** to "facilitate....discussions regarding a potential business opportunity involving U.S. Patent No. 8,318,813 [Method of Treating Binge Eating Disorder] and related patent applications," is available in PDF at:  
[http://www.4shared.com/download/UG2mnQWsc/Shire\\_LCS\\_Group\\_Confidentialit.pdf?lgfp=3000](http://www.4shared.com/download/UG2mnQWsc/Shire_LCS_Group_Confidentialit.pdf?lgfp=3000)

### **Wednesday October 30, 2013:**

**Voice message,** as left by Peter Cicala, **"Shire" VP of Intellectual Property,** for LCS Group, LLC's Attorney Joe Lucci of Woodcock Washburn (to later become Baker Hostetler), is available in a wav audio file at:  
[http://www.4shared.com/download/FBAyCvygba/103013\\_VM\\_from\\_Shires\\_PeterCic.WAV?lgfp=3000](http://www.4shared.com/download/FBAyCvygba/103013_VM_from_Shires_PeterCic.WAV?lgfp=3000)

### **Tuesday November 5, 2013:**

Shire Plc's Press Release **"Positive Top-line Results Shown for Vyvanse (lisdexamfetamine dimesylate) Capsules (CII) in Adults with Binge Eating Disorder"** is available for download at:  
[http://www.4shared.com/download/GDaMP9Wjce/Shire\\_BEDPressRelease\\_05Nov201.pdf?lgfp=3000](http://www.4shared.com/download/GDaMP9Wjce/Shire_BEDPressRelease_05Nov201.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

### Part II: Section 2 (of 3)

#### Friday May 9, 2014:

Shire Development LLC's "**Power of Attorney**" (as executed by its **VP of Intellectual Property David Banchik**) appointing **Ed Haug, Sandra Kuzmich**, Laura Fanelli, and Russell Garman of **Frommer, Lawrence & Haug LLP** "to transact all business in the United States Patent and Trademark Office associated with Shire Development LLC's Petition for Inter Partes Review of U.S. Patent 8,318,813," as filed with the US Patent Trial and Appeal Board in IPR2014-00739 and served to "attorney of record for the '813 Patent shown in USPTO PAIR" **Cantor Colburn, LLP**, is available in PDF at: [http://www.4shared.com/download/s6G2WH8ce/power\\_of\\_attorney-1.pdf?lgfp=3000](http://www.4shared.com/download/s6G2WH8ce/power_of_attorney-1.pdf?lgfp=3000)

Shire Development LLC's "**Petition for Inter Partes Review for U.S. Patent No. 8,318,813,**" as filed with the US Patent Trial and Appeal Board in IPR2014-00739, is available in PDF at: <http://www.4shared.com/download/s6uTIOXYba/petition.pdf?lgfp=3000>

Dr. Timothy Brewerton's "**Declaration for Shire's Inter Partes Review Petition for U.S. Patent No. 8,318,813,**" as filed with the US Patent Trial and Appeal Board in IPR2014-00739 (Exhibit 1009) is available in PDF at: [http://www.4shared.com/download/WobaHS8Yce/Dr\\_Brewertons\\_Declaration\\_Exhi.pdf?lgfp=3000](http://www.4shared.com/download/WobaHS8Yce/Dr_Brewertons_Declaration_Exhi.pdf?lgfp=3000)

#### Monday June 2, 2014:

LCS Group LLC's "**Power of Attorney**" (as executed by its **CEO Louis Sanfilippo**) appointing **Joseph Lucci** and **David Farisiou** of **Baker Hostetler** "to represent it before the U.S. Patent and Trademark Office in connection with the inter partes review of U.S. patent no. 8,318,813," as filed with the US Patent Trial and Appeal Board in IPR2014-00739 and served to **Frommer, Lawrence & Haug LLP**, is available in PDF at: [http://www.4shared.com/download/cMrFxuX0ce/power\\_of\\_attorney-4-4.pdf?lgfp=3000](http://www.4shared.com/download/cMrFxuX0ce/power_of_attorney-4-4.pdf?lgfp=3000)

"**Mandatory Notices and Related Matters,**" as filed with the US Patent Trial and Appeal Board in IPR2014-00739 by Baker Hostetler on behalf of LCS Group, LLC to indicate the "real party in

## The Patent '813 Story, Part II -- Version 2

interest" is "LCS Group, LLC" and to identify pending patent applications, is available at:  
<http://www.4shared.com/download/AeO0oRMlba/notice-5-3.pdf?lgfp=3000>

### **Tuesday August 12, 2014:**

LCS Group LLC's "**Patent Owner Preliminary Response,**" as filed with the US Patent Trial and Appeal Board in IPR2014-00739, is available in PDF at:  
[http://www.4shared.com/download/yWmQ41aoce/preliminary\\_response-6.pdf?lgfp=3000](http://www.4shared.com/download/yWmQ41aoce/preliminary_response-6.pdf?lgfp=3000)

### **Thursday September 4, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Important Matter Regarding Vyvanse & BED**  
**Date:** September 4, 2014 10:00:11 AM EDT  
**To:** fornskov@shire.com  
**Cc:** tmay@us.shire.com, tmay@shire.com, jharrington@shire.com

Dear Dr. Ornskov,

By way of introduction, I am a psychiatrist in New Haven, CT, and also a voluntary faculty member at the Yale School of Medicine. My company, LCS Group LLC, owns US Patent No. 8,318,813, which claims methods for the use of LDX dimesylate in the treatment of Binge Eating Disorder. The '813 Patent currently is the subject of an *inter partes* review petition that Shire Development filed on May 9, 2014 with the Patent Trial and Appeal Board.

The reason for my email is to bring to your attention serious problems with representations made on the public record by Shire's outside counsel and its declarant, Dr. Timothy Brewerton. I believe that it is your fiduciary responsibility as the company's CEO to know about these problems and promptly address them, as they are highly relevant to the interests of Shire's shareholders, its affiliates and even, potentially, its prospective business partners and/or acquirers. As this matter has broad legal implications, I have copied Shire's General Counsel and Chief IP Counsel on this email.

Let me provide you several representative examples of the problems with the representations made by Shire's outside counsel and its declarant and you can judge for yourself.

One such problem involves the representation that LDX dimesylate is an acceptable "anti-obesity agent." Shire, through its outside counsel and declarant, has taken the position that a psychiatrist/MD in 2007 would have regarded an amphetamine-based drug like LDX dimesylate as an acceptable "anti-obesity agent." Specifically, Shire's declarant has represented that a psychiatrist/MD "would have been motivated to identify another centrally acting anti-obesity agent with positive properties, such as LDX dimesylate" (Decl, p. 36). Because you are an M.D., I don't have to tell you the problem here. It's been nearly forty years since any competent M.D. would have regarded **any amphetamine, or any psychostimulant drug** for that matter, as a legitimate

## The Patent '813 Story, Part II -- Version 2

pharmacologic treatment of obesity, for self-evident reasons. Shire is now on the public record supporting a view that the medical community would find abhorrent, namely, pharmacologically managing obesity as it would have been in the several decades between the 1940s-1960s, when amphetamines were widely prescribed for such purpose while also ignoring all the relevant medical advancements and regulatory guidance (from the FDA) for treating obesity and its medical comorbidities over that time. As a practicing physician/psychiatrist, it is virtually impossible to believe that such a position was actually argued by another physician and adopted by a pharmaceutical company having expertise in the development and marketing of "stimulant amphetamine drugs."

A somewhat related problem is that Dr. Brewerton's statements in his declaration regarding the use of psychostimulants contradict his prior statements of which the Patent Office was not informed. Dr. Brewerton published a 1997 review on "Binge Eating Disorder" in which he stated that "There are no published reports on the use of psychostimulants in the treatment of BED. Even though acutely administered stimulants suppress binge eating, the risks of addiction and the possible induction of affective and psychotic symptomatology make **this agent class undesirable as a therapeutic tool.**" You probably know that this situation did not change in the 10 years between his publication and the filing of the '813' Patent – for obvious reasons. No reasonable medical practitioner familiar with BED, its psychiatric/medical comorbidities and its treatment would have reasoned to use a stimulant for its treatment, which is why there were still no published reports on the use of psychostimulants in the treatment of BED until the '813 Patent. Compounding this problem is that Shire's outside counsel did not disclose Dr. Brewerton's prior statements to the Patent Office so that the office could properly evaluate his declaration testimony and Shire's reliance on it.

Another problem is that Dr. Brewerton takes the position that there was no unmet medical need in BED. He writes, "In sum, I disagree that in 2007 there was a long-felt and unmet need for the claimed treatment of BED." (Decl, p. 94). However, you yourself, Dr. Ornskov, highlighted the unmet medical need in BED in a Shire press release on November 5, 2013: "BED is a condition for which there is no currently approved pharmacologic treatment and yet there is significant unmet patient need, as was demonstrated with the faster than expected enrollment of participants in our clinical trial." The same sentiment can also be found in many other places publicly, including from Dr. Susan McElroy in the same November 5, 2013, Shire Press Release. As you know, Dr. McElroy headed up Shire's Phase III LDX/BED program, which is why Shire's representations in its IPR petition are particularly troubling. Clearly, those representations are directly at odds with what you and Dr. McElroy, and the medical community, have long recognized as an accepted understanding of unmet medical need in BED.

The above-noted problems with Shire's representations to the Patent Office (which, as noted above, are only representative of other, similar problems in Shire's filings) highlight the surprising nature of the inventions claimed in the '813 Patent. Many of these problems and their implications for the '813 Patent are addressed in LCS Group's preliminary response to Shire's IPR petition. But I am happy to provide you a more extensive analysis. Taken together with the preliminary response, my additional analysis highlights the extent and scope of the problems in the representations made by Shire's outside counsel and its declarant. Notably, it addresses the particular relevance of two references that are identified in my preliminary response (i.e., Exhibit 2014 - Surman 2006; Exhibit 2015 - Biederman 2007). I believe that it is very important for you and your in-house counsel to understand the significance of these references because they provide the important context for one of the most important representations made by Shire's outside counsel in the IPR petition.

There are many ways for me to optimize the value of the '813 Patent and any that follow. I plan to make a decision very soon on how I shall proceed, as my wife is quite ill with metastatic breast

## The Patent '813 Story, Part II -- Version 2

cancer and it is important that I end one chapter of this now seven-year IP project before she passes. If you/Shire are interested in acquiring rights in the patent and any that may follow, please let me know as soon as possible. Should you or others at Shire still have doubts about '813 Patent's uniqueness and value in view of my preliminary response and this email, I am confident that my additional analysis of the IPR petition/declaration filed by Shire's outside counsel will resolve them. I am happy to forward the analysis to you. Further, please know that transparency and accountability are extremely important to me. But please appreciate that given my prior experience with Shire, which includes reaching out to the company in 2008, 2010, 2012, 2013 – and now in 2014 - I would request that **all communications** to me (at least initially) be in writing via email and involve only Shire in-house people. I would regard this as a good faith gesture of moving forward in the spirit of trust and cooperation on a matter, it would now seem, involves our shared mutual business interests for the novel treatment of Binge Eating Disorder with LDX dimesylate.

Sincerely,  
Louis Sanfilippo, M.D.

CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Thursday, September 04, 2014 12:56 PM  
**To:** Lucci, Joseph  
**Subject:** Dr. Sanfilippo

Dear Joe,

Good afternoon. I hope you are well and that you had a good summer.

We have been informed by Shire that Dr. Sanfilippo has again (apparently today) contacted Shire management and Shire in-house counsel directly regarding issues related to Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire understands that Dr. Sanfilippo is represented by you in these matters. Please inform Dr. Sanfilippo that all negotiations with Shire will involve in-house and outside counsel representing Shire. As such, please ask Dr. Sanfilippo to communicate through you with Frommer Lawrence & Haug (Ed Haug or me) or David Banchik, Esq. (Vice President - Intellectual Property, Shire).

Thank you.

Sincerely,

Sandy



**Friday September 12, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Follow-up on Patent '813 and IPR petition  
**Date:** September 12, 2014 1:12:26 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: fornskov@shire.com

Cc: tmay@us.shire.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com

Dear Dr. Ornskov,

Further to the email I sent you on September 4, I've been informed that Shire's outside counsel of Frommer, Lawrence & Haug (FLH) contacted attorney Joseph Lucci of Baker Hostetler. As indicated in my email, I believe that all communications should be made to me and involve only Shire in-house people (at least initially). This is appropriate at least because FLH made the problematic representations on the public record to the Patent Trial and Appeal Board. I don't believe it is in the interests of Shire's shareholders, its affiliates and even, potentially, its prospective business partners and/or acquirers to have FLH involved. Moreover, I am the one responsible for making all business decisions at LCS Group, so Shire should communicate directly with me. There is no need for anyone to contact Mr. Lucci at this time; if I need his input, I will contact him myself.

As Shire's CEO, Dr. Ornskov, I believe it is incumbent on you to promptly address the serious problems involving the representations that have been made on the company's behalf, and upon which the Board could mistakenly rely in evaluating the '813 Patent. As previously indicated, these problems go beyond what I have addressed in LCS Group's preliminary response and I am happy to provide you a more extensive analysis to assist you in evaluating Shire's problematic representations. However, given the absence of any response to my prior email by you or anyone else at Shire, along with recently learning that my wife's condition has taken an unsettling and somewhat unexpected turn for the worse, I am actively evaluating available options and plan to make some important decisions imminently to optimize the value of my patent and any that follow. It is now even more important for me to bring this longstanding seven-year IP project of mine to a close.

Sincerely,

Louis Sanfilippo, M.D.

CEO, LCS Group, LLC

291 Whitney Avenue, Suite 306

New Haven, CT 06511

**September 15, 2014:**

Shire Plc's Press Release "**Shire Announces FDA Acceptance for Filing with Priority Review of Supplemental New Drug Application (sNDA) for Vyvanse (lisdexamfetamine dimesylate) Capsules (CII) for Adults with Binge Eating Disorder**" is available for download at:

[http://www.4shared.com/download/yATXSZJQce/Shire\\_Vyvanse\\_BED\\_sNDA\\_Acepta.pdf?lgfp=3000](http://www.4shared.com/download/yATXSZJQce/Shire_Vyvanse_BED_sNDA_Acepta.pdf?lgfp=3000)

**From:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>

**Subject:** Contact Information

**Date:** September 15, 2014 5:42:48 PM EDT

**To:** <lsanfilippo@lcsgruopluc.com>

**Cc:** "Haug, Ed" <EHaug@flhlaw.com>, "Banchik, David" <dbanchik@shire.com>, <jlucci@bakerlaw.com>

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No.

## The Patent '813 Story, Part II -- Version 2

8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.  
Partner, Frommer Lawrence & Haug LLP



**Wednesday September 17, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** '813 Patent/IPR petition and FLH  
**Date:** September 17, 2014 1:13:33 PM EDT  
**To:** fornskov@shire.com  
**Cc:** tmay@us.shire.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com

Dear Dr. Ornskov,

On Monday September 15, I received the email below from Shire's outside counsel of FLH. I take this to mean that you and your in-house counsel at Shire support the representations that FLH publicly made to the Patent Trial and Appeal Board in Shire's IPR petition.

My wife's medical situation has taken a significant turn for the worse and it's now become very important to me that she know the status of this project before she passes. As a result, I expect to make a final decision on how to best commercialize the '813 Patent by October 1, 2014. My wife has sacrificed a lot in the seven-year span it took to prosecute the '813 Patent, and she believes in its value as much as I do. Unfortunately, she did not see much of me this summer because I felt it imperative to clarify the scope and extent of problematic IPR/declaration representations (on BED, BN, and obesity, among others), which took time and resources. These are serious psychiatric/medical disorders; thus, from the outset of my reading the IPR petition and declaration I considered it my fiduciary obligation as a physician to clarify the serious problems in the representations that FLH and Dr. Brewerton made regarding them.

I sincerely hope that my efforts help you and Shire appreciate that the public representations that FLH and Dr. Brewerton made in the IPR Petition are a liability to the interests of Shire's various stakeholders. Further, I believe that Shire and LCS Group have the same mutual business interests deriving from the '813 Patent, a belief I have held for some time though especially now that the FDA has accepted for priority review Shire's sNDA for LDX dimesylate in the treatment of BED. But I will let you, Dr. Ornskov, be the judge of that.

Again, please know that I fully expect to make a final decision on how to best commercialize my IP by October 1. I would be doing a great disservice to my wife if I did not. As I've indicated before, I believe it best that all communications be made to me and involve only Shire in-house people.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, M.D.  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

Begin forwarded message:

**From:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>  
**Subject:** Contact Information  
**Date:** September 15, 2014 5:42:48 PM EDT  
**To:** <lsanfilippo@lcsgrupp.com>  
**Cc:** "Haug, Ed" <EHaug@flhlaw.com>, "Banchik, David" <dbanchik@shire.com>, <jlucci@bakerlaw.com>

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.  
Partner, Frommer Lawrence & Haug LLP



### Monday September 22, 2014:

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Decision regarding the '813 Patent & Shire interests  
**Date:** September 22, 2014 1:07:11 PM EDT  
**To:** fornskov@shire.com  
**Cc:** tmay@us.shire.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com

Dear Dr. Ornskov,

I have not heard back from you or anyone else at Shire since first writing to you on September 4 to inform you/Shire about the problematic representations in Shire's IPR petition/declaration made by FLH/Dr. Brewerton. Shire's silence on this matter, in connection with its decision to initiate the

## The Patent '813 Story, Part II -- Version 2

IPR review in the first place and to then have FLH respond when I expressed serious concern about that firm's representations to the Patent Trial and Appeal Board, lead me to conclude that you/Shire support the representations FLH/Dr. Brewerton made. These developments also lead me to conclude that you/Shire have no interest in acquiring rights in the '813 Patent because you/Shire believe '813's claims would have been obvious to a "Person of Ordinary Skill in the Art."

As a result, I am informing you, your senior management team, your in-house counsel, and Shire's Board of Directors that the decision I plan to make on/by October 1 can be expected to have a serious material bearing on the interests of these various stakeholders. I say this in the spirit of transparency and accountability, because everything that I have written to you has been for a specific objective. As Shire's CEO you should know that objective, which is to make those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions, especially now that I have made three attempts to bring them to your attention for prompt resolution. Please know, Dr. Ornskov, that I have sincerely made these attempts to make you aware of the scope and seriousness of this problem along with its implications, which extend far beyond what is addressed in LCS Group's preliminary response. In this way, my wife can see first hand before she passes that everything we've both sacrificed considerably for over the last seven years (though particularly over this past summer as I attended to this IPR matter) was not in vain but laid the foundation to bring much needed public attention to serious psychiatric/medical disorders such as BED, BN and obesity.

I take matters of accountability very seriously. In this respect, you/Shire should know that I extensively vetted the many problematic representations made in Shire's IPR petition and Dr. Brewerton's declaration for their truthfulness and implications, including through the use of *many* references authored and/or edited by Dr. Brewerton himself but which he/FLH did not submit with the IPR petition. And I can assure you that no stone was left unturned in determining their relevance for the value of the '813 Patent.

In this light, I am providing Shire 48 hours notice that I am terminating the CDA Mr. Harrington executed for Shire on October 29, 2013 (per Section 9). The purpose of the CDA was to discuss a potential business opportunity involving the '813 Patent and related patent applications, but based on Shire's behavior since that time it would appear Shire has no such business interest. As Shire's in-house counsel knows, there has been no exchange of confidential materials; thus, there is none to return or destroy.

Sincerely,

Louis Sanfilippo, M.D.  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

### **Tuesday September 23, 2014:**

**From:** "Banchik, David" <dbanchik@shire.com>  
**Subject:** RE: Contact Information  
**Date:** September 23, 2014 11:08:04 AM EDT  
**To:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>, "lsanfilippo@lcsgrupp.llc.com" <lsanfilippo@lcsgrupp.llc.com>  
**Cc:** "Haug, Ed" <EHaug@flhlaw.com>, "jlucchi@bakerlaw.com" <jlucchi@bakerlaw.com>

Dr. Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

We are in receipt of your email of Sept. 17 (in addition your prior emails of Sept. 4 and Sept. 12).

As previously expressed to you (below), you are requested to communicate through FLH on these matters.

David Banchik  
Vice President - Intellectual Property  
Shire  
725 Chesterbrook Blvd.  
Wayne, PA 19087 USA

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Monday, September 15, 2014 5:43 PM  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Cc:** Haug, Ed; Banchik, David; [jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)  
**Subject:** Contact Information

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.  
Partner, Frommer Lawrence & Haug LLP



### **Friday September 26, 2014:**

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** '813/Serious new matter involving Shire's in-house counsel  
**Date:** September 26, 2014 3:33:29 PM EDT  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com)

Dear Dr. Ornskov,

I am writing to you, exclusively, to inform you of a very serious problem that goes beyond FLH's representations to the Patent Trial and Appeal Board. I believe it is imperative for you to promptly resolve this problem before it becomes a massive liability for Shire's various stakeholders.

As forwarded below, I received an email from David Banchik of Shire (on September 23) that

## The Patent '813 Story, Part II -- Version 2

requested I "communicate with FLH on these matters." However, Mr. Banchik's request that I communicate with FLH to address FLH's own problematic representations in Shire's IPR petition raises serious conflict of interest issues. Moreover, it improperly places me in the middle of a potentially serious problem between Shire and FLH involving the representations that FLH made on the company's behalf. To use a simple analogy, requesting that I communicate with FLH is like telling a "whistleblower" to blow his whistle amidst those whom he seeks to expose but leaving no one else around to hear the whistle. I am not interested in making FLH's representations to the Patent Board my problem rather than Shire's. That is why I am bringing this issue to you as Shire's CEO and the person ultimately accountable for how this matter is handled.

In this light, let me provide you an update on my plans regarding commercialization of the '813 Patent and any that may follow. Attached is a press release which will feature prominently in my final decision that I have now determined to make on October 1. It's been a very long time that I've tried to do business with Shire in the spirit of trust and cooperation, having expended substantial time and resources to this end; regrettably, that sentiment has yet to be reciprocated in good faith.

My email of September 22 gave Shire the required 48 hours notice for terminating the LCS Group/Shire CDA; accordingly, the CDA has now been terminated.

Sincerely,

Louis Sanfilippo, M.D.  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

**ATTACHMENT: "Press Release.pdf"** (available for download at:  
[http://www.4shared.com/download/vQA3znugce/Press\\_Release.pdf?lgfp=3000](http://www.4shared.com/download/vQA3znugce/Press_Release.pdf?lgfp=3000))

Begin forwarded message:

**From:** "Banchik, David" <dbanchik@shire.com>  
**Subject:** RE: Contact Information  
**Date:** September 23, 2014 11:08:04 AM EDT  
**To:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>, "lsanfilippo@lcsgruppilc.com" <lsanfilippo@lcsgruppilc.com>  
**Cc:** "Haug, Ed" <EHaug@flhlaw.com>, "jlucchi@bakerlaw.com" <jlucchi@bakerlaw.com>

Dr. Sanfilippo,

We are in receipt of your email of Sept. 17 (in addition your prior emails of Sept. 4 and Sept. 12).

As previously expressed to you (below), you are requested to communicate through FLH on these matters.

David Banchik  
Vice President - Intellectual Property  
Shire  
725 Chesterbrook Blvd.

## The Patent '813 Story, Part II -- Version 2

Wayne, PA 19087 USA

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Monday, September 15, 2014 5:43 PM  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Cc:** Haug, Ed; Banchik, David; [jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)  
**Subject:** Contact Information

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.  
Partner, Frommer Lawrence & Haug LLP



# The Patent '813 Story, Part II -- Version 2

## Part II: Section 2 (of 3)

**Tuesday October 7, 2014:**

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Important Shire Matter  
**Date:** October 7, 2014 12:37:29 PM EDT  
**To:** "jsiegel@kingdon.com" <jsiegel@kingdon.com>

Hi Jonathan,

Hope all is well. As I'm sure you know from Shire's Sept. 15 press release, FDA accepted Shire's sNDA for LDX in adult BED with a priority review PDUFA date in 2/15. Also a matter of public record, Shire recently filed an Inter Partes review (IPR) petition on U.S. Patent 8,318,813 with the Patent Trial and Appeal Board, arguing that the patent's claims (as related to LDX for the treatment of BED) would have been "obvious" to a "Person of Ordinary Skill in the Art" (i.e., MD/psychiatrist) "as of September 2007" – a time frame in which you and I are very familiar as Vyvanse had just recently been launched for ADHD then. Given that Patent '813 claims LDX as a treatment of BED according to DSM-IV-TR criteria, it also encompasses the less restrictive "BED by DSM-V criteria." Therefore, public developments re: the '813 Patent are sure to have a serious material bearing on the interests of Shire's shareholders – even, potentially, on AbbVie.

What you (or any prospective/active shareholder in Shire) should know is that Shire's IPR petition makes **many** representations to the Patent Board that I believe you (or any of your investment colleagues) would immediately find very troubling and problematic, which is why I am bringing this to your immediate attention. Having closely followed and analyzed Shire's portfolio since they acquired NRP in 2/07, I believe this matter is of great significance to shareholder interests, particularly as Shire's IPR representations are easily located publicly and just as easily appreciated for their serious implications. Some representative examples of Shire's public representations to the Patent Board are found below, which can be referenced in more detail in the petition (and the declaration on which it relies) at [https://ptabtrials.uspto.gov/prweb/PRWebLDAP2/Hcl5xOSeX\\_yQRYZAnTXXCg%5B%5B\\*/!STANDARD?UserIdentifier=searchuser](https://ptabtrials.uspto.gov/prweb/PRWebLDAP2/Hcl5xOSeX_yQRYZAnTXXCg%5B%5B*/!STANDARD?UserIdentifier=searchuser) (Shire's IPR petition – Exh. 1002; Declaration – Exh. 1009).

1. Shire has publicly represented to the Patent Board that a "psychiatrist/MD" in Sept. '07 would have regarded LDX as an acceptable "anti-obesity agent," like Meridia (Petition, pp. 15-16). You would know as well as anyone how a "psychiatrist/MD" would have regarded LDX at that point in time and that this position is completely absurd. As you know, LDX was hardly even differentiated from Adderall XR, much less other long-acting stimulants, for the treatment of ADHD in Sept. '07 – even among expert psychiatrists familiar with stimulants/ADHD Rx's. It is highly doubtful that an MD/psychiatrist specializing in adult "eating disorders" like BED would have even appreciated/understood **anything at all** about Vyvanse at that time given its (i) newness, (ii) pediatric ADHD indication, and (iii) minimal market penetration (Q3/2007 sales of \$10MM, on-line with Daytrana and with Adderall XR sales 24x higher and Concerta 17x higher **the same quarter!**). Besides, it's been nearly forty years since any competent M.D. would have regarded any stimulant, much less an amphetamine-based one, as a legitimate obesity Rx.

2. Shire also makes the public representation that stimulants (AMP or MPH based) would have been regarded by a "psychiatrist/MD" in Sept. '07 as an acceptable Rx of "binge eating" in Bulimia Nervosa (apart from ADHD). This is the main premise for 2 of its 3 core obviousness arguments (Petition; pp.26-36 and pp. 39-49), while the other core obviousness argument wholly relies on

## The Patent '813 Story, Part II -- Version 2

the above “anti-obesity drug” representation (pp. 13-23). Attached below are two references from MGH/Harvard’s Surman (2006) and Biederman (2007) whose publication dates basically correspond to the filing date of the ‘813 Patent, which makes them highly relevant to determining the “truthfulness” of Shire’s IPR public representations. Very troublingly, Surman/Biederman both completely contradict the Shire representations on which their two core obviousness arguments are reasoned, simply by saying what any reasonable medical practitioner would have known “as of Sept. ‘07.” This is, these publications show that stimulants were not regarded as an acceptable drug treatment of “binge eating” in BN apart from comorbid ADHD -- and stimulants even in BN treatment “with comorbid ADHD” was questionable practice on account of their obvious risks in an eating disorder like BN, which is the basis of Surman’s/Biederman’s research in the first place.

3. Another *major* problem: the Brewerton declaration (on which Shire’s petition relies) contradicts his own prior statements of which the Board was not informed. Specifically, Brewerton’s 1997 review on “Binge Eating Disorder” stated, *“There are no published reports on the use of psychostimulants in the treatment of BED. Even though acutely administered stimulants suppress binge eating, the risks of addiction and the possible induction of affective and psychotic symptomatology make **this agent class undesirable as a therapeutic tool.**”* This is common knowledge by Shire’s own “petition standard” of a “Person of Ordinary Skill,” as is the fact that nothing changed in the 10 years between Brewerton’s ‘97 publication and ‘813’ in Sept. ‘07. Compounding this problem is that Shire’s IPR petition did not disclose Brewerton’s prior public statements to the Patent Board so they could properly evaluate his declaration testimony and Shire’s reliance on it.

4. One of the most disturbing public representations in Shire’s IPR petition is that (by its own words) it gives “little or no weight” to what has been widely accepted/known in the medical community for some time, namely, the unmet medical need for effective Rx’s for BED (Petition, p. 59). Shire’s public representation here directly contradicts its own public representation in their 9/15/14 press release announcing the FDA’s sNDA acceptance, *“The decision from the FDA to accept our filing for priority review not only marks progress in the development of Vyvanse for adults with BED, but **underscores this is an area of unmet medical need as there are currently no approved pharmacologic options for these patients,**’ said Phil Vickers, PhD, Head of Research and Development, Shire.”* Things are the same now in BED Rx as they were in Sept. 07 (or if anything “better” now), so why Shire would make diametrically opposite public representations on this matter of “unmet medical need” has its own self-evident implications. Moreover, Shire’s IPR representations to the Patent Board on “unmet medical need” in BED also directly contradict public statements made by F. Ornskov (PR 11/5/13) and the PI of Shire’s LDX/BED Phase III program, S. McElory (same PR), among other KOLs in the medical community.

As this is all a matter of the public record, including the preliminary response to Shire’s IPR Petition that the owner of the ‘813 Patent filed (which, in transparent self-disclosure, I should tell you is signed by me), I am happy to walk you through Shire’s public representations. I think you’d be shocked. In this light, I believe this public matter is both imminently and highly relevant to shareholder interests. To avoid any conflict of interest, you (or anyone who might be interested) should know in advance that any consults I’d provide on this matter would be gratis. I consider it my fiduciary responsibility as a physician to ensure that all such problematic representations be adequately resolved – really for Shire’s best interests as this is bound to bite them if they don’t promptly resolve it. Eating disorders are serious conditions and people die from them. Perpetuating problematic perceptions of disorders like BED and BN doesn’t do anyone well. So you are aware, I do not consult or write for Gerson Lehrman any more, having since turned my attention to new IP projects.

## The Patent '813 Story, Part II -- Version 2

Lastly, please feel free to pass this email along to relevant parties and simply consider it as dissemination of publicly available information. Therefore, my invitation to consult – gratis – is extended to anyone who might have interest.

Best regards,

Louis  
Cell: 203-521-2058

### **ATTACHMENTS:**

**“Surman ADHD-BN 2006.pdf”** (available for download at:  
[http://www.4shared.com/download/oWiuqbmece/Surman\\_ADHD-BN\\_2006.pdf?lgfp=3000](http://www.4shared.com/download/oWiuqbmece/Surman_ADHD-BN_2006.pdf?lgfp=3000))

**“Biederman August 2007.pdf”** (available for download at:  
[http://www.4shared.com/download/cSO7n5vdba/Biederman\\_August\\_2007.pdf?lgfp=3000](http://www.4shared.com/download/cSO7n5vdba/Biederman_August_2007.pdf?lgfp=3000))

### **Friday October 10, 2014:**

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject:** Important Shire Matter  
**Date:** October 10, 2014 11:47:26 PM EDT  
**To:** Walid Abi-Saab <wabisaab@hotmail.com>, wabisaab@shire.com, wabi-saab@shire.com

Hi Walid,

Hope all is well on your end, as it's been nearly a couple years since we last communicated (per my forwarded email below of November 7, 2012, when I emailed you about the '813 Patent involving LDX dimesylate for the treatment of BED).

I'm very happy to see that the FDA accepted Shire's sNDA for Vyvanse in adult BED with an expected decision to be made in February, as reported in Shire's Sept. 15 press release. Clearly, this is an important development milestone for an important unmet medical need, and I would be delighted to see an FDA approval as I've seen first-hand for some years now how LDX dimesylate has significantly helped patients with BED. The Vyvanse story has been a remarkable one thus far and I strongly believe its greatest chapter lies ahead.

I'm also very happy to say that since our last communication I've made a final decision regarding how to best optimize the commercial value of the '813 Patent and any that follow, which I made on October 1 (2014) as circumstances warranted it. Among them, my wife is seriously ill with metastatic breast cancer and she is likely to pass at some point soon. Thus, it was important for me to make a final decision so she could have the opportunity to see my IP validated while she'd still be alive. She was first diagnosed a few months before my email to you back in 2012. While she's been unaware of developments regarding my IP since that time for a host of reasons, she has recognized its value and has loyally supported me through its long history of seven years now.

Yet even as I've already made my final decision regarding the disposition of my LDX dimesylate-related IP, I consider it my fiduciary obligation as a physician and educator to write to you on an important Shire matter that involves medical representations the company has publicly made on important clinical conditions like Binge Eating Disorder, Bulimia Nervosa, psychopharmacology and neurotransmitters, obesity and more. As a VP of Global Clinical Development at Shire (as far

## The Patent '813 Story, Part II -- Version 2

as I'm still aware), and particularly with your background in academia, I believe it's important that you are aware of these representations, as further explained below, especially because they are very extensive and deeply problematic. As you know, the public perception of eating disorders, themselves very serious clinical matters that people can die from, can have broad ramifications. With, hopefully, an FDA-approval of LDX for BED, there's sure to be heightened attention broadly on eating disorders, especially BED and BN, and therefore the kinds of things that major companies like Shire are representing about them are very important because of their seminal role in shaping the public consciousness. It is for this reason that I am bringing this matter to your attention. You would understand as well as anyone the nature and implications of Shire's problematic public medical representations. And in your fiduciary role for Shire, you may be able to bring them to their proper attention from within the company before they unduly influence unsuspecting people who may rely on them and also before they could cause irreparable harm.

So let me explain further. Shire recently (in May) filed an Inter Partes review (IPR) petition on U.S. Patent 8,318,813 with the Patent Trial and Appeal Board, arguing that the patent's claims (as related to LDX for the treatment of BED) would have been "obvious" to a "Person of Ordinary Skill in the Art" (i.e., MD/psychiatrist) "as of September 2007." This is a time frame you'd be familiar with, when Vyvanse had just recently been launched for its pediatric ADHD indication, though massively eclipsed by Adderall XR and Concerta (among other long-acting stimulants like Focalin XR) and thus was still yet to be differentiated from its "stimulant competition" in the mind of the "ordinary psychiatrist-prescriber." Also, given that Patent '813 claims LDX as a treatment of "BED as defined by DSM-IV-TR criteria," it also encompasses the less restrictive "BED as defined by DSM-V criteria." With LDX dimesylate hopefully soon-to-be FDA-approved for the treatment of BED, in view of an expanded prospective treatment population (on account of the less restrictive DSM-V duration/frequency criteria), Shire's public representations are bound to spread across the public consciousness and have significant repercussions.

What you and Shire's senior medical team should know, because it relates to how the company is representing important medical and psychiatric information regarding a drug in development (which is now poised for a major marketing campaign on its anticipated FDA approval), is that Shire's IPR petition makes *many* representations to the Patent Board that I believe you (or any of your Shire MD colleagues) would immediately find very troubling and problematic. However, in fairness to Shire it would appear -- based on a careful and extensive analysis I have undertaken on them (with considerable professional help) -- that the source of the problem is Shire's outside law firm responsible for filing the IPR Petition, as well as the physician who submitted a declaration in support of it. The petition does not identify any Shire personnel, much less someone from Shire with medical experience who would have been able to assess this public matter from a medical representation standpoint. From my analysis, as supported by a very bright team including experienced neuroscience people, it would seem that Shire's senior medical management was likely completely *unaware* of the kinds of representations that were made to the Patent Board by outside firm and declarant.

Walid, you should know that I e-mailed Dr. Ornskov on this particular matter of the representations of the law firm and declarant so that prompt actions could be taken to resolve them, as any reasonable person would recognize that prompt resolution could only serve Shire's best interests in both the short run and long run. Their potential to impact not only the public perception of serious eating disorders (and their treatments) but also Shire is not something to be taken lightly, and it would be quite troubling if Shire bore the untoward consequences of its outside counsel's poor judgment, apparently caused by a failure to receive feedback and accountable representation from Shire's own senior medical management before making the submission to the Patent Board. Disappointingly, I never heard back from Dr. Ornskov, but instead was repeatedly referred back to the law firm, the very party seemingly responsible for

## The Patent '813 Story, Part II -- Version 2

having made these problematic medical representations in the first place. The absence of any indication that Shire's senior medical management has actually considered the issues that I had raised is why I am reaching out to you now.

Below are some representative examples, though there are many more (less dramatic) you'll easily recognize for their problematic nature if you simply take a couple hours to read through Shire's IPR petition and the Brewerton declaration on which it relies. For someone with your background, it would be a rather easy read. These representations are easily located publicly and therefore just as easily appreciated for their **very serious** clinical and medical ramifications – as I'm sure you'll appreciate if you were to take the time to read them at [https://ptabtrials.uspto.gov/prweb/PRWebLDAP2/Hcl5xOSeX\\_yQRYZAnTXXCg%5B%5B\\*/!ISTANDARD?UserIdentifier=searchuser](https://ptabtrials.uspto.gov/prweb/PRWebLDAP2/Hcl5xOSeX_yQRYZAnTXXCg%5B%5B*/!ISTANDARD?UserIdentifier=searchuser) (Shire's IPR petition – Exhibit 2; Declaration – Exhibit 1009).

1. Shire has publicly represented to the Patent Board that a “psychiatrist/MD” in Sept. '07 would have regarded LDX as an acceptable “anti-obesity agent,” like Meridia (Petition, pp. 15-16). First of all, you'd appreciate as well as anyone the accepted standard for an “anti-obesity agent” (like Meridia) in 2007, from both a clinical and regulatory perspective. So how Shire, a reputable pharmaceutical company with a lot of bright MD's responsible for its drug development, can argue this position is just about impossible to understand. Which is why it seems highly doubtful that this medical representation was vetted with Shire's senior medical people. If this position were argued among our shared colleagues here at Yale, it would raise people's hair (which is why I have thus far kept this matter discreet and located to a small trusted circle). Further, you would know as well as anyone how a “psychiatrist/MD” would have regarded LDX at that point in time and that this position is completely absurd, simply based on LDX's “place” among prescribing clinicians (only about four months into its initial launch for pediatric ADHD). As you know, LDX was hardly even differentiated from Adderall XR, much less other long-acting stimulants, **for the treatment of ADHD** in Sept. '07 – even among expert psychiatrists familiar with stimulants/ADHD Rx's (like me). It is highly doubtful that an MD/psychiatrist specializing in adult “eating disorders” like BED (of which obesity was known to be a particularly common feature) and Bulimia Nervosa would have even appreciated/understood **anything at all** about Vyvanse at that time given its (i) newness, (ii) pediatric ADHD indication, and (iii) minimal market penetration (Q3/2007 sales of \$10MM, on-line with Daytrana and with Adderall XR sales 24x higher and Concerta 17x higher **the same quarter!**) - particularly as such psychiatrists (that focus on eating disorders like BED, BN and AN) don't usually have much hands-on experience with the many different kinds of stimulant formulations (i.e., IR, intermediate-acting, XR) in the first place, for obvious reasons. Besides and perhaps most importantly, it's been nearly forty years since any competent M.D. would have regarded any stimulant, much less an amphetamine-based one, as a legitimate obesity Rx. Those seasoned medical clinicians who practiced in the 1970s, many of whom still practice in the Yale community, would recall how the FDA restricted amphetamines as “anti-obesity agents” (in 1979) because of safety and efficacy limitations, which leads me to conclude that this “LDX as an anti-obesity agent” representation must have originated from outside of Shire, perhaps on account of some kind of conflict of interest, simply based on the behavioral evidence. Pharmaceutical companies, especially ones like Shire that are known for their expertise in developing and marketing stimulants, simply wouldn't make public representations like this, at least insofar as they sought any kind of self-preservation as well as dignity in the public eye.

2. Shire also makes the public representation that stimulants (AMP or MPH based) would have been regarded by an ordinary-skilled “psychiatrist/MD” (with experience in the diagnosis and psychopharmacology of eating disorders) in Sept. '07 as an acceptable Rx of “binge eating” in Bulimia Nervosa (apart from ADHD). This is the main premise for 2 of its 3 core obviousness arguments (Petition; pp.26-36 and pp. 39-49), while the other core obviousness argument wholly

## The Patent '813 Story, Part II -- Version 2

relies on the above “LDX as anti-obesity drug” representation (pp. 13-23). Attached below are two references from MGH/Harvard’s Surman (2006) and Biederman (2007) whose publication dates basically correspond to the filing date of the ‘813 Patent, which makes them highly relevant to determining the “truthfulness” of Shire’s IPR public representations as an “MD/psychiatrist” would have regarded them. Very troublingly, Surman/Biederman both completely contradict the Shire representations on which their two core obviousness arguments are reasoned, simply by saying what any reasonable medical practitioner would have known “as of Sept. ’07,” namely, that stimulants were not regarded as an acceptable drug treatment of “binge eating” in BN apart from comorbid ADHD. And even in BN treatment “with comorbid ADHD,” the use of stimulants was questionable practice and, as evidenced from the APA’s own standard of practice, only to be considered in patients with a “very clear diagnosis of ADHD,” as Shire’s own IPR reference of the “2006 APA Practice Guidelines for the Treatment of Patients with Eating Disorders” (Exhibit 1031, p. 20) indicates in its guidelines. But these important and obvious clinical teachings **were not disclosed** to the Patent Board in Shire’s IPR Petition, seemingly because the declaration failed to disclose it and the law firm simply accepted the declaration testimony without any apparent input from Shire’s in-house medical team who could have identified the problematic representation. But this is only the beginning of the problem. Most troublingly, the **very same case report references** that the petition **specifically uses** to support the characterization that stimulants were long regarded as acceptable Rx’s of “binge eating” in BN (apart from ADHD) happen also to **all be found** in Surman’s publication, **all in one paragraph** (the third to last in the “Discussion”), as they are central to his research inquiry involving the clinical implications of “scant reports in the medical literature of adults suffering from both ADHD-like symptoms and BN” (as taken from his introduction, third to last paragraph). And Surman’s **self-evident conclusion** regarding their clinical treatment significance (for a Person of Ordinary Skill in the Art) “as of 2006” couldn’t be any more contradicting of Shire’s representations on which their two core obviousness arguments are reasoned. This is yet another compelling reason why it seems highly doubtful that any in-house medical person at Shire, familiar with eating disorders and stimulants, would have been involved in making or vetting these representations and, therefore, that the source of the problem must reside in Shire’s outside counsel and the declarant on whom they relied to write the IPR petition on behalf of the company for the Patent Board.

3. Another **major** problem that speaks to the outside law firm failing to represent Shire’s best interests in this IPR matter is that the declaration contradicts prior statements of the declarant of which the Board was not informed. Specifically, a 1997 review by the declarant on “Binge Eating Disorder” stated, *“There are no published reports on the use of psychostimulants in the treatment of BED. Even though acutely administered stimulants suppress binge eating, the risks of addiction and the possible induction of affective and psychotic symptomatology make **this agent class undesirable as a therapeutic tool.**”* As you’d appreciate, this would have been common knowledge by Shire’s own “petition standard” of a “Person of Ordinary Skill,” as is the fact that nothing changed in the 10 years between the ’97 publication and the ‘813 patent’s filing in Sept. ’07 (as there were still no published reports on the use of psychostimulants in the treatment of BED). Compounding this problem is that Shire’s IPR petition did not disclose the declarant’s prior public statements to the Patent Board so they could properly evaluate his declaration testimony and Shire’s reliance on it. Clearly, this failure to disclose **basic and important teachings** on the treatment of BED, in this instance from an authority on the topic (who happens to be the declarant himself), would surely have been picked up by a senior medical person like you or someone on your medical/development team.

4. One of the most serious public representations in Shire’s IPR petition is that (by its own words) it gives “little or no weight” to what has been widely accepted/known in the medical community for some time, namely, the unmet medical need for effective Rx’s for BED (Petition, p. 59). Shire’s public representation here directly contradicts its own public representation in their 9/15/14 press release announcing the FDA’s sNDA acceptance, *“The decision from the FDA to*

## The Patent '813 Story, Part II -- Version 2

*accept our filing for priority review not only marks progress in the development of Vyvanse for adults with BED, but **underscores this is an area of unmet medical need as there are currently no approved pharmacologic options for these patients,***’ said Phil Vickers, PhD, Head of Research and Development, Shire.” As you know, things are the same now in BED Rx as they were in Sept. 07 (or if anything “better” now), so why Shire would make such blatant contradictory statements, particularly when one of them would be universally regarded as correct by any competent psychiatrist (i.e., the one by Dr. Vickers), underscores the behavioral reality that the source of the problem must be in Shire’s outside counsel and its declarant, or additionally in a “communication breakdown” between the firm and Shire. Not surprisingly, then, Shire’s IPR representations to the Patent Board on “unmet medical need” in BED also directly contradict public statements made by Dr. Ornskov (PR 11/5/13) and the PI of Shire’s LDX/BED Phase III program, Dr. Susan McElroy (same PR), among other KOLs in the medical community. With LDX poised for, hopefully, FDA-approval, I imagine many your own colleagues at Shire have expressed the same sentiment as Drs. Vickers, Ornskov and McElroy, which (assuming this is the case among your colleagues) would be further behavioral evidence to identifying the source of this representation problem in Shire’s outside counsel and its declarant, and a “communication breakdown” between them and Shire’s in-house counsel and its development/medical teams.

5. Lastly – from a psychopharmacology perspective – let me provide you an excerpt from Shire’s IPR petition “reasoning as a psychiatrist/M.D.” arguably would have in Sept. 07, one with “clinical experience in the diagnosis and psychopharmacology of eating disorders, specifically BED.” Such a person, as Shire’s IPR petition argues, “would have known that d-amphetamine increases NE and DA levels in the brain, which is believed to be the main dysfunction in BED, namely, low levels of NTs” (Petition, p. 16). Does this sound like any “MD/psychiatrist” you would have known “as of Sept. ‘07” (or anytime since or before), particularly one with “clinical experience in the diagnosis and treatment of eating disorders, specifically BED.” But unfortunately it gets worse because one of Shire’s most important “state of the art” references **for** arguing ‘813’s obviousness (in its “anti-obesity drug” line of reasoning) directly contradicts this position, writing what any “MD/psychiatrist” would have appreciated “as of Sept. ‘07,” namely, that “it is important to point out that the mechanism of action of pharmacological agents on BED is unknown” (Exhibit 2010, Appolinario’s 2004 “Pharmacological Approaches to the Treatment of Binge Eating Disorder”). The problem, though, is only then amplified considering that the **only** neurotransmitter-specific drugs regarded “as successful” for the treatment of BED in Appolinario’s “state of the art reference” were clearly ones that **potentiated serotonin** (to some degree or another), as any psychiatrist (or psychiatrist-in-training) “as of Sept. 07” would have understood from the publication’s teachings (i.e., SSRI’s, d-fenfluramine – serotonin release, sibutramine – SNRI). Clearly, Shire’s senior medical team would never have allowed such representations to be made to the Patent Trial and Appeal Board, especially when any psychiatrist over the last three decades would readily have understood that d-amphetamine (and therefore LDX) doesn’t potentiate serotonin in any notable way and therefore wouldn’t have been regarded as an obvious drug candidate to be “successful” in the treatment of BED.

But what you and your medical team should realize is that the declarant himself co-authored a chapter entitled “Neurotransmitter Dysregulation in Anorexia Nervosa, Bulimia Nervosa and Binge Eating Disorder” in a book that he exclusively edited, “Clinical Handbook of Eating Disorders: An Integrated Approach” (2004). And it couldn’t offer a more contradictory characterization of the “role of neurotransmitters” **in BED** than was represented to the Patent Board. But again, it gets even worse because the declarant’s publication **wasn’t submitted** to the Patent Board to be considered in view of his declaration testimony and Shire’s reliance on it. Nor was the chapter in his edited book entitled “Psychopharmacology of Anorexia Nervosa, Bulimia Nervosa, and Binge Eating Disorder” that teaches the same thing as Appolinario does and which concludes, “While emerging data suggest that SSRIs and perhaps, antiobesity agents may provide some benefits, at present there is insufficient information regarding the use of medication for BED.” Needless to

## The Patent '813 Story, Part II -- Version 2

say, the petition's reasoning to '813's obviousness because an MD/psychiatrist "would have known that d-amphetamine increases NE and DA levels in the brain, which is believed to be the main dysfunction in BED, namely, low levels of NTs," speaks for itself to any psychiatrist with respect to its implications. That is why it's vital that you bring this to the attention of your medical team at Shire so that these medical representations aren't further perpetuated but, rather, promptly resolved for their errors, inconsistencies, and flaws in reasoning. The matter of "diagnostic issues" involving "binge eating" in eating disorders (like BED, BN and AN) is yet another major problem in Shire's IPR petition, but that will be easy enough for you and/or any other Shire MD/psychiatrist to recognize for its implications by simply reading through the petition's "Ground 1,4 and 7" arguments (which would take you perhaps an hour including a review of their cited references; Petition, pp. 13-17; 26-30; 39-42).

What I've provided here is really only the "tip of the iceberg." In its totality, this problem of Shire's medical representations apparently made by outside counsel on the basis of the declarant's testimony does get worse. Much worse. The preliminary response to Shire's IPR Petition, which in transparent self-disclosure I should tell you is signed by me, features many more such problematic representations, ones that I am confident would never have been cleared for public representation had you and/or Shire's in-house medical/development team reviewed it. I should also tell you that over the summer I performed an extensive analysis of *many* of the declarant's own publications not submitted to the Patent Board, as the Petition wholly relies on his declaration testimony, including a unique "reasoning analysis" (of the kind you might imagine used in behavioral profiling/intelligence circles) that cross-matched compatible positions in his prior art and then determined the veracity of his declaration's line of reasoning as measured by his own standard. The findings were quite astonishing and consistent with what I've mentioned above about his declaration testimony. Over the summer I also conducted a unique "probability analysis" (based on methods used by institutional investors and hedge funds) to demonstrate, essentially, the virtual impossibility that "Person of Ordinary Skill in the Art" would have concluded the obviousness of '813's claims "as of Sept. '07." But such methods, as used in intelligence/behavioral profiling or investment circles, are hardly necessary when people like you and I – and countless others on Shire's senior/junior medical team – already know how an "MD/psychiatrist" would have regarded a stimulant like LDX and an eating disorder like BED "as of Sept. 07," and can see first-hand themselves how Shire has represented itself to the US Patent Trial and Appeal Board.

What I'd ask of you, Walid, in your role as both a senior medical person in Shire's Global Development and also as a physician/psychiatrist, is to take a look at the IPR petition (and the declaration on which it relies) as well as my preliminary response (Exhibit 6) – and make your own judgments. And once you have, then let Dr. Ornskov know what you think about Shire's representations to the Patent Board, which directly bear on serious, real-life issues. I'm sure your opinion would be respected at Shire.

Best regards,

Louis

### **ATTACHMENTS:**

**"Surman ADHD-BN 2006.pdf"** (available for download at:  
[http://www.4shared.com/download/oWiuqbmece/Surman\\_ADHD-BN\\_2006.pdf?lgfp=3000](http://www.4shared.com/download/oWiuqbmece/Surman_ADHD-BN_2006.pdf?lgfp=3000))

**"Biederman August 2007.pdf"** (available for download at:  
[http://www.4shared.com/download/cSO7n5vdba/Biederman\\_August\\_2007.pdf?lgfp=3000](http://www.4shared.com/download/cSO7n5vdba/Biederman_August_2007.pdf?lgfp=3000))

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject:** U.S. Patent for Vyvanse to Treat Binge Eating Disorder  
**Date:** November 7, 2012 10:46:26 PM EST  
**To:** Walid Abi-Saab <wabisaab@hotmail.com>

Dear Walid,

I hope things are going well on your end. I am writing to see if Shire's executive team would like to license a method patent for the use of lisdexamfetamine dimesylate (Vyvanse) in treating Binge Eating Disorder as defined by DSM-IV-TR criteria (yes, you are reading this correctly). The issue date for this patent, entitled "Method of Treating Binge Eating Disorder" (Patent No. 8,318,813), will be on November 27, 2012. I noticed that Shire recently announced plans to initiate a Phase III program with Vyvanse for this indication and expects to formally announce the start of trials sometime very soon, perhaps even in this calendar year. I am very clear on deal terms that I believe would be equitable to both sides if Shire can close on a transaction on or before the date the patent issues; in this regard, I would be happy to keep news of the patent issuing outside of Shire's interest under the radar. I would appreciate if you could forward this to the right party(ies) at Shire.

Attached is a PDF which includes the patent's claims, which are quite substantial and include both monotherapy and combination treatments with lisdexamfetamine dimesylate for BED, with additional dependent claims covering the dose ranges Shire plans to use in their Phase III protocol (as posted on [clinicaltrials.gov](http://clinicaltrials.gov) on October 29, 2012). Further, I filed a continuation application last month that has yet to be published but the claims that are covered in a preliminary amendment involve the 'marketing' of lisdexamfetamine dimesylate for Binge Eating Disorder (i.e., informing a user/purchaser, package insert material, other forms of informing/marketing). I am not sure that Shire is even aware of any of these patent developments regarding BED, as I believe the last time I communicated with anyone about this particular indication was an email correspondence I sent Mike Cola a few years back after I initially had filed the IP in the context of seeing BED patients demonstrating notable responses to treatment with Vyvanse. It did not seem that Shire's executive team was interested in following up with me on this matter.

Further, there is another patent application I am prosecuting that I believe Shire may also like to license or collaborate on, regarding the use of lisdexamfetamine dimesylate as an adjunctive therapy to antidepressants for major depressive disorder (yes, you are reading this correctly too). An attorney representing me had previously contacted Shire's general counsel at a point when we were prosecuting a different set of claims but we never had any meaningful follow-up from anyone at Shire for this indication either. Since then, we have filed a continuation application (this summer; claims have yet to be published) that involve a new set of claims that would nicely match Vyvanse's package labeling as an adjunctive therapy for MDD (i.e., claims language involves efficacy in a clinical trial) if the sNDA were approved by the FDA. This new set of claims would provide an opportunity to overcome initial rejections we received from the USPTO and, also, would provide meaningful protection (if granted) to any party seeking to market lisdexamfetamine dimesylate as an adjunct to antidepressants in MDD in accordance with standard package labeling that indicates the drug has shown efficacy in a clinical trial. I think this would be a very attractive opportunity to collaborate with Shire in view of what hopefully will be positive Phase III MDD adjunctive therapy data – and ultimately a new adjunctive treatment option for MDD – something we both know is desperately needed for patients.

## The Patent '813 Story, Part II -- Version 2

Lastly, the IP is entirely my own and assigned to entities fully owned by me; none of this IP is covered under Yale's patent policy as it was filed and developed during the time in which I was fully self-employed through my private practice and had only a voluntary clinical faculty position in which I committed several hours of teaching time a week in exchange for the faculty appointment.

What really began as something of an intellectual exercise upon seeing that patients were having favorable responses to lisdexamfetamine dimesylate for these indications has clearly become something much more – and I am very glad to see that Shire has pursued these platforms with controlled trials. It would be nice to make this a win-win for each of side of the story in Vyvanse's development for these unmet clinical needs.

I look forward to hearing back from you. I am attaching a standard CDA template in order to expedite matters. I want to be very clear to Shire's executive team from the outset that I have given significant consideration to the terms of a license for all this IP but only if both sides can come to an agreement on or before the issue date of the patent which is on November 27, 2012.

Best,

Louis

Louis C. Sanfilippo, MD  
Assistant Clinical Professor, Department of Psychiatry,  
Yale University School of Medicine  
Office: 203-624-2155  
Fax: 203-624-2177  
Mobile: 203-521-2058

**ATTACHMENTS: STRIPPED ("Sanfilippo LSDX-BED US Patent No. 8318813 Issue Notification" and "CDA LCS Group-Shire")**

### **Wednesday November 5, 2014:**

U.S. Patent Trial and Appeal Board's **"Decision Institution of Inter Partes Review,"** as made in IPR2014-00739, is available in PDF at:  
[http://www.4shared.com/download/a7b76fLoce/institution\\_decision-7.pdf?lgfp=3000](http://www.4shared.com/download/a7b76fLoce/institution_decision-7.pdf?lgfp=3000)

U.S. Patent Trial and Appeal Board's **"Scheduling Order,"** as made in as made in IPR2014-00739, is available at: <http://www.4shared.com/download/HCXQ-iK-ce/notice-8.pdf?lgfp=3000>

### **Friday November 7, 2014:**

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Important Vyvanse/Shire Matter  
**Date:** November 7, 2014 10:49:09 PM EST  
**To:** "jrenna@shire.com" <jrenna@shire.com>

## The Patent '813 Story, Part II -- Version 2

Dear John,

I hope this email finds you and your family well. Since October 1 (2014), mainly on account of an important decision I made regarding my lisdexamfetamine dimesylate-related intellectual property of which we'd discussed in times past, it's been necessary for me to review our communications between 2008-2011. In so doing, it struck me that it's been awhile since we last spoke and, also, that I've missed our conversations about Vyvanse, particularly our early ones about the drug's unique features as it was making its early entry into the clinical marketplace of ADHD treatment and thus seeking to differentiate itself.....

**[EMAIL CONTENTS STRIPPED]**

..... I am confident that your opinion would be respected at Shire and by its CEO Dr. Ornskov, particularly as I would expect it to involve your judgment of me.

Best regards,

Louis

**ATTACHMENTS:**

**"Surman 2006.pdf"** (available for download at:  
[http://www.4shared.com/download/I41INT\\_jba/Surman\\_2006.pdf?lgfp=3000](http://www.4shared.com/download/I41INT_jba/Surman_2006.pdf?lgfp=3000))

**"Biederman 2007.pdf"** (available for download at:  
[http://www.4shared.com/download/Wcu6aLface/Biederman\\_2007.pdf?lgfp=3000](http://www.4shared.com/download/Wcu6aLface/Biederman_2007.pdf?lgfp=3000))

Begin forwarded message:

**From:** <[lcs27@pantheon.yale.edu](mailto:lcs27@pantheon.yale.edu)>  
**Subject:** Follow-up on phone call  
**Date:** October 15, 2008 6:49:00 PM EDT  
**To:** <[jrenna@shire.com](mailto:jrenna@shire.com)>, <[jrenna@us.shire.com](mailto:jrenna@us.shire.com)>

John,

Thanks very much for your call yesterday. Wednesday November 5 works best - how about 1:45 pm? I have some leeway on either side of that if it will work better for you.

Also, as follow-up to our conversation back in August, I am attaching a summary of new potential clinical applications for Vyvanse. I have also emailed Mr. Cola a copy for an evaluation on the business/commercial side.

I am still working on a protocol for binge eating disorder/obesity related to binge eating, including some proprietary ideas on patient selection. In addition, I have since had preliminary discussions with a CT based medical group that specializes in obesity treatment that carries their fair share of patients with binge eating problems. It seems they have potential interest in running a pilot.

Lastly, after discussing it further with my team at LCS Group, LLC, the consultancy assigned the IP regarding various methods of use for methylphenidate and amphetamine prodrugs/analogs, including binge eating and depression, I think it would be best if we

## The Patent '813 Story, Part II -- Version 2

could put a mutual non-disclosure agreement in place first especially if we plan to discuss these matters. I can provide you with a template if that's fine with you. I look forward to meeting with you to further discuss Vyvanse and also consider its potential value for helping many patients with unmet medical needs.

Best wishes,  
Louis

Louis C. Sanfilippo, MD  
President, LCS Group, LLC  
Assistant Clinical Professor, Department of Psychiatry  
Yale University School of Medicine  
291 Whitney Avenue, Suite 305  
New Haven, CT 06511  
Cell: 203-521-2058  
Office: 203-624-2155  
Fax: 203-624-2177

**ATTACHMENT: "VYVANSE New Applications.pdf"** (available for download at:  
[http://www.4shared.com/download/s7AikhPIba/VYVANSE\\_New\\_Applications.pdf?lgfp=3000](http://www.4shared.com/download/s7AikhPIba/VYVANSE_New_Applications.pdf?lgfp=3000))

### **Monday November 10, 2014:**

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Fwd: Important Vyvanse/Shire Matter  
**Date:** November 10, 2014 10:52:25 AM EST  
**To:** "drtimothybrewerton@gmail.com" <drtimothybrewerton@gmail.com>, "tbrewerton1@comcast.net" <tbrewerton1@comcast.net>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Ed Haug <EHaug@flhlaw.com>

FYI – as you should all know.

As for Dr. Brewerton, I can see that no one from FLH or Shire had the foresight to let him know the most important things about me, as I clearly told it to Mr. Haug and Ms. Kuzmich, as well as Shire's senior management when the '813 Patent issued, namely, that I am a very big believer in accountability and transparency -- and, very importantly, I pay attention to **every detail**. Or if someone did let Dr. Brewerton know that, then he lost sight of it when he signed his declaration for the U.S. Patent Trial and Appeal Board on which Shire's arguments of "obviousness" rely. But from what I've been able to determine from the way that Dr. Brewerton has reasoned and represented himself in his professional work, including among his peers, it would seem that the failure to be transparent began with FLH.

Louis Sanfilippo, MD, Inventor of the '813 Patent

Begin forwarded message:

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Important Vyvanse/Shire Matter  
**Date:** November 7, 2014 10:49:09 PM EST  
**To:** "jrenna@shire.com" <jrenna@shire.com>

## The Patent '813 Story, Part II -- Version 2

Dear John,

I hope this email finds you and your family well. Since October 1 (2014), mainly on account of an important decision I made regarding my lisdexamfetamine dimesylate-related intellectual property of which we'd discussed in times past, it's been necessary for me to review our communications between 2008-2011. In so doing, it struck me that it's been awhile since we last spoke and, also, that I've missed our conversations about Vyvanse, particularly our early ones about the drug's unique features as it was making its early entry into the clinical marketplace of ADHD treatment and thus seeking to differentiate itself.....

**[EMAIL CONTENTS STRIPPED]**

..... I am confident that your opinion would be respected at Shire and by its CEO Dr. Ornskov, particularly as I would expect it to involve your judgment of me.

Best regards,

Louis

### **ATTACHMENTS:**

**"Surman 2006.pdf"** (available for download at:  
[http://www.4shared.com/download/I41INT\\_jba/Surman\\_2006.pdf?lgfp=3000](http://www.4shared.com/download/I41INT_jba/Surman_2006.pdf?lgfp=3000))

**"Biederman 2007.pdf"** (available for download at:  
[http://www.4shared.com/download/Wcu6aLface/Biederman\\_2007.pdf?lgfp=3000](http://www.4shared.com/download/Wcu6aLface/Biederman_2007.pdf?lgfp=3000))

Begin forwarded message:

**From:** <[lcs27@pantheon.yale.edu](mailto:lcs27@pantheon.yale.edu)>  
**Subject:** Follow-up on phone call  
**Date:** October 15, 2008 6:49:00 PM EDT  
**To:** <[jrenna@shire.com](mailto:jrenna@shire.com)>, <[jrenna@us.shire.com](mailto:jrenna@us.shire.com)>

John,

Thanks very much for your call yesterday. Wednesday November 5 works best - how about 1:45 pm? I have some leeway on either side of that if it will work better for you.

Also, as follow-up to our conversation back in August, I am attaching a summary of new potential clinical applications for Vyvanse. I have also emailed Mr. Cola a copy for an evaluation on the business/commercial side.

I am still working on a protocol for binge eating disorder/obesity related to binge eating, including some proprietary ideas on patient selection. In addition, I have since had preliminary discussions with a CT based medical group that specializes in obesity treatment that carries their fair share of patients with binge eating problems. It seems they have potential interest in running a pilot.

## The Patent '813 Story, Part II -- Version 2

Lastly, after discussing it further with my team at LCS Group, LLC, the consultancy assigned the IP regarding various methods of use for methylphenidate and amphetamine prodrugs/analogues, including binge eating and depression, I think it would be best if we could put a mutual non-disclosure agreement in place first especially if we plan to discuss these matters. I can provide you with a template if that's fine with you.

I look forward to meeting with you to further discuss Vyvanse and also consider its potential value for helping many patients with unmet medical needs.

Best wishes,  
Louis

Louis C. Sanfilippo, MD  
President, LCS Group, LLC  
Assistant Clinical Professor, Department of Psychiatry  
Yale University School of Medicine  
291 Whitney Avenue, Suite 305  
New Haven, CT 06511  
Cell: 203-521-2058  
Office: 203-624-2155  
Fax: 203-624-2177

**ATTACHMENT: "VYVANSE New Applications.pdf"** (available for download at: [http://www.4shared.com/download/s7AikhPIba/VYVANSE\\_New\\_Applications.pdf?lgfp=3000](http://www.4shared.com/download/s7AikhPIba/VYVANSE_New_Applications.pdf?lgfp=3000))

**Thursday November 13, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgroupllc.com>  
**Subject:** Patent '813/Legal Development  
**Date:** November 13, 2014 11:16:01 AM EST  
**To:** fornskov@shire.com

Dear Dr. Ornskov,

I am writing to let you and Shire know of an important development involving Shire's IPR petition for Patent '813, for which the Patent Board on Nov. 5 decided to institute a trial (with an initial conference call on Dec. 5 at 1 PM EST). As of today, I have instructed attorney Joe Lucci and his law firm, Baker Hostetler, to withdraw their representation of me in, specifically, this *Inter Partes* Review. In the spirit of transparency, as it's consistently been my intention with Shire since I first formally informed the company's senior management about my IP in my email to Michael Cola on Oct. 14, 2008, you should know the reason why.

As I let you know on Sept. 26, I'd determined to make a final decision on Oct. 1 on how to best commercialize Patent '813 and any that follow, on account of Shire's failure to resolve a very troubling and unbelievably extensive "public representation problem" to the Patent Board despite my four good faith efforts until that time to bring this problem to your attention so that it could be resolved discreetly and, importantly, without involvement from the outside law firm responsible for filing the IPR petition. I did, in fact, make that final decision on Oct. 1 and, with hindsight, it was an excellent decision. This is because it directly involved a permanent decision on how I would represent myself in Patent 813's "new chapter" that now includes the Patent Board's decision.

## The Patent '813 Story, Part II -- Version 2

As it's since turned out, the Patent Board **has now relied on** Shire's extremely inaccurate declaration testimony **to make its decision** that there is a reasonable likelihood Shire would prevail in its obviousness position involving Patent '813's claimed method of treating BED with LDX dimesylate. But even more specifically, the Patent Board has relied on the most egregious "representation problem of them all" to make its determination, the one that I tried to **warn** you/Shire about when I first emailed you on Sept. 4 writing, "*I believe it is important for you and your in-house counsel to understand the significance of these references [Biederman and Surman] because they provide the most important context for one the most important representations made by Shire's outside counsel in the IPR petition.*" As a result of these **profoundly troubling developments** caused and perpetuated by a global pharmaceutical company and its outside law firm in collaboration with an "eating disorder expert" who's declaration testimony has been extensively and professionally profiled to reveal highly consistent patterns of **highly inconsistent and markedly discrepant representation/reasoning behavior** that any reasonable person would understand for its patent and related behavioral implications, you/Shire should know that I plan to imminently take action outside the *Inter Partes* Review process.

So that you, Dr. Ornskov, are clear about what Shire has publicly represented to the Patent Board in order to invalidate Patent '813, it is that an "MD/psychiatrist as of Sept. '07 with clinical experience in the diagnosis and psychopharmacology of eating disorders" would have regarded **the class of stimulant drugs**, as accepted and successful for the treatment of ADHD, as also **acceptable** and **successful for the treatment of Bulimia Nervosa** (and therefore BED because BN and BED have "essentially the same" non-specific symptom of binge eating). The "reasoning" behind this representation made by Shire's declarant is that an MD/physician would have considered it "state of the art" in Sept. '07 to administer stimulant therapy for the non-specific symptom of "binge eating" **without any consideration whatsoever that its diagnostic** (i.e., BN, BED, Anorexia Nervosa-binge eating/purging type) **or comorbid** (i.e., ADHD) **clinical context could have significant therapeutic implications**. After all, that's the only way, as bizarre as it would be to any competent MD/psychiatrist, that anyone could "diagnostically and therapeutically reason" to the class of stimulants drugs as an acceptable and successful pharmacotherapy approach for the treatment of Bulimia Nervosa (and therefore BED).

That, Dr. Ornskov, is a very deep, extremely basic and blaringly obvious "reasoning and representation problem" made by Shire and its declarant to the Board that has now caused yet another even more serious problem that directly involves Patent 813's claimed methods of treating BED with LDX dimesylate and the public's perception regarding the art of eating disorder diagnosis and psychopharmacology. But that self-evident problem is only amplified when you consider that its source is "*an expert in the field of eating disorders and related comorbidities, including their associated neurobiology and psychopharmacology...since 1987*" who unmistakably made the **exact opposite representation** in his prior published work three years before Sept. 07 that he **failed to disclose** to the Patent Board for its very important diagnostic, therapeutic and Patent '813 implications. That prior representation, in his 2004 chapter on "*Eating Disorders [EDs], Victimization and Comorbidity: Principles of Treatment*" (featured in his exclusively-edited "*Clinical Handbook of Eating Disorders*"), is that EDs such as BN and BED require different pharmacological approaches than ADHD except in such instances that the **ADHD/ED comorbidity** is the reason one would use a stimulant "*to manage the ADHD*" (in which case it may help the "binge eating" in either BN or BED). Of all places, his representation is made in the chapter's section on **ADHD comorbidity with EDs**, and he even applies **the same three published case reports** that Surman, Biederman, and the 2006 APA Practice Guidelines (among others in the art such as his/Shire's key obviousness reference of Dukarm) also apply to make the same "diagnostic/ comorbidity/ therapeutic teaching point" that he **represented in 2004**. **But when he represents these same three published case reports in 2014** to teach the Patent Board and the public-at-large on the use of stimulants for the

## The Patent '813 Story, Part II -- Version 2

treatment of BN as it would have been “state of the art” in **Sept. '07** (in view of Patent '813's *Inter Partes* Review), the “ADHD comorbidity/stimulant treatment part of his teaching” is **entirely missing for its profoundly relevant therapeutic implications**. Which is the **fundamental reason** for why the Patent Board believes that there is a reasonable likelihood Shire would prevail in its obviousness position involving Patent '813's claimed method of treating BED with LDX dimesylate, as reflected in their comment, “*The numerous publications cited and discussed by Dr. Brewerton in connection with his testimony as to the state of the art prior to September 13, 2007....support the Petitioner's contention that the ordinary artisan would also have been aware of other studies [than Ong's 1983 one] showing the successful use of stimulants to treat the binge eating behavior in BN patients.*” (p. 21, Paper 8 at the IPR portal). That is a very serious misunderstanding by the Patent Board at the **most rudimentary level** of evaluating, DSM-diagnosing and treating eating disorders that involve the non-specific symptom of binge eating. That misunderstanding in clinical practice, as any MD/psychiatrist would affirm, would be grounds for medical malpractice and/or professional sanctions because of its unmistakably reckless and dangerous reasoning that would necessarily put BN patients at serious risk of harm by administration of stimulant pharmacotherapy when there is no comorbid ADHD to warrant its use.

But the declarant's very deep and blaringly obvious **IPR-represented misinterpretation of his own very important and clearly stated prior published representation** is yet further amplified for its very serious implications when you consider that the intended benefactor for a Patent Board invalidity decision on the '813 Patent would be the global pharmaceutical company now imminently awaiting an FDA approval decision so that it can begin marketing Patent '813's claimed method of treating BED with LDX for its own “second chapter Vyvanse life cycle story.” And that problem is only further compounded when you consider that I specifically tried to **warn** you/Shire by telling **you exactly where to look in order to understand the massive scope and seriousness of this representation problem**, which happens now to be nearly all intertwined in how someone interprets those “**scant reports in the medical literature of adults suffering from both ADHD-like symptoms and bulimia nervosa**” (per Surman) that Shire's declarant represents to the Patent Board as “**the extensive data demonstrating the successful use of psychostimulants in the treatment of binge eating [in bulimia nervosa].....**” (Decl., p. 84). But there is an unequivocal consensus opinion that would be obvious to any MD/psychiatrist, as also shared by the declarant himself in his 2004 representation - **and it's just the opposite of what the Patent Board believes to be accurate**. Any reasonable person would understand what all of this means if presented to them in the right way, which leads me to another point that may help you understand why I sent the email (as attached via the 4share link below) to FLH's two partners, Sandra Kuzmich and Ed Haug, as well as Dr. Timothy Brewerton, that walks “any reasonable reader” through the many serious “IPR reasoning and representation problems” vis-à-vis another email that I had sent to former Shire Medical Science Liaison John Renna (who is now a senior MSL at Teva). It's about time FLH and the declarant know what's coming their way, as it's a very important time in the public consciousness to **accurately teach** on what's undoubtedly going to be (to my view but many others too) a rather monumental paradigm shift in the art of eating disorder diagnosis and psychopharmacology, at the center of which is Patent '813's claimed method for the treatment of Binge Eating Disorder with LDX dimesylate.

Which brings me to my last point. In the spirit of transparency and accountability, you should know just how seriously I've taken this matter, which I'm confident that Dr. Brewerton will understand (and communicate to you) once he has completely read about how **the real professional MD/psychiatrist community interprets and represents his -- and Shire's -- collective interpretation and representation of the “art of eating disorder diagnosis and psychopharmacology” and “Patent '813's independent claims” to the Patent Board and the public-at-large**. But he already knows what the real professional MD/psychiatrist community knows, which was the objective for putting together the professionally-written and extensively-

## The Patent '813 Story, Part II -- Version 2

detailed 180-page single-spaced email in the short span of four weeks time since my Oct. 10 email to Shire's Walid Abi-Saab. That email **accurately establishes** very important truths (or untruths depending on the perspective) involving eating disorders, their comorbidities and their treatment in a way that any reasonable person would understand for its implications on Shire, its outside counsel, its declarant, and Patent '813. As Dr. Brewerton can assure you, I've obviously brought to bear some rather formidable resources on this "reasoning and representation problem." This is because a "book" accurately representing the truth of Patent '813 and the eating disorder art, while also applying some novel profiling technology on the declarant and his testimony, couldn't have been written in less than one month's time unless with some very good help involved. But as I told you on Sept. 22, Dr. Ornskov, it's been my objective for some time now *"to make those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions."* And now, on account of my Oct. 1 final decision and having prepared for this moment for nearly six months, my work on all of it is essentially all done, so that now I can leave what remains in its completion to my "Patent '813 team."

There is one last thing that would be particularly important for you to know about me. When you read what's been specifically written to permanently resolve this IPR-related matter, **as well as** to prepare the public consciousness for the (expected) use of Vyvanse for the treatment of adult BED, keep in mind that I've consistently made it a point to be *"clear, direct and transparent"* with Shire and its senior management, just as I told a number of Shire's senior management (including your predecessor Angus Russell) in an email on Dec. 10, 2012. In view of today's very "obvious circumstances" involving Patent '813 and just a small measure of hindsight back to that time, it ought to be very clear to you and Shire's in-house counsel by now that any reasonable person would understand **how and why** it is that things have come to this point with Patent '813 including, but not limited to, the "problematic representation behavior" of Shire's declarant (as extensively profiled) and its outside law firm. And also **how and why** Patent '813 is among the most **non-obvious patents** in pharmaceutical history. But so there should be no doubt in your mind, because you are Shire's CEO and my every intention is to be perfectly transparent with you as Mr. Russell before you, you have the opportunity to understand first-hand **how and why** all of that is so through an **accurate representation** of Patent '813 and the *"art of eating disorder diagnosis and psychopharmacology, specifically BED."* But of course that choice is yours.

**"Important Vyvanse/Shire Matter" email at:**

[http://www.4shared.com/download/4H91ac5sba/Important\\_VyvanseShireMatter\\_e.pdf?lgfp=3000](http://www.4shared.com/download/4H91ac5sba/Important_VyvanseShireMatter_e.pdf?lgfp=3000)

Louis Sanfilippo, MD  
Inventor of the '813 Patent

**Friday November 14, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>

**Subject:** Fwd: Patent '813/Legal Development

**Date:** November 14, 2014 5:06:13 PM EST

**To:** drtimothybrewerton@gmail.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, Ed Haug <EHaug@flhlaw.com>

FYI - As I (re-)informed all of you in my email on Nov. 10, transparency and accountability are very important to me. And so also is the equitable disposition of matters, as I communicated to Mr. Haug and Ms. Kuzmich in emails I sent them regarding Patent '813 on Nov. 16 and Dec. 12, 2012. So in the event that FLH has not let Dr. Brewerton know what's been happening of late, I

## The Patent '813 Story, Part II -- Version 2

will, because he ought to be prepared for what's imminently about to happen as it will directly involve him, as well as FLH and Shire. To this effect, forwarded below is the email I sent to Shire's CEO Dr. Fleming Ornskov yesterday; also, as attached in the PDF, are the five emails I sent to Dr. Ornskov and various of Shire's in-house legal counsel since Sept. 4 when I first emailed him/Shire about your collective "representation problem" publicly communicated to the Patent Board on behalf of Shire, the representations of which the Patent Board has now **relied on** to make a decision that has caused financial harm to LCS Group, LLC, as any reasonable person would readily appreciate in view of the public written record. This way, Dr. Brewerton won't be surprised by the action I've now planned to take next week outside the IPR venue in order to remedy that and a number of other serious problems caused by your collective "reasoning and representation behavior."

Surely, you must all by now appreciate that the scope and nature of "the problem" is far too large and way too serious to be taken up by the small group of judges comprising the Patent Board. There's clearly too much important teaching here on the art of accurately diagnosing and treating eating disorders to be left quietly disregarded and forgotten in a massive web of inaccurate and self-contradicting representations (as professionally profiled and written-up for its significance in my last email to you), particularly at a most critical juncture in psychiatry as the profession stands poised to help the public-at-large learn more about the DSM-defined disorder known as Binge Eating Disorder.

That said, I've now just about fully completed everything that I've been tasked to do since making a very important and prudent decision on Oct. 1 whose objective was to ensure that the interests of Patent '813 and any others that follow are permanently secured in very good hands. With this email in particular, then, none of you can ever say that I didn't forewarn you, as well Shire before you, that I would not stop until I accomplished my objective of making those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions. Really **everything** -- from my preliminary response, to my emails to Dr. Ornskov, to my "other emails" including the one to Shire's former MSL John Renna (who now works at Teva), to my emails involving all of you -- has been for that one specific objective, because I knew at the beginning how I wanted all of this to finally end - namely, in the truth of the matter. And now that I have brought the problem to the attention of Shire and all of you for a **collective total of eight times now**, under some rather formidable and very well-reasoned professional guidance, the truth of the matter is unmistakably clear. And, of course, that means it's finally time to publicly disclose it.

Lastly, in the spirit of transparency and accountability, you should know that one hour after the email time-stamp on this email you have received, I will forward this email to Dr. Ornskov so that he/Shire are up-to-speed with what I have communicated to all of you. This way there won't be any surprises when the truth of the matter is represented to all three of you.

Louis Sanfilippo, MD  
Inventor of Patent '813

**ATTACHMENT: "LCS Emails.to.FOrnskov.9.4.to.11.13.14.pdf"** (available for download at: [http://www.4shared.com/download/Dqun7v6oba/LCS\\_EmailstoFOrnkov94to111314.pdf?lgfp=3000](http://www.4shared.com/download/Dqun7v6oba/LCS_EmailstoFOrnkov94to111314.pdf?lgfp=3000))

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Patent '813/Legal Development  
**Date:** November 13, 2014 11:16:01 AM EST

## The Patent '813 Story, Part II -- Version 2

To: [fornskov@shire.com](mailto:fornskov@shire.com)

Dear Dr. Ornskov,

I am writing to let you and Shire know of an important development involving Shire's IPR petition for Patent '813, for which the Patent Board on Nov. 5 decided to institute a trial (with an initial conference call on Dec. 5 at 1 PM EST). As of today, I have instructed attorney Joe Lucci and his law firm, Baker Hostetler, to withdraw their representation of me in, specifically, this *Inter Partes* Review. In the spirit of transparency, as it's consistently been my intention with .....

**[EMAIL CONTENTS STRIPPED]**

.....But so there should be no doubt in your mind, because you are Shire's CEO and my every intention is to be perfectly transparent with you as Mr. Russell before you, you have the opportunity to understand first-hand **how and why** all of that is so through an **accurate representation** of Patent '813 and the "*art of eating disorder diagnosis and psychopharmacology, specifically BED.*" But of course that choice is yours.

"Important Vyvanse/Shire Matter" email at:

[http://www.4shared.com/download/4H91ac5sba/Important\\_VyvanseShireMatter\\_e.pdf?lgfp=3000](http://www.4shared.com/download/4H91ac5sba/Important_VyvanseShireMatter_e.pdf?lgfp=3000)

Louis Sanfilippo, MD  
Inventor of the '813 Patent

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: [Fwd: Patent '813/Legal Development]  
**Date:** November 14, 2014 6:07:16 PM EST  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com)

FYI - in keeping with my intention to be transparent and accountable.

Louis Sanfilippo, MD  
Inventor of Patent '813

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: Patent '813/Legal Development  
**Date:** November 14, 2014 5:06:13 PM EST  
**To:** [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>

FYI - As I (re-)informed all of you in my email on Nov. 10, transparency and accountability are very important to me. And so also is the equitable disposition of matters, as I communicated to Mr. Haug and Ms. Kuzmich in emails I sent them regarding Patent '813 on Nov. 16 and Dec. 12, 2012. So in the event that FLH has not let Dr. Brewerton know what's been happening of late, I will, because he ought to be prepared for what's imminently about to happen as it will directly involve him, as well as FLH and Shire. To this effect, forwarded below is the email I sent to Shire's CEO Dr.

## The Patent '813 Story, Part II -- Version 2

Fleming Ornskov yesterday.....

**[EMAIL CONTENTS STRIPPED]**

..... Lastly, in the spirit of transparency and accountability, you should know that one hour after the email time-stamp on this email you have received, I will forward this email to Dr. Ornskov so that he/Shire are up-to-speed with what I have communicated to all of you. This way there won't be any surprises when the truth of the matter is represented to all three of you.

Louis Sanfilippo, MD  
Inventor of Patent '813

**ATTACHMENT: "LCS Emails.to.FOrnskov.9.4.to.11.13.14.pdf"** (available for download at:  
[http://www.4shared.com/download/Dqun7v6oba/LCS\\_EmailstoFOrnksov94to111314.pdf?lgfp=3000](http://www.4shared.com/download/Dqun7v6oba/LCS_EmailstoFOrnksov94to111314.pdf?lgfp=3000))

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Patent '813/Legal Development  
**Date:** November 13, 2014 11:16:01 AM EST  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com)

Dear Dr. Ornskov,

I am writing to let you and Shire know of an important development involving Shire's IPR petition for Patent '813, for which the Patent Board on Nov. 5 decided to institute a trial (with an initial conference call on Dec. 5 at 1 PM EST). As of today, I have instructed attorney Joe Lucci and his law firm, Baker Hostetler, to withdraw their representation of me in, specifically, this *Inter Partes* Review. In the spirit of transparency, as it's consistently been my intention with .....

**[EMAIL CONTENTS STRIPPED]**

.....But so there should be no doubt in your mind, because you are Shire's CEO and my every intention is to be perfectly transparent with you as Mr. Russell before you, you have the opportunity to understand first-hand **how and why** all of that is so through an **accurate representation** of Patent '813 and the "*art of eating disorder diagnosis and psychopharmacology, specifically BED.*" But of course that choice is yours.

"Important Vyvanse/Shire Matter" email at:

[http://www.4shared.com/download/4H91ac5sba/Important\\_VyvanseShireMatter\\_e.pdf?lgfp=3000](http://www.4shared.com/download/4H91ac5sba/Important_VyvanseShireMatter_e.pdf?lgfp=3000)

Louis Sanfilippo, MD  
Inventor of the '813 Patent

## The Patent '813 Story, Part II -- Version 2

**Monday November 17, 2014:**

**From:** Farsiou, David  
**Sent:** Monday, November 17, 2014 11:30 AM  
**To:** trials@uspto.gov  
**Cc:** shire.ipr.813@flhlaw.com; Lucci, Joseph  
**Subject:** IPR2014-00739: Shire Development LLC v. LCS Group, LLC - Authorization Request

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: LCS Group, LLC  
Assigned Trial Paralegal: Althea Wilburn  
Designated Administrative Patent Judge: Lora Green

Patent Owner respectfully requests a conference call to seek authorization to file a motion for counsel to withdraw from the proceeding pursuant to 37 C.F.R. 42.10.

Regards,

David Farsiou  
Attorney for Patent Owner

**David Farsiou**  
**BakerHostetler**

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Monday, November 17, 2014 1:11 PM  
**To:** trials@uspto.gov  
**Cc:** shire.ipr.813@flhlaw.com; Lucci, Joseph; Farsiou, David  
**Subject:** RE: IPR2014-00739: Shire Development LLC v. LCS Group, LLC - Authorization Request

Counsel for Petitioner, Shire Development LLC, respectfully requests permission to participate in any call between representatives for Patent Owner and the Patent Trial and Appeal Board regarding IPR2014-00739.

Sincerely,

Sandra Kuzmich  
Attorney for Petitioner  
Frommer Lawrence & Haug LLP  
skuzmich@flhlaw.com

**Thursday November 20, 2014:**

**From:** "Fanelli, Laura" <LFanelli@flhlaw.com>  
**Subject:** IPR2014-00739: Shire Development LLC v. LCS Group, LLC  
**Date:** November 20, 2014 8:48:18 PM EST  
**To:** "Lucci, Joseph" <JLucci@bakerlaw.com>, "Farsiou, David" <DFarsiou@bakerlaw.com>  
**Cc:** "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>

## The Patent '813 Story, Part II -- Version 2

Counsel,

Please find attached Shire Development LLC's Objections to Patent Owner LCS Group, LLC's Exhibits to its Preliminary Response.

Regards,  
Laura

Laura A. Fanelli, Esq.  
**Frommer Lawrence & Haug llp**  
745 Fifth Avenue  
New York, NY 10151

**ATTACHMENT: "Petitioner's Objections to Patent Owner's Exhibits (01496219).pdf"**

(available for download at: [http://www.4shared.com/download/-YQKmmaZba/Petitioners\\_Objections\\_to\\_Pate.pdf?lgfp=3000](http://www.4shared.com/download/-YQKmmaZba/Petitioners_Objections_to_Pate.pdf?lgfp=3000))

**Friday November 21, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Important Patent '813 IPR Update**  
**Date:** November 21, 2014 6:30:24 AM EST  
**To:** <fornskov@shire.com>, <tmay@shire.com>, <tmay@us.shire.com>, <jharrington@shire.com>, <dbanchik@shire.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, <drtimothybrewerton@gmail.com>

Dear Dr. Ornskov, Ms. May, Mr. Harrington, Mr. Banchik, Mr. Haug, Ms. Kuzmich, & Dr. Brewerton,

On behalf of LCS Group, I have an important update for all of you. On Wednesday I was informed by Joe Lucci of Baker Hostetler that the Patent Board refused to let BH withdraw from their representation of LCS Group in the *Inter Partes* Review, as I requested of BH on Nov. 13 and so informed you individually or through your respective company affiliation last week. In view of the Board's decision, I simply have instructed Mr. Lucci and BH to refrain from any further involvement in the IPR process. This is because I have committed to handling the "IPR matter" on the basis of my Oct. 1 final decision involving my LDX-related IP, the nature of which is characterized in my Nov. 13 email to Dr. Ornskov, so please direct any communications relating to it to me.

Besides "best commercializing Patent '813 and any that follow," my Oct. 1 final decision was itself made to resolve the "massive representation problem" on which the Patent Board has now relied to institute a trial. Its basic rationale is perhaps most specifically communicated on p. 176 of the PDF that I provided Dr. Ornskov on Thursday Nov. 13 and which is still available for download at [http://www.4shared.com/download/4H91ac5sba/Important\\_VyvanceShireMatter\\_e.pdf?lgfp=3000](http://www.4shared.com/download/4H91ac5sba/Important_VyvanceShireMatter_e.pdf?lgfp=3000)).

In this light, I have asked Mr. Lucci and BH to refrain from any further involvement whatsoever in the IPR process until such time that this "massive representation problem" is completely resolved. And because this "massive representation problem" that I have collectively brought to your attention a total of *ten times* has now unduly burdened the business practice of LCS Group, it has become necessary for me to promptly seek its final resolution through my Oct. 1 final decision.

## The Patent '813 Story, Part II -- Version 2

The Board's decision on Wednesday poses an immediate and serious problem for Shire and its shareholders, FLH and Dr. Brewerton, for reasons that ought to be very obvious to all of you by now. If you should have any doubts about that, then I would encourage you to take another look at the written record since Sept. 4 in view of "today's hindsight" that includes the Patent Board's **two recent decisions**, as chronologically represented in the attached PDF. You should know in advance that there are a few "new emails" (than were featured in the Nov. 14 PDF'd email transcript) that certain of you may not have seen. One of these I sent on Oct. 7 to the head of healthcare investments at a major NY-based hedge fund who is **very familiar** with Vyvanse's "place" among prescribing physicians "as of Sept. '07" and the other I sent on Oct. 10 to an MD/psychiatrist at Shire (and former Ivy-league academic, Yale). Both of these individuals were involved in "Patent '813-related communications" back in 2012 and, based on my Oct. 1 decision, it became important that I re-establish communication with them in this particular way.

Once you read through the PDF'd transcript, I suggest that each of you consider what you **really think** about the IPR and Patent '813 at this point in time. Then, think about what's most likely to happen next, as it's all been very well-planned.

Taken together, the story of the IPR and Patent '813 is an unmistakably clear and very compelling real-life story, with all the necessary dramatic behavioral elements. And it's all quite accurately represented by its own remarkably coherent written narrative for any reasonable person to understand. Truly, the Patent '813 story is a very important real-life story -- far more important than any of you really know, which is why I am writing this email to all seven of you now, **at this most critical juncture in its own time**, and also why you are reading it to better understand how the story will finally end one chapter to begin another. I say this in good faith and transparently too -- because I know the final ending of the story and what I have done to make it end that way. And I can assure you of one thing: it's only **imminently** about to get much more extraordinary, on account of the final decision I made on Oct. 1 involving my LDX-related IP and the extensive preparations I've made to make sure that everything ends just perfectly.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: "LCS.Shire.FLH Public Email Record from Sept. 4 to Nov. 17.version 3.pdf"** (available for download at: [http://www.4shared.com/download/9Si5-xLVce/LCSShireFLH\\_Public\\_Email\\_Recor.pdf?lgfp=3000](http://www.4shared.com/download/9Si5-xLVce/LCSShireFLH_Public_Email_Recor.pdf?lgfp=3000))

**From:** "Haug, Ed" <EHaug@flhlaw.com>  
**Subject:** Re: Important Patent '813 IPR Update  
**Date:** November 21, 2014 7:27:47 AM EST  
**To:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Cc:** <fornskov@shire.com>, <tmay@shire.com>, <tmay@us.shire.com>, <jharrington@shire.com>, <dbanchik@shire.com>, "Sandra Kuzmich" <SKuzmich@flhlaw.com>, <drtimothybrewerton@gmail.com>

Dear Dr Sanfilippo

I ask you once again to stop communicating directly with our client Shire or any of its officers or employees. All of your communications are being directed to our firm as counsel for Shire. Similarly you should not communicate directly with Dr Brewerton. Your continued threats and attempted intimidation of all recipients on your last email are improper and may well be

## The Patent '813 Story, Part II -- Version 2

unlawful. I respectfully suggest you consult with appropriate legal advisors.

Please also advise FLH as to who is now representing LCS in the IPR if Mr Lucci is no longer authorized to speak on behalf of the company.

Sent from my iPhone

U.S. Patent Trial and Appeal Board's "**Order -- Conduct of the Proceeding 37 C.F.R. 42.5,**" as made in IPR 2014-00739, is available in PDF at:  
<http://www.4shared.com/download/SHvmwuP1ba/notice-9.pdf?lgfp=3000>

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Re: Important Patent '813 IPR Update**  
**Date:** November 21, 2014 3:33:35 PM EST  
**To:** Ed Haug <EHaug@flhlaw.com>  
**Cc:** fornskov@shire.com, tmay@shire.com, tmay@us.shire.com, jharrington@shire.com, dbanchik@shire.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com

Dear Mr. Haug,

As stated in the email that I sent to you this morning, and in the emails that I had sent you vis-à-vis your client previously, you should direct any communications regarding the IPR to me.

Mr. Haug, let me ask you a question: did you read the extensively detailed email that I sent to you on Nov. 10? Your email today suggests that you haven't. In the spirit of transparency, I should tell you (and everyone else) that its contents are now undergoing some "re-framing" to enhance their narrative coherency for this very important "IPR and Patent '813 story."

As a follow-up question, Mr. Haug, let me ask you if have you received input from any of Shire's "MDs" on the 181-page PDF yet? Surely, based on the number of its downloads that immediately followed my email to Dr. Ornskov on Nov. 13, I would expect that at least one or two "POSA-type MDs" at Shire would have read it for its extremely serious and far-reaching implications. At this point in time, though, I believe that Dr. Brewerton best understands it all, so I respectfully suggest that you re-consult with him.

In this light, Mr. Haug, I should say that it's rather striking for you to suggest that I "consult with appropriate legal advisors." The story that I've written (which now includes (i) our email exchange from today, (ii) the attached PDF from this morning, and (iii) the email that I sent you on Nov. 10) should make it abundantly clear that I've already done that **and continue to do that**, to an extent far greater than you could possibly imagine.

Remember, Mr. Haug, from the outset my objective in all of this has been to get at the "truth of the matter," including your own role in it. By the time of what I'd call Patent 813's "final resolution," everything will be completely transparent, because I have made very extensive preparations to make it happen that way -- to an extent far greater than you could possibly imagine. This may help you understand why it is that this very email from me, which cc's your client's CEO and three of its senior legal representatives, is itself **in direct response to your email**.

Sincerely,

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**Wednesday November 26, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>

**Subject: Re: Important Patent '813 IPR Update**

**Date:** November 26, 2014 11:11:43 AM EST

**To:** Ed Haug <EHAug@flhlaw.com>

**Cc:** fornskov@shire.com, tmay@shire.com, tmay@us.shire.com, jharrington@shire.com, dbanchik@shire.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com

Dear Drs. Ornskov and Brewerton,

In light of (i) our newly established "IPR group" (vis-à-vis the reciprocating communication between Mr. Haug and I on Friday Nov. 21), (ii) Mr. Haug's **complete silence** on my two questions asking him if he read the 181-page PDF or received input on it from any Shire "MDs," and (iii) a recent "legal development" that's come to my attention, I'm writing to the "MDs of our group" to address what's clearly some revealing "lawyerly behavior" evidenced in the objections FLH made last week (on behalf of Shire, as attached) to certain LCS Group exhibits. In this respect, there's a "new IPR and Patent '813 story" **rapidly evolving** in public view of the "old one," itself far more troubling than the "old IPR story" ever was -- and it is fast reaching a critical stage. This is because the already **massive and highly obvious misunderstanding** (on which the Patent Board has relied to institute a trial) has now been magnified by what the "lawyers among us" are doing with their time, which is to make (as noted below) that already very serious "massive IPR problem" **even worse**:

**No. 1: Exhibit 2002.** This is **Shire's own 2011 Phase 2 LDX/BED trial protocol** that quite perfectly teaches on Patent 813's three independent claims 1, 8 and 13 that involve **first establishing a diagnosis of BED (by DSM-IV-TR criteria)** in a patient/subject and **only then administering LDX (vs. placebo)** to that "specifically DSM-diagnosed BED patient" **for treatment of their BED**, with LDX dosing regimens as represented in dependent claims 2, 9, 10 and 12. Why would the "lawyers of our group" object to this exhibit on "relevance" and "confusion of the issues" when there couldn't be any more "relevant," "credible" and "clearly reasoned" piece of medical literature **to specifically teach the Patent Board and the public-at-large on Patent '813's independent and dependent claims involving the treatment of BED (as "DSM-defined") with LDX?** Here, the behavior of the "lawyers of our group" makes them look as if they couldn't care less about properly treating BED patients with LDX, which is particularly concerning now that LDX is (expectedly, to my view and others too) perhaps three months away from its FDA approval for the treatment of adult BED.

**No. 2: Exhibit 2003.** This is Dr. Brewerton's **concisely written, well-referenced and highly credible** 2004 "*Pharmacotherapy for Patients with Eating Disorders*" that teaches on acceptable/successful pharmacotherapies for AN, **BN and BED** in the time preceding Patent '813's filing date, which I'm sure is an important reason why *The Psychiatric Times* chose to publish it for its broad "MD/psychiatrist POSA audience." Importantly, it accurately assumes the "reading POSA" would competently apply his/her "ordinary DSM-based diagnostic knowledge and skill" to administer pharmacotherapy for AN, BN or BED in direct view of the **specific DSM-defined disorder** for which a given drug is prescribed, **which is precisely the way that**

## The Patent '813 Story, Part II -- Version 2

**Patent '813's independent claims are written for POSAs to practice** (and also for pharmaceutical companies to represent in their drug label to teach POSAs on how to prescribe it). It's our obligation as physicians to help the "lawyers of our group" see that concealing this most relevant and important "DSM-based diagnostic and pharmacotherapy context" from the Patent Board (and public-at-large) would make it even harder for them to understand how a POSA would have interpreted ("as of Sept. '07"), or would interpret ("as of today"), Patent '813's independent claims "in the broadest reasonable light of the specification" -- as well as interpret Dukarm's and Ong's publications (on which the Board relied to institute a trial).

**No. 3: Exhibit 2008.** This is **Shire's own** (vis-à-vis NRP) **2007 Vyvanse package insert**, which any MD knows would have been among the **single most important "Exhibits"** that a "POSA as of Sept. 07" would have relied on in considering administration of LDX pharmacotherapy for a BED patient according to Patent '813's independent and dependent claims. In this light, the behavior of the lawyers raises some serious red flags about what they're trying to persuade the Patent Board (and public-at-large) to believe about a POSA's behavior, particularly as Patent 813's independent claims 1, 8 and 13 **specifically represent the use of LDX** for the treatment of a DSM-defined psychiatric disorder.

**No. 4: Exhibit 2010.** This is Harold Bays' state of the art 2004 *"Current and Investigational Anti-obesity Agents and Obesity Therapeutic Treatment Targets"* that provides essential context for helping the Patent Board and the public-at-large understand how the medical community as-a-whole would have understood the pharmacologic treatment of obesity "as of Sept. '07." And this, of course, is medically important because obesity goes hand-in-hand with BED; therefore, these "2004 teachings" provide important clinical context for helping the Board (and public) understand how the medical community approaches obesity and its pharmacotherapy today, just a few months before an "ADHD (**non-anti-obesity**) drug" stands poised to be the first ever FDA-approved treatment for adult BED. In this light, the "lawyers among us" are trying to hide very relevant, highly credible, and quite accessible teachings on how a "POSA as of Sept. '07" would have understood the term "anti-obesity agent." Certainly, this behavior doesn't help anyone get to the "Patent '813 truth of the matter," nor resolve this ever-expanding "massive IPR problem."

**No. 5: Exhibit 2012.** This is the AACAP's *"Practice Parameter for the Assessment and Treatment of Children and Adolescents with ADHD"* that would help the Patent Board (and public-at-large) understand that ADHD is an important disorder and, in particular, its comorbidity with eating disorders (like BN or BED) has important therapeutic implications. The lawyers' behavior to seek its removal from the IPR process raises serious red flags regarding their intent for doing so, as if they're trying to persuade the Patent Board (and the public-at-large) that ADHD comorbidity in eating disorders (and its proper treatment with stimulants) is **completely irrelevant**. The Patent Board has already "bought into" this massive clinical misunderstanding and, to this effect, it's our fiduciary role as MDs to help them see the "clinical truth of the matter" as it would have been in Sept. 2007, in Sept. 2000, or in Sept. 2014.

**Nos. 6-7: Exhibits 2014-2015.** These are Surman's and Biederman's critically important/relevant publications, the significance of which the three of us surely all understand for their IPR and Patent '813 implications. In this regard, I think it's about time in the "IPR and Patent '813 story" that the three of us, in our **ethical role as physicians**, teach the "lawyers of our group" that their objection to Surman and Biederman on the grounds of "relevance" is a **catastrophic mistake**, because it

## The Patent '813 Story, Part II -- Version 2

makes them look as if they are **willfully trying to cover up the most obvious, serious and far-reaching IPR problem of all**. And everyone knows that the “cover-up” is always far worse than the original problem.

That said, Dr. Ornskov and Dr. Brewerton, here's a two-part question for the two of you that I respectfully suggest we collectively answer as the “MDs of the IPR group”: what's the purpose of this IPR and why are there even any lawyers still involved in it at this point in time?

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: “Petitioner’s Objections to Patent Owner’s Exhibits (01496219).pdf”**

(available for download at: [http://www.4shared.com/download/uvKBU-TBce/Petitioners\\_Objections\\_to\\_Pate.pdf?lgfp=3000](http://www.4shared.com/download/uvKBU-TBce/Petitioners_Objections_to_Pate.pdf?lgfp=3000))

**Monday December 1, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>

**Subject: Re: Important Patent '813 IPR Update**

**Date:** December 1, 2014 10:07:33 AM EST

**To:** Ed Haug <EHaug@flhlaw.com>

**Cc:** fornskov@shire.com, tmay@shire.com, tmay@us.shire.com, jharrington@shire.com, dbanchik@shire.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com

Dear Drs. Ornskov and Brewerton,

I am writing to make you both aware of a new “legal reporting development” that itself has broad public implications and speaks to how our “IPR and Patent '813 story” is now getting some very timely national attention. It is the attached Law360 article published on Nov. 26, Thanksgiving eve (later in the day of my last email to both of you). The “lawyers of our IPR group” may have already informed one or both of you of this recent “news development.” But because our “IPR and Patent '813 story” is now accelerating **very quickly**, it may be that they aren't even aware that we've collectively made “legal news.”

What both of you should know is that the **massive and highly obvious misunderstanding** on which the Patent Board made its decision to institute a trial, which the “lawyers among our group” are self-evidently perpetuating as well as now trying to “cover up,” is now causing others (like reporters) to **publicly perpetuate** the Board's **massive and highly obvious misunderstanding too**. You know what this means. It means that this “massive IPR problem” is publically getting much closer to each of you, **personally and individually**, which is why I am bringing this to your immediate attention before it leads to a catastrophic situation for each of you, and particularly for Shire. In this light, it's your fiduciary role as the “MDs of our IPR group” to address it before it spirals totally out-of-control and causes irreparable damage, as it would seem that's the path the “lawyers of our group” would prefer. You should know that this “destructive lawyerly path” is putting the two of you squarely in the middle of the ever-more-troubling wake of this “massive IPR representation problem.”

Let me highlight a few examples of how this “news story” only further amplifies the **already magnified, massive IPR problem** (vis-à-vis the recent collective “lawyerly behavior” of our group

## The Patent '813 Story, Part II -- Version 2

to “cover up” critically important/relevant evidence from the Patent Board and public-at-large that would shed light on the “truth of the matter”).

Reporter Gurrieri writes, *“Given the complexity and very technical nature of these proceedings, pro se representation carries significant risk,” the PTAB’s order said.*” You can see the major problem here. Mr. Gurrieri is publicly highlighting that the Board **believes** that Shire’s arguments on which the PTAB relied to institute an IPR hearing are **“complex”** and **“very technical.”** But as MDs familiar with eating disorders and stimulant drugs (for different reasons), we know that’s not the case at all. In fact, those Shire arguments (“Ground 4” and “Ground 7”) are **“simple”** and **“very basic,”** and also **“simply wrong”** and **“very basically wrong.”** Really, all the Patent Board needs to do in order to understand just how “simply wrong” and “very basically wrong” their decision actually was (to institute a trial) is to understand your respective side’s **“very serious and massive misinterpretation of the prior art,”** which could be done by allowing them to simply read Surman’s 2006 study in view of Shire’s “Ground 4” argument citing Ong and “Ground 7” argument citing Dukarm, as both publications are cited in his study **in their proper context**, with perhaps some “MD guidance” from the two of you. After all, the Board’s decision is entirely based on their **erroneous belief** that a competent MD/psychiatrist “as of Sept. ’07” with “clinical experience in the diagnosis and psychopharmacology of eating disorders” would have regarded stimulants as acceptable/successful pharmacotherapy for BN **based on extensive data** (just as stimulants were for ADHD).

But here, you can see how the “lawyers of our group” are making an already massive IPR representation problem seriously worse, **because they are trying to conceal Surman’s critically important/relevant disclosures from the Patent Board and the public by objecting to it for its lack of “relevance.”** You can’t get much more of an “obvious cover up” whose purpose is to suppress the “IPR/Patent ‘813 truth of the matter” than that!

As you ought to recognize by now, the “lawyers of our group” are putting the two of you as the “physicians of our group” in the middle of a problem that’s been created by their ever-intensifying poor judgment, as you both know that nothing here is *“complex”* or *“very technical”* for anyone, **insofar as one has access to the “relevant information”** -- which the “lawyers among our group” **clearly want to hide** from the Patent Board and public-at-large so that the *“proceedings”* can **appear “complex”** and *“very technical.”* Any MD would see that, as would any reasonable person in view of the written record, and each would also see that proceeding **any further with the IPR process** would only further unduly burden and financially harm LCS Group while making this “massive IPR problem” even bigger for both of you and especially for Shire. Actually, everything now in this “massive IPR problem” is **so simple and so basic** that any reasonable person (without even a science background) would understand it, along with its profound implications for the “Patent ‘813 truth of the matter.”

In this light, take note that Mr. Gurrieri also writes, *“Shire contends that the challenged claims are unpatentable as obvious in light of the prior art.”* Surely, you can see the massive problem here, namely, that Shire’s “challenge to Patent ‘813’s claims” is **completely based on the company representing a massive and highly obvious misinterpretation of the prior art.** As physicians, you can easily see Shire’s “contention” isn’t rendered in any **“light of the prior art”** but in a whole lot of **“darkness”** that the company’s lawyers have now troublingly cast on the PTAB’s three judges who **mistakenly believe** stimulants would have been regarded as an acceptable **and successful treatment of Bulimia Nervosa based on extensive data.** As far as “big pharma legal drama” goes, this is an amazing thing, especially when the pharmaceutical company at the center of this controversy is perhaps two to three months away from marketing Patent ‘813’s claimed method of treating an eating disorder with their own stimulant drug -- but that the eating disorder **isn’t even BN.** Consider, too, that the “big pharma legal drama” showcases a pharmaceutical company that’s financially supported two Harvard-based MDs, Drs.

## The Patent '813 Story, Part II -- Version 2

Biederman and Surman, who have publicly acknowledged that the company's interpretation of the **"relevant prior art"** involving "the stimulant treatment of Bulimia Nervosa" (as in Ong and Dukarm) **couldn't be any more "wrong" for its representation to the Patent Board and the public-at-large.** As you can both see (and as any competent MD would see), Shire's "representation of the prior art" is **diametrically opposite** "the prior art truth of the matter."

The two of you know what this means. It means that Shire couldn't be any more wrong for its "unpatentability challenge" for Patent '813's claimed methods of treating BED with LDX **in light** of the prior art and, therefore, that the "lawyers among us" are making matters **much worse for the two of you and especially for Shire.** So when Mr. Gurrieri also writes, "*The board agreed Nov. 5 to institute the review, saying that Shire established a reasonable likelihood that it would prevail in showing the unpatentability of at least one of the challenged claims,*" doesn't it **personally weigh on your conscience as physicians** (and Dr. Ornskov additionally as Shire's CEO) that the reason for the Board's decision is that it's **entirely based** on something **seriously and fundamentally** "inaccurate and wrong"? And doesn't it weigh on your conscience as physicians that reporters are now informing the public on the basis of those seriously and fundamentally **"inaccurate and wrong representations"**? And, lastly, doesn't it weigh on your conscience that the "lawyers among us" have seized upon the Patent Board's "massive misjudgment," itself based on the massive Shire-represented "misinterpretation of the prior art," to make an already serious, massive IPR problem **much worse** and **publicly extensive** than it originally ever was, which they have done by seeking to conceal the most relevant prior art of all that sheds light on the "truth of the matter"?

Dr. Ornskov and Dr. Brewerton: just think of the **massive harm** that will be caused if the Patent Board relies on Shire's obviously erroneous challenge, as supported by its obviously erroneous declaration testimony, to declare Patent '813 invalid because it would have been "obvious" that **stimulants were an acceptable/successful treatment of "binge eating in BN" (and therefore, "binge eating in BED")**. Then, consider the kind of **massive public attention** that you will each receive, and Shire too, at a most critical juncture in "eating disorder history." That's a serious problem for the two of you to **bear as individuals and physicians, but particularly for you, Dr. Ornskov, as Shire's CEO.** Which leads me to a final point. What do you think will happen in the IPR when LCS fails to allow itself to be put in the middle of this **"massive, ever-expanding and highly obvious IPR problem"** by being complicitous with the very troubling behavior of the "lawyers among us" whose objective, it seems, is increasingly focused on hiding the "IPR/Patent '813 truth of the matter" from the Patent Board and the public-at-large? In this respect, LCS Group has already planned **extensively** to deal with the IPR problem "outside the IPR." Have either of you done the same? If not, I would **strongly advise** that each of you do so **very soon**, because that time of holding "those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions" **is imminently drawing near.** I know, because I know what I've done to make that **imminently about to happen.**

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: "PTAB Bars Inventor From Proceeding Pro Se in AIA Review - Law360.pdf"** available for download at:

[http://www.4shared.com/download/EIzgORiQce/PTAB\\_Bars\\_Inventor\\_From\\_Procee.pdf?lgfp=3000](http://www.4shared.com/download/EIzgORiQce/PTAB_Bars_Inventor_From_Procee.pdf?lgfp=3000)

**Wednesday December 3, 2014:**

## The Patent '813 Story, Part II -- Version 2

Shire Development LLC's "**Petitioner's List of Proposed Motions,**" as filed in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/Ah6mxz5fba/notice-10.pdf?lgfp=3000>

### **Tuesday December 9, 2014:**

US Patent Trial and Appeal Board's "**Order Conduct of the Proceeding,**" as made in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/mc2wl47Yce/notice-11.pdf?lgfp=3000>

### **Thursday December 11, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Re: Important Patent '813 IPR Update**  
**Date:** December 11, 2014 10:44:53 AM EST  
**To:** Ed Haug <EHaug@flhlaw.com>  
**Cc:** fornskov@shire.com, tmay@shire.com, tmay@us.shire.com, jharrington@shire.com, dbanchik@shire.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>

Dear Dr. Ornskov,

I am writing this email to you "in the presence of" attorney Joe Lucci of BH. The reason for this is that Tuesday's IPR "Order" from the Patent Board, as attached below, "ordered" me to communicate this way in view of Mr. Haug's allegation that I have "attempted to intimidate and threaten Dr. Brewerton and Shire's employees through electronic communications." To the contrary, any reasonable person in view of the **entire email record in its proper narrative context** since I first emailed you on Sept. 4 would see that all I've really been doing is giving you, Shire, FLH and Dr. Brewerton a chance to adapt to what I had determined to do "outside the IPR venue" when I made my Oct. 1 final decision involving the disposition of my LDX-related IP.

This brings me to the reason for this particular email. As you know by now, I'm a big believer in accountability and transparency, so I've written this email to provide you a "choice/decision" on how you wish to handle this "**massive and highly obvious IPR misrepresentation problem.**"

As important context for your choice/decision on behalf of Shire and its shareholders, you'll see from Tuesday's "Order" that the first thing the Patent Board wrote is that "counsel for Patent Owner read a statement from Patent Owner, which stated, in essence, that Petitioner had made egregious misrepresentations of the prior art in the Petition...." As Shire's CEO, you should know what that statement to the Board specifically said:

"Patent Owner would like to inform the Board that its decision to institute a trial was based on Petitioner's massive and egregious misinterpretation of the prior art, and that the Petitioner has explicitly been made aware of this misrepresentation through extensive and detailed communications that have taken place outside the IPR from well before the time the Board made its decision. Further, certain exhibits that the Petitioner has now objected to on grounds of relevance speak to the profound degree of "misinterpretation" represented to the Board and on which the Board relied to make its decision. Because this matter has far-reaching legal, medical and commercial implications, Patent Owner has determined that in order to best protect its interests it is foregoing any further involvement in the IPR process so that it can take the appropriate actions, including legal remedies, to resolve such representations made to the Board

## The Patent '813 Story, Part II -- Version 2

that have now caused Patent Owner harm, and so that it can pre-empt further harm from the undue burden of such representations.”

Importantly, the Board “ordered” that if I/LCS Group forego further participation in the IPR, I should file a paper to that effect and such a “paper will be viewed as a request for adverse judgment, and judgment will be entered against Patent Owner.”

In this light, Dr. Ornskov, it's very easy to see how Shire and its outside counsel continue to, in their attempts, make their massive and egregious misrepresentation problem “my problem.” But it isn't “my problem.” All I've done is make a good faith effort to represent the truth of the matter so that any reasonable person can understand it in view of the public written record, as any reasonable person would appreciate by simply reading through the most updated transcript of electronic communications (with a few “new lawyer emails”, including one from Mr. Lucci) that is publically available for download at the following 4share link: [http://www.4shared.com/download/wfFWmwmvce/LCShireFLH\\_Public\\_Email\\_Recor.pdf?lgfp=3000](http://www.4shared.com/download/wfFWmwmvce/LCShireFLH_Public_Email_Recor.pdf?lgfp=3000). After all, the “Patent '813 Story” is a remarkable one and brings much needed public attention and teaching to the art of eating disorder diagnosis and psychopharmacology -- specifically BED -- at a very important time in eating disorder history. Indeed, even you/Shire yesterday again highlighted “Vyvanse for BED” in the company's press release involving Shire's own self-hosted “R&D Day” for the investment community, including the FDA's PDUFA date of Feb. 1, 2015. I do sincerely hope that it was a productive day for you and Shire in **advancing** the art of eating disorder diagnosis and psychopharmacology, much as I sincerely hope the same between now and Vyvanse's anticipated FDA approval for the treatment of Binge Eating Disorder in adults.

In this context, let me explain the choice/decision that you **imminently** need to make on how you/Shire **finally resolve** the IPR. The choice/decision that you now have to make on behalf of Shire and its shareholders is whether you wish to finally resolve this “**massive and egregious IPR misrepresentation problem**” with or without lots of media and “professional” attention of different kinds (vis-a-vis the complete public email record as available through the 4-share link above, which itself includes the still active link to the 181-page PDF and all its references that I provided you on Nov. 13). And should you need any support in making a good choice/decision that involves Shire's method of treating BED with Vyvanse, then I would highly recommend you directly communicate with Dr. Brewerton, because after me there's no one that knows the “IPR and Patent '813 story” better than Dr. Brewerton does.

You know how to reach me, either directly or through attorney Lucci, to resolve this. But if you choose to stay silent **and** fail to completely withdraw Shire's IPR petition by the time that Mr. Lucci makes his IPR filing tomorrow, on Dec. 12, as requested of him by the Board, then I have asked Mr. Lucci to submit **this very email along with its publically available link of our entire “IPR email communication record”** to the Patent Board as a statement on behalf of LCS Group for the written public record.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

### **ATTACHMENTS:**

**“Order - Conduct of the Proceeding.pdf”** (available for download at: [http://www.4shared.com/download/G3wYqOd0ce/Order\\_-\\_Conduct\\_of\\_the\\_Proceed.pdf?lgfp=3000](http://www.4shared.com/download/G3wYqOd0ce/Order_-_Conduct_of_the_Proceed.pdf?lgfp=3000))

## The Patent '813 Story, Part II -- Version 2

**"Shire Motions.pdf"** (available for download at:  
[http://www.4shared.com/download/WUD8Xjwmce/Shire\\_Motions.pdf?lgfp=3000](http://www.4shared.com/download/WUD8Xjwmce/Shire_Motions.pdf?lgfp=3000))

### **Friday December 12, 2014:**

LCS Group LLC's **"Patent Owner's Submission Pursuant to Initial Conference Call,"** as filed in IPR2014-00739 **on December 12,** is available in PDF for download at:  
<http://www.4shared.com/download/KrUDIRTOce/notice-12.pdf?lgfp=3000>

[LCS Group LLC's **"Patent Owner's Submission Pursuant to Initial Conference Call,"** as later expunged in IPR2014-00739, is available in PDF for download at:  
[http://www.4shared.com/download/4mm2d\\_2Fce/notice-12-2.pdf?lgfp=3000](http://www.4shared.com/download/4mm2d_2Fce/notice-12-2.pdf?lgfp=3000)]

Shire Development LLC's **"Petitioner's Motion to Submit Supplemental Information,"** as filed in IPR2014-00739, is available in PDF for download at:  
[http://www.4shared.com/download/Cy1FCIoNce/Motion\\_for\\_Supplemental\\_Inform.pdf?lgfp=3000](http://www.4shared.com/download/Cy1FCIoNce/Motion_for_Supplemental_Inform.pdf?lgfp=3000)

**From:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>  
**Date:** Dec 12, 2014 5:08 PM  
**Subject:** IPR2014-00739; Request for Conference Call  
**To:** "[trials@uspto.gov](mailto:trials@uspto.gov)" <[trials@uspto.gov](mailto:trials@uspto.gov)>  
**Cc:** "Lucci, Joseph" <[JLucci@bakerlaw.com](mailto:JLucci@bakerlaw.com)>, "Farsiou, David" <[DFarsiou@bakerlaw.com](mailto:DFarsiou@bakerlaw.com)>, "[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)" <[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)>

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: LCS Group, LLC  
Assigned Trial Paralegal: Althea Wilburn  
Designated Administrative Patent Judge: Lora Green

Petitioner respectfully requests, at the Board's earliest convenience, a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12. In contravention of the Board's order prohibiting Dr. Sanfilippo "from contacting Shire, Shire's employees, the expert retained by Shire for this proceeding, as well as counsel for Petitioner, except through counsel for Patent Owner or in the presence of counsel for Patent Owner" (Paper 11 at 4), Dr. Sanfilippo has once again, on December 11, 2014, sent such prohibited electronic correspondence to Shire's employees, Shire's expert witness, and counsel for Petitioner. Additionally, by including in its December 12, 2014 submission (Paper 12) a link to hundreds of pages of materials that include unfounded allegations, misrepresentations, and threats, Patent Owner has exceeded the Board's authorization, which only provided for the filing of a paper stating that Patent Owner is forgoing any further participation in the proceeding (Paper 11 at 5). For at least these reasons, Petitioner seeks authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12.

Respectfully submitted,

Sandra Kuzmich  
Counsel for Petitioner

## The Patent '813 Story, Part II -- Version 2

**Monday December 15, 2014:**

**From:** Lucci, Joseph  
**Sent:** Monday, December 15, 2014 1:20 PM  
**To:** Haug, Ed (EHaug@flhlaw.com)  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com); Farsiou, David  
**Subject:** FW: [Fwd: IPR2014-00739; Request for Conference Call]

Ed

Dr. Sanfilippo has asked that the communication below be passed along to Dr. Ornskov.

Joe

Begin forwarded message:

Dear Dr. Ornskov,

**On behalf of Shire shareholder interests**, I am writing to you through your counsel to inform you about a **critically important and serious “legal development”** involving the behavior of Shire’s outside counsel, Frommer, Lawrence and Haug.

Let me draw your attention to a very serious and critically important “FLH misrepresentation problem” in Ms. Kuzmich’s email to the Patent Board on Dec. 12, as forwarded below. She writes, on behalf of Shire, “Additionally, by including in its December 12, 2014 submission (Paper 12) a link to hundreds of pages of materials that include unfounded allegations, misrepresentations, and threats...” You can see that Ms. Kuzmich is representing, on behalf of Shire, that I’ve made “misrepresentations” **in the very narrative context** that any reasonable person would recognize as her own **“massive and highly obvious misrepresentation”** to the Patent Board about my own “Dec. 11 email representation” to you that itself was communicated to you “in the presence of counsel for Patent Owner,” as the Board requested of me. That’s an extraordinary thing. Moreover, my “Patent ‘813 team” and I are highly confident that **by this point in time** you and your “MD team” at Shire **fully recognize** that there are no “unfounded allegations, misrepresentations, and threats” in the “now-public-IPR-written-record,” because (i) all my representations are “founded, accurate, supported and explained,” as well as “non-threatening” (unless one is threatened by “truthful representations”) and (ii) our unique “profiling technology” (i.e., “temporally weighted analysis,” “sequentially expanded analysis,” Shire’s download activity of my 181-page PDF after I emailed its 4share link to you on Nov. 13, among other kinds of analyses) has determined that you/Shire completely understand this “IPR and Patent ‘813 story” for its clinical, legal and commercial implications.

In this light, any reasonable person in view of the now-public-written-IPR-record -- as well as any “MD at Shire” in view of the “181-page PDF” -- would also recognize that Ms.

## The Patent '813 Story, Part II -- Version 2

Kuzmich's representation to the Patent Board that my representations are "unfounded allegations, misrepresentations, and threats" is itself **completely unfounded**. Thus, it's no surprise that she doesn't offer up even one example to support her representation to the Board. This is in contrast to my own behavior wherein I have provided you/Shire so many detailed accounts of "unfounded representations and outright misrepresentations" in Shire's own IPR petition that it's practically impossible to count them, especially as the basis for so many of them is in an MD/psychiatrist's "basic diagnostic and therapeutic reasoning." And you/Shire still haven't asked me for my two additional versions of "IPR analysis" (from this summer) that I offered to provide you on Sept. 4 and 12 so that you could understand the **full scope and seriousness** of this "IPR representation problem," as professionally profiled for its far-reaching implications. I can assure you/Shire my "additional analysis" would provide you yet another remarkable dimension to the "IPR and Patent '813 Story."

In the spirit of transparency, assuming that there is a "conference call" as requested by FLH on behalf of Shire to address "sanctions against me" for simply trying to **truthfully represent** the "IPR and Patent '813 Story," LCS Group does not accept an adverse judgment from the Patent Board because it believes any reasonable person in view of the now-public-written-IPR-record of the "inter partes review outside the IPR" between Patent Owner and Petitioner makes it abundantly clear that Patent '813, in all its claimed methods of treating Binge Eating Disorder with lisdexamfetamine dimesylate, would have been highly non-obvious to a Person of Ordinary Skill in the Art as of September 2007.

Dr. Orsnov, you know what this all means. It means that it's your choice/decision **on behalf of Shire and its shareholders** to determine whether you want the "now-public-written-IPR-record" to begin as it ends -- with "FLH's problematic representations made on behalf of Shire and its shareholders." And, therefore, it's also your choice/decision to determine whether you would like me to **more broadly** "inform the public" of your choice/decision through my "Oct. 1 press release" (that I emailed to you on Sept. 26 when I made my Oct. 1 final decision involving my LDX-related IP), as everything I need to best commercialize Patent '813 (and any that follow) is now quite perfectly represented on the "IPR public record" with, perhaps, one exception -- this email from me to you and the publically available "IPR and Patent '813 Story" as of 12/12/2014 at: [http://www.4shared.com/download/07wulSD6ba/LCShireFLH\\_Public\\_Email\\_Recor.pdf?lgfp=3000](http://www.4shared.com/download/07wulSD6ba/LCShireFLH_Public_Email_Recor.pdf?lgfp=3000).

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

----- Forwarded message -----

**From:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>

**Date:** Dec 12, 2014 5:08 PM

**Subject:** IPR2014-00739; Request for Conference Call

**To:** "[trials@uspto.gov](mailto:trials@uspto.gov)" <[trials@uspto.gov](mailto:trials@uspto.gov)>

**Cc:** "Lucci, Joseph" <[JLucci@bakerlaw.com](mailto:JLucci@bakerlaw.com)>, "Farsiou, David"

<[DFarsiou@bakerlaw.com](mailto:DFarsiou@bakerlaw.com)>, "[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)" <[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)>

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: LCS Group, LLC

## The Patent '813 Story, Part II -- Version 2

Assigned Trial Paralegal: Althea Wilburn  
Designated Administrative Patent Judge: Lora Green

Petitioner respectfully requests, at the Board's earliest convenience, a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12. In contravention of the Board's order prohibiting Dr. Sanfilippo "from contacting Shire, Shire's employees, the expert retained by Shire for this proceeding, as well as counsel for Petitioner, except through counsel for Patent Owner or in the presence of counsel for Patent Owner" (Paper 11 at 4), Dr. Sanfilippo has once again, on December 11, 2014, sent such prohibited electronic correspondence to Shire's employees, Shire's expert witness, and counsel for Petitioner. Additionally, by including in its December 12, 2014 submission (Paper 12) a link to hundreds of pages of materials that include unfounded allegations, misrepresentations, and threats, Patent Owner has exceeded the Board's authorization, which only provided for the filing of a paper stating that Patent Owner is forgoing any further participation in the proceeding (Paper 11 at 5). For at least these reasons, Petitioner seeks authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12.

Respectfully submitted,

Sandra Kuzmich  
Counsel for Petitioner

### Thursday December 18, 2014:

**From:** Lucci, Joseph  
**Sent:** Thursday, December 18, 2014 8:12 AM  
**To:** Haug, Ed (EHaug@flhlaw.com)  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com); Farsiou, David  
**Subject:** FW: Important IPR/Patent '813 Update

Ed

Here's another communication that Dr. Sanfilippo has asked to be passed on to Dr. Ornskov.

Joe

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Important IPR/Patent '813 Update**  
**Date:** December 17, 2014 5:55:31 PM EST  
**To:** lsanfilippo@lcsgrupp.com

Dear Dr. Ornskov,

I am writing today to more clearly frame the choice/decision that you/Shire now have to make, as it's **very time sensitive**. In this light, I am leaving you with the choice/decision on how you/Shire would like the "IPR and Patent '813 Story" to finally end so that a "new chapter" in the bigger "Patent '813 Story" can finally begin.

But before disclosing more specific details about your choice/decision, Dr. Ornskov, take

## The Patent '813 Story, Part II -- Version 2

a look at the most updated version of the “IPR and Patent ‘813 Story” that now includes my “Dec. 15 counsel to counsel email” to you, “care of” Mr. Lucci and Mr. Haug: [http://www.4shared.com/download/odvHRLUmba/LCShireFLH\\_Public\\_Email\\_Recor.pdf?lgfp=3000](http://www.4shared.com/download/odvHRLUmba/LCShireFLH_Public_Email_Recor.pdf?lgfp=3000). For one, it’s striking how difficult your outside law firm of Frommer, Lawrence and Haug has made it for me to directly communicate to you, which is remarkable because any reasonable person in view of the “now public written record” would see that all its “behavioral, business, and legal evidence” make it **very obvious** that Shire and LCS Group each have the same final objective; however, each of our respective companies have different “means” of accomplishing it. Further, you’ll also see that since I first emailed you on Sept. 4, I’ve been writing the “IPR and Patent ‘813 Story” through its “email correspondence theater” so that its narrative would fit what I’ve so far written for the bigger and broader “Patent ‘813 Story” and, of course, to “teach” its reader -- albeit sometimes implicitly -- on “human behavior” and “group dynamics.”

In view of the now-publically-available “IPR and Patent ‘813 Story” (as updated through Dec. 15), it’s unmistakably in Shire’s shareholders interests for you, Dr. Ornskov, to understand that the “behavioral answers” to the following questions would be **highly obvious to any reasonable reader** in view of the “whole story” involving Shire, FLH and Patent ‘813:

**No. 1: The “Confidentiality Disclosure Agreement - ‘CDA.’”** What would have motivated Shire to enter into a “confidentiality disclosure agreement” with LCS Group (with an “effective date” of Oct. 24, 2013) to “facilitate the Parties’ discussions regarding a potential business opportunity involving U.S. Patent No. 8,318,813 and related patent applications,” and in which there was some meaningful progress between Shire’s “in-house counsel” and LCS Group’s “outside counsel” with talk of “deal structure,” only to then **unexpectedly** publically file an “*Inter Partes* review” on Patent ‘813 in May 2014 through its “outside counsel” arguing the “obviousness” and, therefore, “invalidity” of its claims? And why would Shire have filed its “**public** IPR petition” representing Patent ‘813’s “obviousness” and “invalidity” while still having a “**private** confidentiality disclosure agreement” in place with LCS Group to discuss “a potential business opportunity involving Patent ‘813 and related patent applications”?

**No. 2: The “timing” of the IPR.** Considering that Shire’s senior management (CEO, CFO, in-house counsel, senior medical director, among others) and FLH (Mr. Haug and Ms. Kuzmich) “as of Nov. 2012” (when Patent ‘813 was issued) **were made completely aware of Patent ‘813** (as evidenced in the “first chapter” of the “semi-public” written “Patent ‘813 Story”), what would have motivated Shire and FLH to file the company’s IPR petition **in May 2014** (rather than in 2013, for instance)? In other words, was “the timing” of Shire’s IPR filing motivated by something “other” than a legitimate position that Patent ‘813’s claims would have been “obvious” (and therefore “invalid”) to an MD/psychiatrist “as of Sept. ‘07”? And was that “IPR timing decision” related to Shire’s plan to file a “supplemental New Drug Application” (“sNDA”) in **Q3 2014** with “FDA-approval” expected some 5-9 months later? After all, Shire’s May 1 “First Quarter 2014 Results” involving representations from you, Dr. Ornskov, highlighted Shire’s “regulatory plan” for Vyvanse in the treatment of BED, including its expected “Q3 sNDA filing” and “2015 launch.” (slide 17).

**No. 3: The “IPR Trial Rate.”** Considering the Patent Trial and Appeal Board was granting “IPR petitions” (for trial) in whole, or in part, at nearly 90% by most “professional determinations,” did Shire pursue its IPR petition because it

## The Patent '813 Story, Part II -- Version 2

legitimately believed Patent '813's claims would have been "obvious" (and therefore "invalid") as represented in its IPR petition? --or, perhaps, because it believed it could leverage a "likely trial process" against LCS Group while it concurrently pursued its "sNDA filing" and "prospective FDA approval" for Patent '813's claimed method of treating Binge Eating Disorder with Vyvanse? Would Shire have been "additionally motivated" to pursue this "concurrent dual IPR--regulatory strategy" in view of the fact that (i) IPRs are "relatively expensive" and take time and (ii) LCS Group is a **one-man company with very limited financial resources** (as compared to Shire that had a market cap of \$33.5 Billion the day the IPR petition was filed)?

**No. 4: "The Declaration that Looks as if it Were Written by Lawyers."** As profiled against Dr. Brewerton's "prior art publications," why did his declaration appear as if written by lawyers? I, and "MD/psychiatrist colleagues" of mine, have provided declarations in patent matters and they look **very different** than Dr. Brewerton's declaration. **Specifically**, who (i.e., which law firm) helped Dr. Brewerton write his 100-page declaration testimony and what was their motivation for doing so?

**No. 5: "Ignoring the 'Additional IPR Analysis.'"** What would have motivated you, Dr. Ornskov, to "not want to see" the "additional analysis" on the IPR I offered to provide you in my Sept. 4 and Sept. 12 emails when I brought "to your attention serious problems with representations made on the public record by Shire's outside counsel and its declarant..." (Sept. 4 email) and even identified a few of them for you, including the "biggest representation problem of them all" (on which the Board ultimately made its decision to institute a trial) vis-à-vis "Surman and Biederman"? -- which, as the "now-public-IPR-written-record" shows, I warned you about.

**No. 6: "Re-directing LCS Group/I Back to the Problem, Shire's 'Outside Counsel' of Frommer, Lawrence and Haug."** When I brought "to your attention serious problems with representations made on the public record by Shire's outside counsel and its declarant..." on Sept. 4, why did you have Shire's outside counsel of FLH contact me (which they did on Sept. 4 via Ms. Kuzmich contacting attorney Lucci "outside my view")? And when I told you on Sept. 12 that FLH's "contacting me" was a problem "because FLH made the problematic representations on the public record to the Patent Trial and Appeal Board," why did you to have FLH contact me again (via Ms. Kuzmich's email of Sept. 15)?

**No. 7: "Complete Silence from You, Shire's CEO, on Shire's own Public (Problematic) Representations."** What motivated you, Dr. Ornskov, to stay **so completely silent on your company's own public problematic representations** when I emailed you those fives times before my Oct. 1 final decision? Surely, any reasonable person in view of the written record would see that you showed **no interest at all in trying to understand and investigate** the kinds of "problematic representations" your outside counsel of FLH and declarant Dr. Timothy Brewerton publically made to the Patent Board and public-at-large on behalf of Shire. As Shire's CEO, why would you seem to have no interest at all on this important matter of the company's "representation," especially with Vyvanse poised to be the "first ever" FDA-approved drug for Binge Eating Disorder according to Patent '813's claims?

Attached you will find a PDF of a revised press release that I have prepared in view of my Oct. 1 final decision involving my LDX-related IP. In the absence of any effort on your

## The Patent '813 Story, Part II -- Version 2

part to finally resolve Shire's **massive, highly obvious, and now-public IPR misrepresentation problem**, I will broadly publically issue this press release on **Tuesday, December 23**, which will include a "public access feature" (via web link) to some "new IP" from LCS Group. In this respect, I'm leaving you with the choice/decision as to how you/Shire would like to finally end the "IPR and Patent '813 Story" outside the IPR. After all, I've sufficiently developed my "new IP" since having made my final decision on Oct. 1 to best commercialize my "old IP" that is "Patent '813 and any that follow." I'm just leaving you as the "accountable executive" at Shire for making that choice/decision in a way that secures the company's best interests, namely, whether or not you would like the "IPR and Patent '813 Story" to finally end "outside the IPR" with lots of media, professional and general public attention. Surely, an extraordinary "real-life story" with all the remarkable "key dramatic elements" (including a potential blockbuster drug indication, and some "untoward legal behavior" from a number of lawyers) would certainly be a compelling way to bring much needed public attention to the art of eating disorder diagnosis and psychopharmacology (specifically BED with LDX) at a most critical time in eating disorder -- especially as its all "self-contained and easily accessible" on the internet for any reasonable person to read.

At this point in time, I do sincerely believe that I've provided you more than enough information on **how** to make a good decision on behalf of Shire so that you and Shire can **really** advance the art of treating "Binge Eating Disorder" with "lisdexamfetamine dimesylate" according to Patent '813's claimed methods of treatment.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: "Press Release Version 2.pdf"** (available for download at: [http://www.4shared.com/download/HXUIVU\\_Bce/Press\\_Release\\_Version\\_2.pdf?lgfp=3000](http://www.4shared.com/download/HXUIVU_Bce/Press_Release_Version_2.pdf?lgfp=3000))

**Sunday December 21, 2014:**

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: Final Decision  
**Date:** December 21, 2014 5:00:00 PM EST  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)

Dear Dr. Ornksov,

In view of my last communication to you, I can see that you made some "effort" to resolve Shire's IPR representation problem by having Mr. Haug request during Thursday's conference call that the Patent Board invalidate Patent '813. To this effect, I've decided to hold off on **broadly publically** issuing "Version 2" of the press release on Tuesday Dec. 23. However, let me say that I thought your "effort" wasn't very equitable or well-reasoned, nor did it require five lawyers from "your side" to be present. But nonetheless, it was "behaviorally highly productive," which is why I've decided to issue the press release on Dec. 26 in the absence of a complete and final resolution of the **"IPR problem."**

Let me also say that Shire's "collective counsel" **continues** its obvious misjudgments at a particularly sensitive time, as evidenced in the "Dec. 18 IPR conference call" when Mr. Haug sought to conceal important written evidence from the public-at-large, as evidenced by his

## The Patent '813 Story, Part II -- Version 2

request on behalf of Shire to expunge my prior Dec. 11 email to you. Any reasonable person would see this “cover up behavior” from a global pharmaceutical company “implemented by its heavily-manned outside counsel,” the implications of which couldn’t be any worse for Shire and its shareholders six weeks before Vyvanse’s Feb. 1 PDUFA date for the treatment of Binge Eating Disorder.

To this effect, I’ve **finally decided** that in the absence of Shire **completely and finally resolving** its “massive IPR problem” by **Thursday Dec. 25 at 5:00 AM EST** according to my Oct. 1 “final decision,” I will **broadly publically** issue “Version 3” of LCS Group’s press release **on Friday December 26**. Surely, whoever’s been attentively reading the “IPR and Patent ‘813 Story” (and looked at “Version 2’s” new edits) would understand that “Version 3” would feature a hyperlink to a downloadable PDF of the **most updated version of the “IPR and Patent ‘813 Story,”** including both this email and the last one I sent you “care of” Mr. Haug. Further, the press release would also establish a “public means and context” through which I could broadly share with other parties my two versions of “additional IPR analysis” that I offered to provide you on Sept. 4 and 12, and which arguably hold “the biggest surprise of them all” in the “IPR and Patent ‘813 Story” because of their highly unique contents that include, among other things, additional “profiling” and representations made by MD/psychiatrists that support the “IPR and Patent 813-related representations” which I’ve communicated to you.

This, of course, leads me to disclose the full details of my “final decision.” Please see the forwarded email below that I sent to myself at two of my email accounts, as well as to another unnamed party (as referenced in the email), on October 1 when I made my “final decision” involving “Patent ‘813 and any that follow.” The same time-stamped PDF as attached in that Oct. 1 email is also available by a [Box.com](https://app.box.com/s/wpnj13bxonvafobn0210) link (<https://app.box.com/s/wpnj13bxonvafobn0210>) in the event that the forwarded email attachment is stripped (i.e., for its size, email security reasons, etc...).

My **final decision** was/is very straightforward and speaks for itself. If you/Shire would like to do business with LCS Group and I, then you will need to fill in its self-explanatory blank spaces (as highlighted in gray) with the “Effective Date” **made today (“my time”), Sunday December 21, 2014**, and then return it to me via email in keeping with its clearly stated time-sensitive provisions. Please know that that under no circumstance will I accept any other date as the “Effective Date” for my final decision (as witnessed by the representation I’ve made in this email). Also, please know that **this email** has also been bcc’d to the same unnamed party as referenced in the forwarded Oct. 1 “Final Decision” email below, as well as to two “new parties” (at email addresses that represent their respective “institutional/company affiliations”).

By now, Dr. Ornskov, you ought to understand that it’s my “baseline behavior” to always give you/Shire a choice/decision for which you/Shire are made accountable. So please take note that if you/Shire decide to accept my Oct. 1 final decision as represented for its details in the email below (with its PDF attachment/link) and this email too, then you’ll need to make another **very critically important time-sensitive choice/decision**, namely, **when** you choose/decide to accept it **within** its “time-bound terms,” as “the timing” of your choice/decision will have very serious implications for Shire, its management, its shareholders and, of course, **most specifically for you, Dr. Ornskov**. This is what I’ve been trying to transparently communicate to you for some time now.

So you know, my wife is very ill. She is dying and it’s very important to me that she be made completely aware of how one real-life story finally ends so that another can begin, which I’ll regard as my “Patent ‘813-related” Christmas gift for her. Any reasonable person in view of the real-life narrative I’ve been writing for some time now would appreciate that this would be a fitting way to finally end the “IPR and Patent ‘813 Story” so that the “next chapter” of the bigger and

## The Patent '813 Story, Part II -- Version 2

broader "Patent '813 Story" can finally begin. And, of course, it would be a most fitting way to reveal the "Patent '813-related truth of the matter."

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Final Decision  
**Date:** October 1, 2014 5:00:00 PM EDT  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Cc:** [louiscsan@aol.com](mailto:louiscsan@aol.com)

Dear Dr. Ornskov,

I have made my final decision today, October 1, on how to best commercialize the '813 Patent and any that follow, as I had determined to do and so informed you on September 26 that I would. My final decision is attached in the time-stamped PDF below. I should also disclose to you that there is one party bcc'd on this particular email, unnamed here yet very important in helping me accomplish all my objectives since I first emailed you/Shire on September 4.

The rationale for my final decision is simple. I believe that I made Shire a very equitably-valued business proposal for my IP on four separate occasions in 2012, as communicated to various members of Shire's senior management/in-house counsel and/or FLH (i.e., my emails of Nov. 16, Nov. 19, Nov. 26, Dec. 10). My initial 2012 business proposal also featured the prospect of "doubling the value" of my IP through a second patent application for the claimed use of LDX dimesylate as an adjunctive treatment of Major Depressive Disorder, as assigned to Lucerne Biosciences (i.e., my email of Nov. 16 to Ed Haug of FLH, cc'ing Sandra Kuzmich of FLH and Peter Cicala of Shire). In view of key development/regulatory milestones since making my first business proposal to Shire in 2012 (when Shire had yet to even formally launch their Phase III LDX dimesylate/BED registrational program), I am confident that any reasonable healthcare investor/investment analyst would conservatively regard the financial value of my LDX dimesylate-related IP "as of today" to be at least equal to three-fold its proposed value to Shire "as of 2012."

However, I also believe that any reasonable person would value the '813 Patent and any that follow as only 1/3 of my "**composite IP portfolio as of today.**" Another "third" would be related to FLH's problematic IPR/declaration representations (as extensively characterized and evaluated for their implications). And the "last third" would be related to the problematic behavior of Shire's in-house counsel since I first communicated my invention to Mr. Cola on October 14, 2008, as transparently revealed across many communications over time that tell a very consistent and compelling story any reasonable person would appreciate for its meaning and significance. Collectively taken, this explains my reasoning for what I regard as the equitable financial terms of my final decision.

Of course, as I communicated to Shire and FLH on any number of occasions in 2012, the

## The Patent '813 Story, Part II -- Version 2

valuation of my IP could still increase substantially more than its "**current real-time equitable valuation**" (herein represented by the terms of my final decision). By very conservative forecasts, its financial value could still stand to increase by a measure of three-fold more over the terms of my final decision in but a very short span of time, which is why I have made every effort to inform you/Shire that the matters involving FLH's problematic IPR representations and the problematic behavior of Shire's in-house counsel are highly relevant to the interests of Shire shareholders and could pose serious risk to such interests, including potentially to the company's business partners and/or prospective acquirers. I have made every effort to be transparent to you about this matter and also be very discreet given its broad implications. And I have made every effort to be very fair in my final decision.

Thus, I have made my final decision on October 1 as I promised you I would. Now it is time for you, Dr. Ornskov, to make your final decision as Shire's CEO and the person ultimately accountable for how this matter is handled.

I do sincerely hope that you/Shire would finally decide to do business with me/LCS Group in the spirit of trust and cooperation. But as I hope you/Shire may by now fully appreciate, I've already made extensive preparations for how I would commercialize my IP in the event that you decide to perpetuate what has been a very longstanding problem involving Shire and my IP.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT

**ATTACHMENT: "Final Decision.pdf"** is available for download at:  
<https://app.box.com/s/wpnj13bxonvafobn0210>

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: [Fwd: Final Decision]  
**Date:** December 21, 2014 6:00:00 PM EST  
**To:** Joseph Lucci <[jlucchi@bakerlaw.com](mailto:jlucchi@bakerlaw.com)>

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: Final Decision  
**Date:** December 21, 2014 5:00:00 PM EST  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)

Dear Dr. Ornskov,

In view of my last communication to you, I can see that you made some "effort" to resolve Shire's IPR representation problem by having Mr. Haug request during Thursday's conference call that the Patent Board invalidate Patent '813. To this effect, I've decided to hold off on **broadly publically** issuing "Version 2" of the press release on Tuesday Dec. 23. However, let me say that I thought your "effort" wasn't very equitable or well-reasoned, nor did it require five lawyers from "your side" to be present. But nonetheless,

## The Patent '813 Story, Part II -- Version 2

it was “behaviorally highly productive,” which is why I’ve decided to issue the press release on Dec. 26 in the absence of a complete and final resolution of the **“IPR problem.”**

Let me also say that Shire’s “collective counsel” **continues** its obvious misjudgments at a particularly sensitive time, as evidenced in the “Dec. 18 IPR conference call” when Mr. Haug sought to conceal important written evidence from the public-at-large, as evidenced by his request on behalf of Shire to expunge my prior Dec. 11 email to you. Any reasonable person would see this “cover up behavior” from a global pharmaceutical company “implemented by its heavily-manned outside counsel,” the implications of which couldn’t be any worse for Shire and its shareholders six weeks before Vyvanse’s Feb. 1 PDUFA date for the treatment of Binge Eating Disorder.

To this effect, I’ve **finally decided** that in the absence of Shire **completely and finally resolving** its “massive IPR problem” by **Thursday Dec. 25 at 5:00 AM EST** according to my Oct. 1 “final decision,” I will **broadly publically** issue “Version 3” of LCS Group’s press release **on Friday December 26**. Surely, whoever’s been attentively reading the “IPR and Patent ‘813 Story” (and looked at “Version 2’s” new edits) would understand that “Version 3” would feature a hyperlink to a downloadable PDF of the **most updated version of the “IPR and Patent ‘813 Story,”** including both this email and the last one I sent you “care of” Mr. Haug. Further, the press release would also establish a “public means and context” through which I could broadly share with other parties my two versions of “additional IPR analysis” that I offered to provide you on Sept. 4 and 12, and which arguably hold “the biggest surprise of them all” in the “IPR and Patent ‘813 Story” because of their highly unique contents that include, among other things, additional “profiling” and representations made by MD/psychiatrists that support the “IPR and Patent 813-related representations” which I’ve communicated to you.

This, of course, leads me to disclose the full details of my “final decision.” Please see the forwarded email below that I sent to myself at two of my email accounts, as well as to another unnamed party (as referenced in the email), on October 1 when I made my “final decision” involving “Patent ‘813 and any that follow.” The same time-stamped PDF as attached in that Oct. 1 email is also available by a [Box.com](https://app.box.com/s/wpnj13bxonvafobn0210) link (<https://app.box.com/s/wpnj13bxonvafobn0210>) in the event that the forwarded email attachment is stripped (i.e., for its size, email security reasons, etc...).

My **final decision** was/is very straightforward and speaks for itself. If you/Shire would like to do business with LCS Group and I, then you will need to fill in its self-explanatory blank spaces (as highlighted in gray) with the “Effective Date” **made today (“my time”), Sunday December 21, 2014**, and then return it to me via email in keeping with its clearly stated time-sensitive provisions. Please know that that under no circumstance will I accept any other date as the “Effective Date” for my final decision (as witnessed by the representation I’ve made in this email). Also, please know that **this email** has also been bcc’d to the same unnamed party as referenced in the forwarded Oct. 1 “Final Decision” email below, as well as to two “new parties” (at email addresses that represent their respective “institutional/company affiliations”).

By now, Dr. Ornskov, you ought to understand that it’s my “baseline behavior” to always give you/Shire a choice/decision for which you/Shire are made accountable. So please take note that if you/Shire decide to accept my Oct. 1 final decision as represented for its details in the email below (with its PDF attachment/link) and this email too, then you’ll need to make another **very critically important time-sensitive choice/decision**, namely, **when** you choose/decide to accept it **within** its “time-bound terms,” as “the

## The Patent '813 Story, Part II -- Version 2

timing” of your choice/decision will have very serious implications for Shire, its management, its shareholders and, of course, **most specifically for you, Dr. Ornskov**. This is what I've been trying to transparently communicate to you for some time now.

So you know, my wife is very ill. She is dying and it's very important to me that she be made completely aware of how one real-life story finally ends so that another can begin, which I'll regard as my "Patent '813-related" Christmas gift for her. Any reasonable person in view of the real-life narrative I've been writing for some time now would appreciate that this would be a fitting way to finally end the "IPR and Patent '813 Story" so that the "next chapter" of the bigger and broader "Patent '813 Story" can finally begin. And, of course, it would be a most fitting way to reveal the "Patent '813-related truth of the matter."

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Final Decision  
**Date:** October 1, 2014 5:00:00 PM EDT  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Cc:** [louiscsan@aol.com](mailto:louiscsan@aol.com)

Dear Dr. Ornskov,

I have made my final decision today, October 1, on how to best commercialize the '813 Patent and any that follow, as I had determined to do and so informed you on September 26 that I would. My final decision is attached in the time-stamped PDF below. I should also disclose to you that there is one party bcc'd on this particular email, unnamed here yet very important in helping me accomplish all my objectives since I first emailed you/Shire on September 4.

The rationale for my final decision is simple. I believe that I made Shire a very equitably-valued business proposal for my IP on four separate occasions in 2012, as communicated to various members of Shire's senior management/in-house counsel and/or FLH (i.e., my emails of Nov. 16, Nov. 19, Nov. 26, Dec. 10). My initial 2012 business proposal also featured the prospect of "doubling the value" of my IP through a second patent application for the claimed use of LDX dimesylate as an adjunctive treatment of Major Depressive Disorder, as assigned to Lucerne Biosciences (i.e., my email of Nov. 16 to Ed Haug of FLH, cc'ing Sandra Kuzmich of FLH and Peter Cicala of Shire). In view of key development/regulatory milestones since making my first business proposal to Shire in 2012 (when Shire had yet to even formally launch their Phase III LDX dimesylate/BED registrational program), I am confident that any reasonable healthcare investor/investment analyst would conservatively regard the financial value of my LDX dimesylate-related IP "as of today" to be at least equal to three-fold its proposed value to Shire "as of 2012."

However, I also believe that any reasonable person would value the '813 Patent

## The Patent '813 Story, Part II -- Version 2

and any that follow as only 1/3 of my “*composite IP portfolio as of today.*” Another “third” would be related to FLH’s problematic IPR/declaration representations (as extensively characterized and evaluated for their implications). And the “last third” would be related to the problematic behavior of Shire’s in-house counsel since I first communicated my invention to Mr. Cola on October 14, 2008, as transparently revealed across many communications over time that tell a very consistent and compelling story any reasonable person would appreciate for its meaning and significance. Collectively taken, this explains my reasoning for what I regard as the equitable financial terms of my final decision.

Of course, as I communicated to Shire and FLH on any number of occasions in 2012, the valuation of my IP could still increase substantially more than its “*current real-time equitable valuation*” (herein represented by the terms of my final decision). By very conservative forecasts, its financial value could still stand to increase by a measure of three-fold more over the terms of my final decision in but a very short span of time, which is why I have made every effort to inform you/Shire that the matters involving FLH’s problematic IPR representations and the problematic behavior of Shire’s in-house counsel are highly relevant to the interests of Shire shareholders and could pose serious risk to such interests, including potentially to the company’s business partners and/or prospective acquirers. I have made every effort to be transparent to you about this matter and also be very discreet given its broad implications. And I have made every effort to be very fair in my final decision.

Thus, I have made my final decision on October 1 as I promised you I would. Now it is time for you, Dr. Ornskov, to make your final decision as Shire’s CEO and the person ultimately accountable for how this matter is handled.

I do sincerely hope that you/Shire would finally decide to do business with me/LCS Group in the spirit of trust and cooperation. But as I hope you/Shire may by now fully appreciate, I’ve already made extensive preparations for how I would commercialize my IP in the event that you decide to perpetuate what has been a very longstanding problem involving Shire and my IP.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT

**ATTACHMENT: “Final Decision.pdf”** is available for download at:  
<https://app.box.com/s/wpnj13bxonvafobn0210>

**Monday December 22, 2014:**

**From:** Lucci, Joseph  
**Sent:** Monday, December 22, 2014 8:32 AM  
**To:** Haug, Ed (EHaug@flhlaw.com)  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com); Farsiou, David  
**Subject:** FW: [Fwd: Final Decision]

## The Patent '813 Story, Part II -- Version 2

Ed,

Here's a communication that Dr. Sanfilippo has asked be passed on to Dr. Ornskov and Dr. Brewerton, as well as Ms. May, Mr. Harrington, and Mr. Banchik.

Joe

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgruopllc.com](mailto:lsanfilippo@lcsgruopllc.com)>  
**Subject:** Fwd: [Fwd: Final Decision]  
**Date:** December 21, 2014 6:00:00 PM EST  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgruopllc.com](mailto:lsanfilippo@lcsgruopllc.com)>  
**Subject:** Fwd: Final Decision  
**Date:** December 21, 2014 5:00:00 PM EST  
**To:** [lsanfilippo@lcsgruopllc.com](mailto:lsanfilippo@lcsgruopllc.com)

Dear Dr. Ornskov,

In view of my last communication to you, I can see that you made some "effort" to resolve Shire's IPR representation problem by having Mr. Haug request during Thursday's conference call that the Patent Board invalidate Patent '813. To this effect, I've decided to hold off on **broadly publically** issuing "Version 2" of the press release on Tuesday Dec. 23. However, let me say that I thought your "effort" wasn't very equitable or well-reasoned, nor did it require five lawyers from "your side" to be present. But nonetheless, it was "behaviorally highly productive," which is why I've decided to issue the press release on Dec. 26 in the absence of a complete and final resolution of the "**IPR problem.**"

Let me also say that Shire's "collective counsel" **continues** its obvious misjudgments at a particularly sensitive time, as evidenced in the "Dec. 18 IPR conference call" when Mr. Haug sought to conceal important written evidence from the public-at-large, as evidenced by his request on behalf of Shire to expunge my prior Dec. 11 email to you. Any reasonable person would see this "cover up behavior" from a global pharmaceutical company "implemented by its heavily-manned outside counsel," the implications of which couldn't be any worse for Shire and its shareholders six weeks before Vyvanse's Feb. 1 PDUFA date for the treatment of Binge Eating Disorder.

To this effect, I've **finally decided** that in the absence of Shire **completely and finally resolving** its "massive IPR problem" by **Thursday Dec. 25 at 5:00 AM EST** according to my Oct. 1 "final decision," I will **broadly publically** issue "Version 3" of LCS Group's press release **on Friday December 26**. Surely, whoever's been attentively reading the "IPR and Patent '813 Story" (and looked at "Version 2's" new edits) would understand that "Version 3" would feature a hyperlink to a downloadable PDF of the **most updated version of the "IPR and Patent '813 Story,"** including both this email and the last one I sent you "care of" Mr. Haug. Further, the press release would also establish a "public means and context" through which I could broadly share with other parties my two versions of "additional IPR analysis" that I offered to provide you on Sept. 4 and 12, and which arguably hold "the biggest surprise of them all" in the "IPR and Patent '813 Story" because of their highly unique contents that include, among other things, additional "profiling" and representations

## The Patent '813 Story, Part II -- Version 2

made by MD/psychiatrists that support the "IPR and Patent 813-related representations" which I've communicated to you.

This, of course, leads me to disclose the full details of my "final decision." Please see the forwarded email below that I sent to myself at two of my email accounts, as well as to another unnamed party (as referenced in the email), on October 1 when I made my "final decision" involving "Patent '813 and any that follow." The same time-stamped PDF as attached in that Oct. 1 email is also available by a [Box.com](https://app.box.com/s/wpnj13bxonvafobn0210) link (<https://app.box.com/s/wpnj13bxonvafobn0210>) in the event that the forwarded email attachment is stripped (i.e., for its size, email security reasons, etc...).

My **final decision** was/is very straightforward and speaks for itself. If you/Shire would like to do business with LCS Group and I, then you will need to fill in its self-explanatory blank spaces (as highlighted in gray) with the "Effective Date" **made today ("my time"), Sunday December 21, 2014**, and then return it to me via email in keeping with its clearly stated time-sensitive provisions. Please know that that under no circumstance will I accept any other date as the "Effective Date" for my final decision (as witnessed by the representation I've made in this email). Also, please know that **this email** has also been bcc'd to the same unnamed party as referenced in the forwarded Oct. 1 "Final Decision" email below, as well as to two "new parties" (at email addresses that represent their respective "institutional/company affiliations").

By now, Dr. Ornskov, you ought to understand that it's my "baseline behavior" to always give you/Shire a choice/decision for which you/Shire are made accountable. So please take note that if you/Shire decide to accept my Oct. 1 final decision as represented for its details in the email below (with its PDF attachment/link) and this email too, then you'll need to make another **very critically important time-sensitive choice/decision**, namely, **when** you choose/decide to accept it **within** its "time-bound terms," as "the timing" of your choice/decision will have very serious implications for Shire, its management, its shareholders and, of course, **most specifically for you, Dr. Ornskov**. This is what I've been trying to transparently communicate to you for some time now.

So you know, my wife is very ill. She is dying and it's very important to me that she be made completely aware of how one real-life story finally ends so that another can begin, which I'll regard as my "Patent '813-related" Christmas gift for her. Any reasonable person in view of the real-life narrative I've been writing for some time now would appreciate that this would be a fitting way to finally end the "IPR and Patent '813 Story" so that the "next chapter" of the bigger and broader "Patent '813 Story" can finally begin. And, of course, it would be a most fitting way to reveal the "Patent '813-related truth of the matter."

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Final Decision  
**Date:** October 1, 2014 5:00:00 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)

Cc: [louiscsan@aol.com](mailto:louiscsan@aol.com)

Dear Dr. Ornskov,

I have made my final decision today, October 1, on how to best commercialize the '813 Patent and any that follow, as I had determined to do and so informed you on September 26 that I would. My final decision is attached in the time-stamped PDF below. I should also disclose to you that there is one party bcc'd on this particular email, unnamed here yet very important in helping me accomplish all my objectives since I first emailed you/Shire on September 4.

The rationale for my final decision is simple. I believe that I made Shire a very equitably-valued business proposal for my IP on four separate occasions in 2012, as communicated to various members of Shire's senior management/in-house counsel and/or FLH (i.e., my emails of Nov. 16, Nov.19, Nov. 26, Dec. 10). My initial 2012 business proposal also featured the prospect of "doubling the value" of my IP through a second patent application for the claimed use of LDX dimesylate as an adjunctive treatment of Major Depressive Disorder, as assigned to Lucerne Biosciences (i.e., my email of Nov. 16 to Ed Haug of FLH, cc'ing Sandra Kuzmich of FLH and Peter Cicala of Shire). In view of key development/regulatory milestones since making my first business proposal to Shire in 2012 (when Shire had yet to even formally launch their Phase III LDX dimesylate/BED registrational program), I am confident that any reasonable healthcare investor/investment analyst would conservatively regard the financial value of my LDX dimesylate-related IP "as of today" to be at least equal to three-fold its proposed value to Shire "as of 2012."

However, I also believe that any reasonable person would value the '813 Patent and any that follow as only 1/3 of my "**composite IP portfolio as of today.**" Another "third" would be related to FLH's problematic IPR/declaration representations (as extensively characterized and evaluated for their implications). And the "last third" would be related to the problematic behavior of Shire's in-house counsel since I first communicated my invention to Mr. Cola on October 14, 2008, as transparently revealed across many communications over time that tell a very consistent and compelling story any reasonable person would appreciate for its meaning and significance. Collectively taken, this explains my reasoning for what I regard as the equitable financial terms of my final decision.

Of course, as I communicated to Shire and FLH on any number of occasions in 2012, the valuation of my IP could still increase substantially more than its "**current real-time equitable valuation**" (herein represented by the terms of my final decision). By very conservative forecasts, its financial value could still stand to increase by a measure of three-fold more over the terms of my final decision in but a very short span of time, which is why I have made every effort to inform you/Shire that the matters involving FLH's problematic IPR representations and the problematic behavior of Shire's in-house counsel are highly relevant to the interests of Shire shareholders and could pose serious risk to such interests, including potentially to the company's business partners and/or prospective

## The Patent '813 Story, Part II -- Version 2

acquirers. I have made every effort to be transparent to you about this matter and also be very discreet given its broad implications. And I have made every effort to be very fair in my final decision.

Thus, I have made my final decision on October 1 as I promised you I would. Now it is time for you, Dr. Ornskov, to make your final decision as Shire's CEO and the person ultimately accountable for how this matter is handled.

I do sincerely hope that you/Shire would finally decide to do business with me/LCS Group in the spirit of trust and cooperation. But as I hope you/Shire may by now fully appreciate, I've already made extensive preparations for how I would commercialize my IP in the event that you decide to perpetuate what has been a very longstanding problem involving Shire and my IP.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT

**ATTACHMENT: "Final Decision.pdf"** is available for download at:  
<https://app.box.com/s/wpnj13bxonvafobn0210>

**From:** Haug, Ed [mailto:EHaug@flhlaw.com]  
**Sent:** Monday, December 22, 2014 12:43 PM  
**To:** Lucci, Joseph  
**Cc:** Kuzmich, Sandra  
**Subject:** FW: [Fwd: Final Decision]

Joe

You have attached an option agreement apparently signed October 1, 2014 by your client and a license agreement. Why are you sending this to me? The PTAB was clear that any further communications must be from you and not your client. Merely being a conduit to pass along a document is not proper and does not comply with the directive from the PTAB. I also do not think it appropriate for me to take instruction from you or your client as to whom I should pass anything to. Ed

**From:** Lucci, Joseph  
**Sent:** Monday, December 22, 2014 5:36 PM  
**To:** 'Haug, Ed'  
**Cc:** Kuzmich, Sandra; Farsiou, David  
**Subject:** RE: [Fwd: Final Decision]

Ed

I don't believe that what I sent you is in any way inconsistent with the directions that we received from the PTAB.

## The Patent '813 Story, Part II -- Version 2

Also, neither I nor my client gave you any instruction. What I did was send you a business proposition for your client to consider. What you do with it is your decision.

Joe

**From:** "Haug, Ed" <EHaug@flhlaw.com>  
**Date:** Dec 22, 2014 6:50 PM  
**Subject:** Re: [Fwd: Final Decision]  
**To:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Cc:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>, "Farsiou, David" <DFarsiou@bakerlaw.com>

We believe what you and your client did directly violates the ruling of the PTAB and is sanctionable. What your client sent is preposterous as you well know from when we met before the IPR was filed much less granted. Please request that your client stop trying to communicate with Shire, it's counsel and third party experts. Thank you. Ed

Sent from my iPhone

### **Tuesday December 23, 2014:**

US Patent Trial and Appeal Board's "**Order Conduct of the Proceeding,**" as made in IPR 2014-00739, is available in PDF for download at: <http://www.4shared.com/download/2wt1Lltzce/notice-14.pdf?lgfp=3000>

**From:** Lucci, Joseph  
**Sent:** Tuesday, December 23, 2014 9:34 AM  
**To:** 'Haug, Ed'  
**Cc:** Kuzmich, Sandra; Farsiou, David  
**Subject:** RE: [Fwd: Final Decision]

Ed,

I communicated to you a settlement proposal for you to communicate to your client. That is entirely consistent with the PTAB ruling.

Dr. Sanfilippo is simply offering Shire consideration of a business opportunity before he broadly publicizes it on Friday with his press release. Regarding your claim that his proposal is "preposterous," he believes his terms for the business opportunity are a bargain for Shire considering all that's been made publically available for prospective investors since he made his final decision on Oct. 1, which now includes the Dec. 11 expunged email and the context it provides.

Joe

**From:** Arbuiso, Nicole [<mailto:NArbuiso@flhlaw.com>] **On Behalf Of** Haug, Ed  
**Sent:** Tuesday, December 23, 2014 3:48 PM  
**To:** Lucci, Joseph  
**Cc:** Kuzmich, Sandra

## The Patent '813 Story, Part II -- Version 2

**Subject:** RE: [Fwd: Final Decision]  
**Importance:** High

Joe,

We disagree that your communication forwarding Dr. Sanfilippo's emails was consistent with the PTAB ruling. We intend to seek sanctions regarding yet another violation of a PTAB order.

Further, from your email of this morning, it appears you are confirming that Dr. Sanfilippo plans to issue a press release this Friday, December 26<sup>th</sup>, in which he will provide a link to his numerous harassing e-mails to Shire and others. We strongly urge that Dr. Sanfilippo refrain from further publishing these communications, which contain threatening and libelous statements that are tortious when publically disseminated. Please be on notice that FLH, Shire, and Dr. Brewerton are considering all potential options, including legal action against you as well as your client. We consider the actions taken by your client and you as very serious matters.

Ed

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Tuesday, December 23, 2014 3:56 PM  
**To:** [trials@uspto.gov](mailto:trials@uspto.gov)  
**Cc:** Farsiou, David; Lucci, Joseph; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com); Haug, Ed  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813)

IPR2014-00739 (U.S. Patent No. 8,318,813)

Petitioner: Shire Development LLC  
Patent Owner: LCS Group, LLC  
Assigned Trial Paralegal: Althea Wilburn  
Designated Administrative Patent Judge: Lora Green

Petitioner respectfully requests authorization or, at the Board's earliest convenience, a conference call to seek authorization to (1) include a discussion of additional misconduct by Patent Owner in Petitioner's Motion for Sanctions to be filed on December 29, 2014, and (2) increase the page limit of the motion to ten pages to accommodate this additional discussion. Patent Owner violated the Board's directive from the December 18, 2014 teleconference that required any communication from Patent Owner to Petitioner or Petitioner's representatives regarding this proceeding to be signed by Patent Owner's counsel of record. This directive was memorialized in the Board's Order entered on December 23, 2014 (Paper 14). In contravention of the Board's instructions, Patent Owner's counsel, Mr. Lucci, merely forwarded email communications from Dr. Sanfilippo that were not signed by Patent Owner's counsel of record as required by the Order. Mr. Lucci forwarded these email communications to Petitioner's counsel of record, with a request that they simply be passed along to Petitioner's employees and expert declarant, Dr. Brewerton. Yet again, these emails from Dr. Sanfilippo are inflammatory, containing unfounded allegations that Mr. Haug, lead counsel for Petitioner, "sought to conceal important written evidence from the public-at-large," and that Petitioner has engaged in "cover up behavior."

We look forward to hearing from the Board at its earliest convenience.

Respectfully submitted,

## The Patent '813 Story, Part II -- Version 2

Sandra Kuzmich  
Counsel for Petitioner

**From:** Lucci, Joseph  
**Sent:** Tuesday, December 23, 2014 5:46 PM  
**To:** [trials@uspto.gov](mailto:trials@uspto.gov)  
**Cc:** 'Kuzmich, Sandra'; Haug, Ed; Farsiou, David  
**Subject:** RE: IPR2014-00739 (U.S. Patent No. 8,318,813)

Petitioner's counsel has provided a misleading and self-serving characterization of the settlement email that counsel for Patent Owner recently sent to counsel for Petitioner. Attached hereto is a copy of that email, along with subsequent, related communications between the parties' respective counsel.

Respectfully submitted,

Joseph Lucci  
Counsel for Patent Owner

**ATTACHMENT: "Settlement Email String.pdf"** (available for download at:  
[http://www.4shared.com/download/BsZVtbZece/Settlement\\_Email\\_String.pdf?lgfp=3000](http://www.4shared.com/download/BsZVtbZece/Settlement_Email_String.pdf?lgfp=3000))

**Friday December 26, 2014 at 6:00 AM EST:**

### **LCS Therapeutics and Lucerne Biosciences to Commercialize '813 Patent for Lisdexamfetamine Dimesylate in the Treatment of Binge Eating Disorder**

NEW HAVEN, Conn., Dec. 26, 2014 /PRNewswire/ -- LCS Therapeutics announced today that it has entered into a strategic collaboration with Lucerne Biosciences, LLC ("Lucerne Biosciences") to commercialize U.S. Patent No. 8,318,813 entitled "Method of Treating Binge Eating Disorder." Patent '813 features claims that encompass the use of the amphetamine prodrug lisdexamfetamine dimesylate (l-lysine-d-amphetamine) alone, or in combination with other pharmacologic therapies, for the treatment of Binge Eating Disorder (BED) according to its current diagnostic criteria in the *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-V®)*.

"This strategic collaboration with Lucerne Biosciences marks an important step forward in bringing much needed public attention to the diagnosis and treatment of BED. BED is a serious eating disorder currently without any FDA-approved medication treatments and for which, unfortunately, there have been many public misconceptions. Developing safe and effective treatments for eating disorders more generally, and for BED in particular, continues to be a critically important unmet need long-recognized in the medical community," said Louis Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

M.D., CEO of LCS Therapeutics.

"Recent studies show that between 2 to 3% of the U.S. population will suffer from BED at some point in their lifetime and many of these patients will have a chronic course of symptoms with significant burdens to their emotional and physical health," said Dr. Sanfilippo, who also is a voluntary faculty member at Yale University School of Medicine and teaches psychopharmacology to psychiatry residents.

### **About LCS Group, LLC (D/B/A LCS Therapeutics) and Lucerne Biosciences, LLC**

LCS Therapeutics is a privately-held pharmaceutical development company founded to provide safer, more effective drug treatments for patients suffering from psychiatric disorders by discovering novel uses and reformulations of clinically validated drugs. The company's therapeutic focus has been the treatment of mood and eating disorders with pharmacologic therapies that selectively modulate the brain's reward system. Lucerne Biosciences is a privately-held pharmaceutical development company previously engaged in the development of novel pharmacologic treatments for Major Depressive Disorder.

### **About BED**

BED is a recognized eating disorder in the DSM-V® characterized by eating unusually large amounts of food in a discrete period of time (i.e., within a 2 hour period) and a sense of lack of control over eating during the episode. Binge eating episodes in BED are also associated with at least three (or more) of the following: eating much more rapidly than normal; eating until feeling uncomfortably full; eating large amounts of food when not feeling physically hungry; eating alone because of being embarrassed by how much one is eating; feeling disgusted with oneself, depressed or very guilty after overeating. Marked distress regarding the binge eating is also present and the binge eating occurs, on average, at least once a week for 3 months. In addition, binge eating does not occur exclusively during the course of bulimia nervosa or anorexia nervosa.

### **About Lisdexamfetamine Dimesylate**

Lisdexamfetamine dimesylate (l-lysine-d-amphetamine) is an amphetamine prodrug approved in the United States for the treatment of Attention-Deficit/Hyperactivity Disorder (ADHD). Lisdexamfetamine dimesylate is not approved by the Food and Drug Administration (FDA) for the treatment of BED. Based on the Prescription Drug User Fee Act (PDUFA) and the FDA's recent priority review acceptance of a supplemental New Drug Application (sNDA) for the use of lisdexamfetamine dimesylate in the treatment of BED in adults, the FDA is expected to make a decision for this novel use of the drug in February 2015. The use of any prescription medication including lisdexamfetamine dimesylate, alone or in combination with other medications, should be done under close medical supervision.

### **Inquires/Business Development**

Inquiries regarding LCS Therapeutics' intellectual property and/or its strategic collaboration with Lucerne Biosciences, including investment opportunities and/or strategic collaborations regarding the '813 Patent (or pending patent applications), can be emailed to: [info@lcsgrupp.com](mailto:info@lcsgrupp.com). Supplemental information regarding the '813 Patent's claimed methods of treating Binge Eating Disorder with lisdexamfetamine dimesylate and related investment opportunities can be found at: [http://www.4shared.com/download/Zq7FJwCAba/Supplemental\\_Information\\_US\\_Pa.pdf?lgfp=3000](http://www.4shared.com/download/Zq7FJwCAba/Supplemental_Information_US_Pa.pdf?lgfp=3000).

Media Contact:

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
Phone: 203-362-8919

U.S. Patent No. 8,318,813/Method of Treating Binge Eating Disorder

<http://www.lcsgroupllc.com>

SOURCE LCS Group, LLC

### **Monday December 29, 2014:**

Shire Development LLC's "**Petitioner's Motion for Sanctions**", as filed in IPR2014-00739, is available in PDF for download at: <http://www.4shared.com/download/i2Hs48k-ba/motion-15.pdf?lgfp=3000>

### **Wednesday January 7, 2015:**

**Voice Message left for Louis Sanfilippo at 10:43 AM EST** (in wav audio file) is available at: [http://www.4shared.com/download/w2mvJJZNce/1715\\_at\\_1043\\_AM\\_EST\\_VM\\_for\\_LCS.wav?lgfp=3000](http://www.4shared.com/download/w2mvJJZNce/1715_at_1043_AM_EST_VM_for_LCS.wav?lgfp=3000)

LCS Group's LLC "**Opposition to Petitioner's Motion For Sanctions,**" as filed in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/sJZsG5oice/opposition-16.pdf?lgfp=3000>

**From:** Blumer, Kara R.  
**Sent:** Wednesday, January 07, 2015 4:19 PM  
**To:** [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Cc:** Lucci, Joseph; Farsiou, David; Rick, Michelle  
**Subject:** Shire Development LLC v. LCS Group, LLC, Case IPR2014-00739

Counsel,

Attached please find LCS Group, LLC's Opposition to Petitioner's Motion for Sanctions as filed on today's date with respect to the above entitled matter.

Best,  
Kara

**ATTATCHMENT: "2015-01-07-LCS-Opposition Motion for Sanctions, Paper 16.pdf"**  
(available for download at: [http://www.4shared.com/download/d3\\_rOJIQce/2015-01-07-LCS-Opposition\\_Moti.pdf?lgfp=3000](http://www.4shared.com/download/d3_rOJIQce/2015-01-07-LCS-Opposition_Moti.pdf?lgfp=3000))

### **Tuesday January 13, 2015:**

**Voice Message left for Louis Sanfilippo at 10:54 AM EST** (in wav audio file) is available at: [http://www.4shared.com/download/z8HhSia6ce/11315\\_at\\_1054\\_AM\\_EST\\_VM\\_for\\_LC.wav?lgfp=3000](http://www.4shared.com/download/z8HhSia6ce/11315_at_1054_AM_EST_VM_for_LC.wav?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

### **Sunday January 18, 2015:**

**The Death of Tina Passalaris Sanfilippo** (wife of the '813 Patent's Inventor), as announced in her obituary later published in **The New Haven Register** on January 21, 2015, which is available in PDF at: [http://www.4shared.com/download/ZFXEjLCbce/TINA\\_SANFILIPPO\\_Obituary\\_-\\_New.pdf?lgfp=3000](http://www.4shared.com/download/ZFXEjLCbce/TINA_SANFILIPPO_Obituary_-_New.pdf?lgfp=3000)

### **Tuesday January 20, 2015:**

**Voice Message left for Louis Sanfilippo at 5:10 PM EST** (in wav audio file) is available at: [http://www.4shared.com/download/cBDYC3kMba/12015\\_at\\_510\\_PM\\_EST\\_VM\\_for\\_LCS.wav?lgfp=3000](http://www.4shared.com/download/cBDYC3kMba/12015_at_510_PM_EST_VM_for_LCS.wav?lgfp=3000)

### **Monday January 26, 2015:**

**Voice Message left for Louis Sanfilippo at 6:42 PM EST** (in wav audio file) is available at: [http://www.4shared.com/download/GLBd5gFDce/12615\\_at\\_642\\_PM\\_EST\\_VM\\_for\\_LCS.wav?lgfp=3000](http://www.4shared.com/download/GLBd5gFDce/12615_at_642_PM_EST_VM_for_LCS.wav?lgfp=3000)

### **Tuesday January 27, 2015:**

Lucerne Biosciences, LLC's **"Supplemental Mandatory Notices,"** as filed in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/G7KxsfGeba/notice-17.pdf?lgfp=3000>

Lucerne Biosciences, LLC's **"Power of Attorney,"** as filed in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/ILNRDfvhba/notice-18.pdf?lgfp=3000>

Lucerne Biosciences, LLC's **"Patent Owner's Response to Petition,"** as filed in IPR 2014-00739, is available in PDF format at: <http://www.4shared.com/download/YcK1uKh1ba/opposition-19.pdf?lgfp=3000>

### **Friday January 30, 2015:**

FDA News Release, **"FDA expands use of Vyvanse to treat binge-eating disorder,"** is available in PDF at: [http://www.4shared.com/download/CUc7q\\_iKba/Press\\_Announcements\\_\\_\\_FDA\\_expa.pdf?lgfp=3000](http://www.4shared.com/download/CUc7q_iKba/Press_Announcements___FDA_expa.pdf?lgfp=3000)

Shire Plc's Press Release, **"Vyvanse (lisdexamfetamine dimesylate) Capsules (CII) Becomes First and Only Treatment Approved by the FDA for Adults with Moderate to Severe Binge Eating Disorder,"** is available in PDF at: [http://www.4shared.com/download/\\_flhlgSyba/vyvanse-b-e-d-in-adults-approv.pdf?lgfp=3000](http://www.4shared.com/download/_flhlgSyba/vyvanse-b-e-d-in-adults-approv.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

Shire US Inc.'s **Revised Vyvanse Package Insert** (featuring treatment of Binge Eating Disorder) is available in PDF at:  
[http://www.4shared.com/download/\\_YRPSKe7ba/Vyvanse\\_USA\\_ENG.pdf?lgfp=3000](http://www.4shared.com/download/_YRPSKe7ba/Vyvanse_USA_ENG.pdf?lgfp=3000)

### **Monday February 2, 2015:**

Philadelphia Business Journal's **"Binge eating disorder drug made locally gets FDA approval"** is available in PDF at:  
[http://www.4shared.com/download/MGO2CGb3ce/Shires\\_drug\\_Vyvanse\\_gets\\_FDA\\_a.pdf?lgfp=3000](http://www.4shared.com/download/MGO2CGb3ce/Shires_drug_Vyvanse_gets_FDA_a.pdf?lgfp=3000)

London Evening Standard's **"Market Report: Shire gets a shot in arm as US gives Vyvanse drug the thumbs up"** is available in PDF at:  
[http://www.4shared.com/download/s2m6ZK48ce/Evening\\_Standard\\_2015-02-02.pdf?lgfp=3000](http://www.4shared.com/download/s2m6ZK48ce/Evening_Standard_2015-02-02.pdf?lgfp=3000)

Medical Marketing and Media's **"Education efforts key to Vyvanse success in BED, analyst says"** is available in PDF at:  
[http://www.4shared.com/download/DqrsDQExce/MMM\\_\\_Education\\_efforts\\_key\\_to\\_.pdf?lgfp=3000](http://www.4shared.com/download/DqrsDQExce/MMM__Education_efforts_key_to_.pdf?lgfp=3000)

The Epoch Times' **"FDA Approves New Drug for Binge Eating Disorder (BED)"** is available in PDF at: [http://www.4shared.com/download/P27ZNB-Pba/FDA\\_Approves\\_New\\_Drug\\_for\\_Bing.pdf?lgfp=3000](http://www.4shared.com/download/P27ZNB-Pba/FDA_Approves_New_Drug_for_Bing.pdf?lgfp=3000)

### **Tuesday February 3, 2015:**

Shire Plc's Press Release, **"Tennis Star Monica Seles Partners with Shire to Raise Awareness for Binge Eating Disorder in Adults,"** is available in PDF at:  
<http://www.4shared.com/download/S1rSURlIce/S03823-BED-consumer-dse-launch.pdf?lgfp=3000>

WebMD's **"Binge Eating Disorder Drug Vyvanse: FAQ"** is available in PDF at:  
[http://www.4shared.com/download/yVByrjqeba/Web\\_MD\\_New\\_Binge-Eating\\_Disord.pdf?lgfp=3000](http://www.4shared.com/download/yVByrjqeba/Web_MD_New_Binge-Eating_Disord.pdf?lgfp=3000)

Telegraph's **"Shire hyperactivity drug approved as treatment for binge-eating"** is available in PDF in at: [http://www.4shared.com/download/OB60Jp3Oce/Telegraph\\_Media\\_Group\\_2015-02-.pdf?lgfp=3000](http://www.4shared.com/download/OB60Jp3Oce/Telegraph_Media_Group_2015-02-.pdf?lgfp=3000)

**From:** "Farsiou, David" <DFarsiou@bakerlaw.com>  
**Subject:** IPR2014-00739: Authorization Request  
**Date:** February 3, 2015 11:50:14 AM EST  
**To:** "trials@uspto.gov" <trials@uspto.gov>  
**Cc:** "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>, "Lucci, Joseph" <JLucci@bakerlaw.com>, "Rick, Michelle" <MRick@bakerlaw.com>

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC  
Assigned Trial Paralegal: Althea Wilburn

## The Patent '813 Story, Part II -- Version 2

Designated Administrative Patent Judge: Lora Green

Patent Owner respectfully requests authorization or, at the Board's earliest convenience, a conference call to seek authorization, to file a motion pursuant to 37 C.F.R. 42.123 to submit supplemental information that was not available when Patent Owner filed its response and is relevant to the patentability of the claims under review.

Regards,

David Farsiou  
Attorney for Patent Owner

**Wednesday February 4, 2015:**

"Third Party Protestor's" "**Protest under C.F.R. 1.291,**" as filed with the US Patent & Trademark Office c/o "FROMMER LAWRENCE & HAUG LLP" against (Lucerne Biosciences LLC's) **U.S. Patent Application 14/464,249 "Method of Treating Binge Eating Disorder"** (which stems from U.S. Patent 8,318,813 "**Method of Treating Binge Eating Disorder**"), is available in PDF for download at: [http://www.4shared.com/download/f5v5-BIUba/Protest\\_under\\_37\\_CFR\\_1291.pdf?lgfp=3000](http://www.4shared.com/download/f5v5-BIUba/Protest_under_37_CFR_1291.pdf?lgfp=3000)

**Thursday February 5, 2015:**

**From:** "Taylor, Tonya" <totaylor@shire.com>  
**Subject:** Meeting Request: Shire MSL  
**Date:** February 5, 2015 10:55:08 AM EST  
**To:** "louis.sanfilippo@yale.edu" <louis.sanfilippo@yale.edu>

Dear Dr. Sanfilippo,

My name is Tonya Taylor, and I'm the new medical science liaison for CT. I am currently based out of Stamford, but would enjoy the opportunity to meet with you in person in order to understand your point of view regarding ADHD and the concerns of patients with this condition, especially in the adult population. I understand that you also treat eating disorders as well, and I would like to learn your thoughts on binge eating disorder as well. Would you be available for a 30- minute meeting during the weeks of either February 17<sup>th</sup> or 23<sup>rd</sup>? If neither of those weeks work for you, I am also available in March.

If you prefer I collaborate through an assistant please let me know.

Thank you and I look forward to meeting you soon.

Sincerely,  
Tonya

Tonya Taylor, Ph.D.  
Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**

**Friday February 6, 2015:**

International Business Times' "**Binge Eating Disorder: Vyvanse, Controversial ADHD**

## The Patent '813 Story, Part II -- Version 2

**Medical, Approved by FDA** is available in PDF at:  
[http://www.4shared.com/download/yfvIqsauce/Binge-Eating\\_Disorder\\_Drug\\_\\_Vy.pdf?lgfp=3000](http://www.4shared.com/download/yfvIqsauce/Binge-Eating_Disorder_Drug__Vy.pdf?lgfp=3000)

Shire US Inc.'s website, "**www.vyvanse.com**" (as represented for its updated content "as of February 2015" for the treatment of BED), is available in PDF at:  
[http://www.4shared.com/download/Ne0CvwEvce/wwwvyvansecom\\_\\_February\\_2015.pdf?lgfp=3000](http://www.4shared.com/download/Ne0CvwEvce/wwwvyvansecom__February_2015.pdf?lgfp=3000)

**Voice Message left for Louis Sanfilippo at 11:01 AM EST** (in wav audio file) is available at:  
[http://www.4shared.com/download/k0YMP8x5ba/2615\\_at\\_1101\\_AM\\_EST\\_VM\\_for\\_LCS.wav?lgfp=3000](http://www.4shared.com/download/k0YMP8x5ba/2615_at_1101_AM_EST_VM_for_LCS.wav?lgfp=3000)

### **Tuesday February 10, 2015:**

**From:** Kattula, Amy [<mailto:Amy.Kattula@USPTO.GOV>]  
**Sent:** Tuesday, February 10, 2015 7:13 AM  
**To:** [EHaug@flhlaw.com](mailto:EHaug@flhlaw.com); [SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com); [LFanelli@flhlaw.com](mailto:LFanelli@flhlaw.com); [RGarman@flhlaw.com](mailto:RGarman@flhlaw.com); Lucci, Joseph; Farsiou, David  
**Subject:** **IPR2014-00739: Authorization Request -Conference call on 2/11/15 at 9:30 a.m. Eastern - Dial-in info.**

Dial-in #  
**STRIPPED**

Passcode  
**STRIPPED**

**From:** Lucci, Joseph  
**Sent:** Tuesday, February 10, 2015 9:31 AM  
**To:** 'Kattula, Amy'; [EHaug@flhlaw.com](mailto:EHaug@flhlaw.com); [SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com); [LFanelli@flhlaw.com](mailto:LFanelli@flhlaw.com); [RGarman@flhlaw.com](mailto:RGarman@flhlaw.com); Farsiou, David  
**Subject:** **RE: IPR2014-00739: Authorization Request -Conference call on 2/11/15 at 9:30 a.m. Eastern - Dial-in info.**

Ms. Kattula

Thank you for forwarding the conference call information. Unfortunately, counsel for Patent Owner is scheduled to be on a flight at the scheduled time. Patent Owner therefore respectfully requests that the Board provide another time when it would be able to conduct the conference call.

Joe Lucci

**From:** Kattula, Amy  
**Sent:** Tuesday, February 10, 2015 9:54 AM  
**To:** 'Lucci, Joseph'; [EHaug@flhlaw.com](mailto:EHaug@flhlaw.com); [SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com); [LFanelli@flhlaw.com](mailto:LFanelli@flhlaw.com); [RGarman@flhlaw.com](mailto:RGarman@flhlaw.com); Farsiou, David  
**Subject:** **RE: IPR2014-00739: Authorization Request -Conference call on 2/11/15 at 9:30 a.m. Eastern - Dial-in info.**

## The Patent '813 Story, Part II -- Version 2

I am checking with the panel –I'll let you know when I hear back.

### **Wednesday February 11, 2015:**

**From:** Kattula, Amy [mailto: Amy.Kattula@USPTO.GOV]  
**Sent:** Wednesday, February 11, 2015 1:03 PM  
**To:** Lucci, Joseph; [EHaug@flhlaw.com](mailto:EHaug@flhlaw.com); [SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com); [LFanelli@flhlaw.com](mailto:LFanelli@flhlaw.com); [RGarman@flhlaw.com](mailto:RGarman@flhlaw.com); Farsiou, David  
**Subject:** RE: IPR2014-00739: Authorization Request -Conference call on 2/17 at 2 p.m. Eastern

The call will be held on Tuesday, Feb. 17<sup>th</sup> at 2 p.m. Eastern

Dial-in #

**STRIPPED**

Passcode

**STRIPPED**

**Voice Message left for Louis Sanfilippo at 1:46 PM EST** (in wav audio file) is available at:  
[http://www.4shared.com/download/gPOvTPtkba/21115\\_at\\_146\\_PM\\_EST\\_VM\\_for\\_LCS.wav?lgfp=3000](http://www.4shared.com/download/gPOvTPtkba/21115_at_146_PM_EST_VM_for_LCS.wav?lgfp=3000)

### **Thursday February 12, 2015:**

Shire Plc's "**Fourth Quarter and Full Year Results to December 31, 2014,**" as led by CEO Dr. Flemming Ornskov, is available for PDF download at: <http://www.4shared.com/download/Pmg-OL5jce/FY-2014-Earnings-Presentation-.pdf?lgfp=3000>

### **Friday February 13, 2015:**

**From:** Farsiou, David  
**Sent:** Friday, February 13, 2015 11:09 AM  
**To:** 'shire.ipr.813@flhlaw.com'  
**Cc:** Lucci, Joseph; Blumer, Kara R.  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813)

Counsel,

In an effort to facilitate the discussion for the February 17 call, we are providing you with a list of documents that are representative of the issue that we intend to raise with the Board during the call.

Regards,  
David

**David N. Farsiou**

## The Patent '813 Story, Part II -- Version 2

**BakerHostetler**

**ATTACHMENT: "List of References re 2-17 call.pdf"** (available for download at:  
[http://www.4shared.com/download/EY4Lp3GJba/List\\_of\\_References\\_re\\_2-17\\_cal.pdf?lgfp=3000](http://www.4shared.com/download/EY4Lp3GJba/List_of_References_re_2-17_cal.pdf?lgfp=3000))

### **Monday February 16, 2015:**

**Voice Message left for Louis Sanfilippo at 2:04 PM EST** (in wav audio file) is available at:  
[http://www.4shared.com/download/SAfZXaB7ce/21615\\_at\\_204\\_PM\\_EST\\_VM\\_for\\_LCS.wav?lgfp=3000](http://www.4shared.com/download/SAfZXaB7ce/21615_at_204_PM_EST_VM_for_LCS.wav?lgfp=3000)

### **Tuesday February 17, 2015:**

**From:** "Taylor, Tonya" <totaylor@shire.com>  
**Subject:** RE: Meeting Request: Shire MSL  
**Date:** February 17, 2015 11:28:38 AM EST  
**To:** "louis.sanfilippo@yale.edu" <louis.sanfilippo@yale.edu>

Good morning Dr. Sanfilippo,  
I wanted to follow up with you to gauge your availability for a short meeting next week or during the month of March. If you prefer that I collaborate through an assistant please let me know.

Best,  
Tonya

Tonya Taylor, Ph.D.  
Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**

**From:** Taylor, Tonya  
**Sent:** Thursday, February 05, 2015 10:55 AM  
**To:** 'louis.sanfilippo@yale.edu'  
**Subject:** Meeting Request: Shire MSL

Dear Dr. Sanfilippo,  
My name is Tonya Taylor, and I'm the new medical science liaison for CT. I am currently based out of Stamford, but would enjoy the opportunity to meet with you in person in order to understand your point of view regarding ADHD and the concerns of patients with this condition, especially in the adult population. I understand that you also treat eating disorders as well, and I would like to learn your thoughts on binge eating disorder as well. Would you be available for a 30- minute meeting during the weeks of either February 17<sup>th</sup> or 23<sup>rd</sup>? If neither of those weeks work for you, I am also available in March.

If you prefer I collaborate through an assistant please let me know.

Thank you and I look forward to meeting you soon.

Sincerely,

## The Patent '813 Story, Part II -- Version 2

Tonya

Tonya Taylor, Ph.D.  
Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**

**From:** Lucci, Joseph  
**Sent:** Tuesday, February 17, 2015 1:03 PM  
**To:** Haug, Ed ([EHaug@flhlaw.com](mailto:EHaug@flhlaw.com))  
**Cc:** Sandra Kuzmich ([SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)); Banchik, David; Farsiou, David  
**Subject:** FW: Meeting Request: Shire MSL

Ed

Please see below. Were you aware that Shire's Neuroscience Medical Strategy group has been contacting Dr. Sanfilippo?

Joe

**Joseph Lucci | BakerHostetler**

Begin forwarded message:

**From:** "Taylor, Tonya" <[totaylor@shire.com](mailto:totaylor@shire.com)>  
**Subject:** RE: Meeting Request: Shire MSL  
**Date:** February 17, 2015 11:28:38 AM EST  
**To:** "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Good morning Dr. Sanfilippo,  
I wanted to follow up with you to gauge your availability for a short meeting next week or during the month of March. If you prefer that I collaborate through an assistant please let me know.

Best,  
Tonya

Tonya Taylor, Ph.D.  
Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**

**From:** Taylor, Tonya  
**Sent:** Thursday, February 05, 2015 10:55 AM  
**To:** '[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)'  
**Subject:** Meeting Request: Shire MSL

Dear Dr. Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

My name is Tonya Taylor, and I'm the new medical science liaison for CT. I am currently based out of Stamford, but would enjoy the opportunity to meet with you in person in order to understand your point of view regarding ADHD and the concerns of patients with this condition, especially in the adult population. I understand that you also treat eating disorders as well, and I would like to learn your thoughts on binge eating disorder as well. Would you be available for a 30- minute meeting during the weeks of either February 17<sup>th</sup> or 23<sup>rd</sup>? If neither of those weeks work for you, I am also available in March.

If you prefer I collaborate through an assistant please let me know.

Thank you and I look forward to meeting you soon.

Sincerely,  
Tonya

Tonya Taylor, Ph.D.  
Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**

**From:** Banchik, David [mailto:dbanchik@shire.com]  
**Sent:** Tuesday, February 17, 2015 1:09 PM  
**To:** Lucci, Joseph; Haug, Ed (EHaug@flhlaw.com)  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com); Farsiou, David  
**Subject:** RE: Meeting Request: Shire MSL

Thank you for bringing this to my attention, Joe. I was not aware.

David Banchik  
Vice President - Intellectual Property  
Shire  
725 Chesterbrook Blvd.  
Wayne, PA 19087 USA

### **Wednesday February 18, 2015:**

**From:** Lucci, Joseph  
**Sent:** Wednesday, February 18, 2015 2:39 PM  
**To:** Haug, Ed (EHaug@flhlaw.com)  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com); 'Banchik, David'; Farsiou, David  
**Subject:** RE: Meeting Request: Shire MSL

Ed

Attached is the Protest against US Appl. 14/464,249 that your firm filed, I presume, on Shire's behalf.

Let me know if there is anything we need to discuss regarding this matter.

## The Patent '813 Story, Part II -- Version 2

Joe

**ATTACHMENT: "Protest under 37 C F R 291.pdf"** (available for download at: [http://www.4shared.com/download/DgpDISb4ce/Protest\\_under\\_37\\_C\\_F\\_R\\_\\_291.pdf?lgfp=3000](http://www.4shared.com/download/DgpDISb4ce/Protest_under_37_C_F_R__291.pdf?lgfp=3000))

### **Monday February 23, 2015:**

US Patent Trial and Appeal Board's **"Order Conduct of the Proceeding,"** as made in IPR 2014-00739, is available in PDF for download at: <http://www.4shared.com/download/DeYnQYWzba/order-20.pdf?lgfp=3000>

### **Wednesday February 25, 2015:**

Lucerne Biosciences, LLC's **"Motion to Submit Supplemental Information,"** as filed in IPR 2014-00739, is available in PDF for download at: <http://www.4shared.com/download/dpE8emxWba/motion-21.pdf?lgfp=3000>

**From:** Rick, Michelle  
**Sent:** Wednesday, February 25, 2015 4:06 PM  
**To:** 'shire.ipr.813@flhlaw.com'  
**Cc:** Lucci, Joseph; Farsiou, David  
**Subject:** IPR2014-00739

Counsel:

Please see the attached, which was e-filed a short while ago.

Regards,

Michelle

**Michelle A. Rick | BakerHostetler**  
Paralegal Coordinator

**ATTACHMENT: "2015-02-25-LUCERNE-Motion to Submit Supplemental Information, Paper 21.pdf"** (available for download at: [http://www.4shared.com/download/eh8B9gVEba/2015-02-25-LUCERNE-Motion\\_to\\_\\_\\_.pdf?lgfp=3000](http://www.4shared.com/download/eh8B9gVEba/2015-02-25-LUCERNE-Motion_to___.pdf?lgfp=3000))

### **Thursday February 26, 2015:**

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Thursday, February 26, 2015 10:21 AM  
**To:** [trials@uspto.gov](mailto:trials@uspto.gov)  
**Cc:** Farsiou, David; Lucci, Joseph; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** IPR2014-00739: Authorization Request

## The Patent '813 Story, Part II -- Version 2

IPR2014-00739 (U.S. Patent No. 8,318,813)

Dear Ms. Katula,

Petitioner respectfully requests authorization, or at the Board's earliest convenience, a conference call to seek authorization to file a motion pursuant to 37 C.F.R. §§ 42.7 and 42.12 to expunge Patent Owner's Motion to Submit Supplemental Information Pursuant to 37 C.F.R. § 42.123(b) (Paper 21, filed on February 25, 2015). This paper improperly includes the supplemental information at issue as exhibits, in violation of the Board's procedures. *See, e.g., Norman Int'l, Inc. v. Andrew J. Toti Testamentary Trust*, IPR2014-00283, Paper 29 at p. 5 (“[A]uthorization to file a motion to submit supplemental information . . . is not an authorization to file the information as exhibits.”).

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

Sandra Kuzmich  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York NY 10151

**From:** Lucci, Joseph  
**Sent:** Thursday, February 26, 2015 4:53 PM  
**To:** Haug, Ed ([EHaug@flhlaw.com](mailto:EHaug@flhlaw.com))  
**Cc:** Sandra Kuzmich ([SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)); 'Banchik, David'; Farsiou, David  
**Subject:** FW: IPR2014-00739

Ed

As exemplified in yesterday's motion, Shire's statements and actions relating to the FDA approval reveal that the company has engaged in objectively baseless sham litigation for anti-competitive purposes by bringing and maintaining the *inter partes* review proceeding. My client is placing Shire on notice that it reserves the right to pursue all legal remedies for this conduct.

Joe

**Joseph Lucci | BakerHostetler**  
2929 Arch Street | Cira Centre, 12th Floor | Philadelphia, PA 19104-2891

**From:** Rick, Michelle  
**Sent:** Wednesday, February 25, 2015 4:06 PM  
**To:** 'shire.ipr.813@flhlaw.com'  
**Cc:** Lucci, Joseph; Farsiou, David  
**Subject:** IPR2014-00739

Counsel:

Please see the attached, which was e-filed a short while ago.

## The Patent '813 Story, Part II -- Version 2

Regards,

Michelle

**Michelle A. Rick | BakerHostetler**  
Paralegal Coordinator

**ATTACHMENT: "2015-02-25-LUCERNE-Motion to Submit Supplemental Information, Paper 21.pdf"** (available for download at: [http://www.4shared.com/download/eh8B9gVEba/2015-02-25-LUCERNE-Motion\\_to\\_\\_\\_.pdf?lgfp=3000](http://www.4shared.com/download/eh8B9gVEba/2015-02-25-LUCERNE-Motion_to___.pdf?lgfp=3000))

**From:** Vignone, Maria [mailto:Maria.Vignone@USPTO.GOV] **On Behalf Of** Trials  
**Sent:** Thursday, February 26, 2015 5:39 PM  
**To:** Kuzmich, Sandra; Trials  
**Cc:** Farsiou, David; Lucci, Joseph; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** RE: IPR2014-00739: Authorization Request

Counsel: The panel will not have a conference call at this time. Petitioner may state its position in its opposition to Patent Owner's Motion for Supplemental Information, and the panel will decide whether or not the exhibits should be expunged at that time. The panel notes that in the decision cited by Petitioner for support, i.e., *Norman Int'l, Inc. v. Andrew J. Toti Testamentary Trust*, IPR2014-00283, Paper 29, while the exhibits improperly filed with the motion were expunged, the motion was not.

Thank you,

Maria Vignone  
Paralegal Operations Manager  
Patent Trial and Appeal Board  
XXX-XXX-XXXX

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Thursday, February 26, 2015 10:21 AM  
**To:** Trials  
**Cc:** Farsiou, David; Lucci, Joseph; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** IPR2014-00739: Authorization Request

IPR2014-00739 (U.S. Patent No. 8,318,813)

Dear Ms. Katula,

Petitioner respectfully requests authorization, or at the Board's earliest convenience, a conference call to seek authorization to file a motion pursuant to 37 C.F.R. §§ 42.7 and 42.12 to expunge Patent Owner's Motion to Submit Supplemental Information Pursuant to 37 C.F.R. § 42.123(b) (Paper 21, filed on February 25, 2015). This paper improperly includes the supplemental information at issue as exhibits, in violation of the Board's procedures. See, e.g., *Norman Int'l, Inc. v. Andrew J. Toti Testamentary Trust*, IPR2014-00283, Paper 29 at p. 5 ("[A]uthorization to file a motion to submit supplemental information . . . is not an authorization to file the information as exhibits.").

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

Sandra Kuzmich  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York NY 10151

**Wednesday March 4, 2015:**

**From:** <susanw@thefdagroupusa.com>  
**Subject: Former FDA Experts Request Meeting**  
**Date:** March 4, 2015 2:43:35 PM EST  
**To:** <Louis.Sanfilippo@yale.edu>

Dear Louis,

I hope this email finds you well. I wanted to take a moment to reach out to you and tell you about The FDA Group, LLC. We are a preferred provider for a company similar to yours, and after doing some research, I think we can help you out. As a global leader in FDA compliance consulting, regulatory services, and executive recruitment, we have a large staff of former FDA investigators, officials & reviewers, as well as industry experts.

Would you be available to speak sometime this week? Thank you.

For more information on our mission, values, quality, consultants, or if you would like a quote, please visit us at [www.thefdagroup.com](http://www.thefdagroup.com)

Regards,

Susan Walsh  
The FDA Group, LLC  
290 Turnpike Road, Suite 200  
Westborough, MA 01581  
240 498 8499

**[NOTE: The completely blank space between the signature line of "Susan Walsh" above and footer "Manager Director..." below represents the way the email was apparently formatted and received]**

# The Patent '813 Story, Part II -- Version 2

Managing Director  
Cenestra Health  
New Haven CT

**Friday March 6, 2014 at 7:00 AM EST:**

## **Lucerne Biosciences Announces Publication of Claimed Methods for Treating Binge Eating Disorder with Lisdexamfetamine Dimesylate**

WILMINGTON, Del., March 6, 2015 /PRNewswire/ -- Lucerne Biosciences, LLC announced today the U.S. Patent and Trademark Office's publication of U.S. Patent Application No. 14/464,249 entitled "Method of Treating Binge Eating Disorder." The '249 Patent Application features claimed methods of "informing a user" that "lisdexamfetamine dimesylate ('LDX') may be used to treat Binge Eating Disorder ('BED')," including by reference to "a package insert," "information material," or "flyer or an advertisement," as well as by presentation of "information at a seminar, conference or other educational presentation," or by "a conversation between a pharmaceutical sales representative and medical care worker." Additional claimed methods of treating BED with LDX featured in the '249 Application encompass conducting a clinical trial on the efficacy of LDX for treating BED and informing a purchaser that LDX is efficacious for treating BED.

### **About Lucerne Biosciences, LLC**

Lucerne Biosciences is a privately-held pharmaceutical development company that wholly owns the '249 Patent Application, as well as U.S. Patent No. 8,318,813 entitled "Method of Treating Binge Eating Disorder." The '813 Patent features claims that involve the use of LDX for the treatment of patients diagnosed with BED.

### **About BED**

BED is a serious eating disorder. BED's DSM-V® criteria include eating unusually large amounts of food in a discrete period of time (i.e., within a 2 hour period) and a sense of lack of control over eating during the episode with binge eating episodes associated with at least three (or more) of the following: eating much more rapidly than normal; eating until feeling uncomfortably full; eating large amounts of food when not feeling physically hungry; eating alone because of being embarrassed by how much one is eating; feeling disgusted with oneself, depressed or very guilty after overeating. Additionally, marked distress regarding the binge eating is present and the binge eating occurs, on average, at least once a week for 3 months; also, the binge eating does not occur exclusively during the course of bulimia nervosa or anorexia nervosa.

### **About Lisdexamfetamine Dimesylate**

Lisdexamfetamine dimesylate (l-lysine-d-amphetamine) is an amphetamine prodrug approved by the FDA to treat moderate to severe BED in adults. LDX is also FDA approved for the treatment of Attention-Deficit/Hyperactivity Disorder (ADHD).

### **Supplemental Information on Lucerne Biosciences' Intellectual Property**

The '249 Patent Application is available at:  
<https://app.box.com/s/a308132casvzw78e2vitf9z90r0fmcxbx> and the '813 Patent is available at:  
<https://app.box.com/s/5euyutbdi2hpuqgru5wb7zegjyq17hnh>.

Media Contact:Louis Sanfilippo, MD203-521-1143

## The Patent '813 Story, Part II -- Version 2

U.S. Patent Application No. 14/464,249/ Method of Treating Binge Eating Disorder  
U.S. Patent No. 8,318,813/ Method of Treating Binge Eating Disorder

SOURCE Lucerne Biosciences, LLC

### **Friday March 6, 2014 (con'd):**

Shire Development LLC's "**Opposition to Patent Owner's Motion to Submit Supplemental Information,**" as filed in IPR 2014-00739, is available at:  
<http://www.4shared.com/download/HC1C6NOTce/opposition-22.pdf?lgfp=3000>

### **Monday March 9, 2015:**

Lucerne Biosciences, LLC's "**Response to Restriction Requirement for U.S. Patent Application 14-464,249,**" as filed with the USPTO's Electronic Filing System, is available at:  
[http://www.4shared.com/download/X1G2PTkjsa/Response\\_to\\_Restriction\\_Reqir.pdf?lgfp=3000](http://www.4shared.com/download/X1G2PTkjsa/Response_to_Restriction_Reqir.pdf?lgfp=3000)

**From:** Lucci, Joseph  
**Sent:** Monday, March 09, 2015 1:35 PM  
**To:** 'Trials'; Kuzmich, Sandra  
**Cc:** Farsiou, David; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** RE: IPR2014-00739: Authorization Request

Ms. Vignone

We are in receipt of Shire's recently filed opposition to Patent Owner's Motion for Supplemental Information. Patent Owner notes that the opposition contains a number of misstatements of fact and law. Please let us know if the Board is interested in receiving a short submission from Patent Owner identifying these misstatements.

Sincerely,

Joseph Lucci

**Joseph Lucci | BakerHostetler**

### **Tuesday March 10, 2015:**

**From:** Kuzmich, Sandra [<mailto:SKuzmich@flhlaw.com>]  
**Sent:** Tuesday, March 10, 2015 3:53 PM  
**To:** Lucci, Joseph; Trials  
**Cc:** Farsiou, David; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** RE: IPR2014-00739: Authorization Request

Ms. Vignone,

Petitioner is in receipt of Patent Owner's request to file a short submission identifying alleged

## The Patent '813 Story, Part II -- Version 2

misstatements of fact and law in Petitioner's opposition (Paper 22) to Patent Owner's Motion for Supplemental Information (Paper 21). To this point, the Board expressly did not permit a reply in this briefing (See Paper 20). Moreover, Petitioner disagrees that the opposition contains misstatements of fact or law, and opposes the instant request. To the extent the Board grants Patent Owner's request to file the short submission, Petitioner requests permission to file a timely, short response to the allegations.

Sandra Kuzmich  
Counsel for Petitioner

Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York NY 10151

**From:** Vignone, Maria [mailto:Maria.Vignone@USPTO.GOV] **On Behalf Of** Trials  
**Sent:** Tuesday, March 10, 2015 5:08 PM  
**To:** Kuzmich, Sandra; Lucci, Joseph; Trials  
**Cc:** Farsiou, David; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** RE: IPR2014-00739: Authorization Request

Counsel: No further briefing is authorized.

Thank you,

Maria Vignone  
Paralegal Operations Manager  
Patent Trial and Appeal Board  
XXX-XXX-XXXX

### **Thursday March 12, 2015:**

US Patent Trial and Appeal Board's "**Decision Patent Owner's Motion to Submit Supplemental Information,**" as made in IPR 2014-00739, is available in PDF for download at: <http://www.4shared.com/download/HgV82yv8ba/notice-23.pdf?lgfp=3000>

### **Friday March 13, 2015:**

**From:** Kimberly Degennaro <kdegennaro@aegiscap.com>  
**Subject:** Discussion of Scientific Advisory Board Member Role  
**Date:** March 13, 2015 2:00:18 PM EDT  
**To:** Michael Siek <MSiek@aegiscap.com>, Steven Nicholson <SNicholson@aegiscap.com>  
**[Bcc:** <louiscsan@aol.com>]

Hello again,

I contacted you a few months ago as a referral concerning scientific and advisory roles with some of our healthcare portfolio companies and wanted to update you on some recent developments

## The Patent '813 Story, Part II -- Version 2

here at Aegis Capital (# 1 Ranked investment Bank for startup companies).

<http://www.aegiscapcorp.com/wp-content/uploads/2014/12/M-Siek-Aegis.pdf>

We are currently involved in an exciting project in the anti-infective drug delivery space with the NIH. Please contact me as soon as possible about this limited, pending opportunity.

Sincerely,

Steven Nicholson & Michael Siek

----

Michael R. Siek  
Senior Managing Director  
**Aegis Capital Ventures**  
256 Post Road East, Suite 204  
Westport, Ct 06880  
Direct: 212-776-1848  
Main: 800-605-2200  
Fax: 212-202-6300  
msiek@aegiscap.com

----

Steven Nicholson  
Managing Director  
**Aegis Capital Ventures**  
256 Post Road East, Suite 204  
Westport, Ct 06880  
Direct: 212-776-1849  
Main: 800-605-2200  
Fax: 212-202-6300  
snicholson@aegiscap.com

----

Kimberly De Gennaro  
Operations  
**Aegis Capital Ventures**  
256 Post Road East, Suite 204  
Westport, Ct 06880  
Direct: 212-776-4472  
Main: 800-605-2200  
Fax: 212-202-6300  
kdegennaro@aegiscap.com

<http://www.aegiscapcorp.com/>

**From:** Lucci, Joseph  
**Sent:** Friday, March 13, 2015 5:11 PM  
**To:** Haug, Ed (EHaug@flhlaw.com)  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com)

## The Patent '813 Story, Part II -- Version 2

### Subject: Monetization of Patent

Ed,

My client has informed me that plans have been made to take imminent action to monetize the 813 Patent and its continuation application. Is Shire interested in discussing acquiring rights? If so, its response would be needed as soon as possible.

Joe

#### **Monday March 16, 2015 (between 2:30-3:30 PM EDT):**

**Hyperlink to "Supplemental Information on U.S. Patent No. 8,318,813.pdf"** from LCS Group, LLC's Friday Dec. 26, 2014 Press Release ("http://www.4shared.com/download/Zq7FJwCAba/Supplemental\_Information\_US\_Pa.pdf?lgfp=3000") "**publicly de-activated**" and therefore available only to persons with proprietary access.

**Hyperlinks to both "U.S. Patent No. 8,318,813.pdf" and "U.S. Patent Application 14/464,249.pdf"** from Lucerne Biosciences, LLC's Friday March 6, 2015 Press Release ("https://app.box.com/s/5euyutbdi2hpuqgru5wb7zegjvq17hnh" and "https://app.box.com/s/a308132casvzw78e2vitf9z90r0fmcxb," respectively) "**publicly de-activated**" and therefore available only to persons with proprietary access.

#### **Thursday March 19, 2015:**

**From:** Charles River <charlesriver@crl.com>  
**Subject:** Leading Innovation - News from Charles River  
**Date:** March 19, 2015 10:09:54 AM EDT  
**To:** <louis.sanfilippo@yale.edu>  
**Reply-To:** <charlesriver@crl.com>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:** [http://www.4shared.com/download/zDEzDI-vce/31915\\_Email\\_from\\_Charles\\_River.pdf?lgfp=3000](http://www.4shared.com/download/zDEzDI-vce/31915_Email_from_Charles_River.pdf?lgfp=3000)]

Lucerne Biosciences, LLC's "**Motion to Submit Supplemental Information,**" as "re-filed" in IPR 2014-00739, is available in PDF for download at:  
<http://www.4shared.com/download/3eGtCFSLce/motion-24.pdf?lgfp=3000>

#### **Friday March 20, 2015:**

**From:** Lucci, Joseph  
**Sent:** Friday, March 20, 2015 2:51 PM  
**To:** Haug, Ed ([EHaug@flhlaw.com](mailto:EHaug@flhlaw.com))  
**Cc:** Sandra Kuzmich ([SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)); 'Banchik, David'; Farsiou, David  
**Subject:** RE: Meeting Request: Shire MSL

## The Patent '813 Story, Part II -- Version 2

Ed,

My client has asked me to inquire into whether Shire has been involved in any of the following organizations recently contacting Dr. Sanfilippo:

Aegis Capital Ventures, LLC  
Charles River Laboratories  
The FDA Group, LLC  
Lifetime Television's "The Balancing Act"

Please advise.

Joe

**Joseph Lucci | BakerHostetler**

2929 Arch Street | Cira Centre, 12th Floor | Philadelphia, PA 19104-2891  
T 215.564.8370 | F 215.568.3439  
jlucci@bakerlaw.com

**From:** Banchik, David [<mailto:dbanchik@shire.com>]  
**Sent:** Tuesday, February 17, 2015 1:09 PM  
**To:** Lucci, Joseph; Haug, Ed ([EHAug@flhlaw.com](mailto:EHAug@flhlaw.com))  
**Cc:** Sandra Kuzmich ([SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)); Farsiou, David  
**Subject:** RE: Meeting Request: Shire MSL

Thank you for bringing this to my attention, Joe. I was not aware.

David Banchik  
Vice President - Intellectual Property  
Shire  
725 Chesterbrook Blvd.  
Wayne, PA 19087 USA  
Tel. (484) 595-8903  
Fax (484) 595-8663  
Mobile (484) 347-5939  
[dbanchik@shire.com](mailto:dbanchik@shire.com)  
<http://www.shire.com>

**From:** Lucci, Joseph [<mailto:JLucci@bakerlaw.com>]  
**Sent:** Tuesday, February 17, 2015 1:03 PM  
**To:** Haug, Ed ([EHAug@flhlaw.com](mailto:EHAug@flhlaw.com))  
**Cc:** Sandra Kuzmich ([SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)); Banchik, David; Farsiou, David  
**Subject:** FW: Meeting Request: Shire MSL

Ed

Please see below. Were you aware that Shire's Neuroscience Medical Strategy group has been contacting Dr. Sanfilippo?

Joe

**Joseph Lucci | BakerHostetler**

2929 Arch Street | Cira Centre, 12th Floor | Philadelphia, PA 19104-2891

## The Patent '813 Story, Part II -- Version 2

T 215.564.8370 | F 215.568.3439  
jlucci@bakerlaw.com

Begin forwarded message:

**From:** "Taylor, Tonya" <totaylor@shire.com>  
**Subject: RE: Meeting Request: Shire MSL**  
**Date:** February 17, 2015 11:28:38 AM EST  
**To:** "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Good morning Dr. Sanfilippo,

I wanted to follow up with you to gauge your availability for a short meeting next week or during the month of March. If you prefer that I collaborate through an assistant please let me know.

Best,  
Tonya

Tonya Taylor, Ph.D.  
Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**  
Office: (XXX) XXX-XXXX  
Mobile: (XXX) XXX-XXXX  
[totaylor@shire.com](mailto:totaylor@shire.com)  
[www.shire.com](http://www.shire.com)

**From:** Taylor, Tonya  
**Sent:** Thursday, February 05, 2015 10:55 AM  
**To:** '[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)'  
**Subject:** Meeting Request: Shire MSL

Dear Dr. Sanfilippo,  
My name is Tonya Taylor, and I'm the new medical science liaison for CT. I am currently based out of Stamford, but would enjoy the opportunity to meet with you in person in order to understand your point of view regarding ADHD and the concerns of patients with this condition, especially in the adult population. I understand that you also treat eating disorders as well, and I would like to learn your thoughts on binge eating disorder as well. Would you be available for a 30- minute meeting during the weeks of either February 17<sup>th</sup> or 23<sup>rd</sup>? If neither of those weeks work for you, I am also available in March.

If you prefer I collaborate through an assistant please let me know.

Thank you and I look forward to meeting you soon.

Sincerely,  
Tonya

Tonya Taylor, Ph.D.

## The Patent '813 Story, Part II -- Version 2

Medical Science Liaison  
Neuroscience Medical Strategy  
Global Medical Affairs  
**Shire**  
Office: (XXX) XXX-XXXX  
Mobile: (XXX) XXX-XXXX  
[totaylor@shire.com](mailto:totaylor@shire.com)  
[www.shire.com](http://www.shire.com)

**From:** Antoine, Natalie [mailto:NAntoine@flhlaw.com] On Behalf Of Haug, Ed  
**Sent:** Friday, March 20, 2015 5:11 PM  
**To:** Lucci, Joseph  
**Subject:** Dr. Sanfilippo

Please see attached letter from Ed Haug.

**ATTACHMENT: "Ltr to Lucci 3-20-15.pdf"** (available for download at:  
[http://www.4shared.com/download/MxUb7Hvnba/Ltr\\_to\\_Lucci\\_3-20-15.pdf?lgfp=3000](http://www.4shared.com/download/MxUb7Hvnba/Ltr_to_Lucci_3-20-15.pdf?lgfp=3000))

**Monday March 23, 2015:**

**From:** Lucci, Joseph  
**Sent:** Monday, March 23, 2015 8:36 AM  
**To:** 'Haug, Ed'  
**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com); Farsiou, David  
**Subject:** RE: Dr. Sanfilippo

Ed

I never heard of any "Byan Haygins," or emails sent by or on behalf of anyone having that name. Your letter makes a number of allegations about not only my behavior but also Dr. Sanfilippo's. My client requests that you provide it communications from "Byan Haygins" that you and your client allege Dr. Sanfilippo has made as part of an "ongoing campaign" to "impugn the integrity and credibility" of Shire, you and your law firm, and Dr. Brewerton.

Joe

**From:** Haug, Ed [mailto:EHAug@flhlaw.com]  
**Sent:** Monday, March 23, 2015 8:48 AM  
**To:** Lucci, Joseph  
**Cc:** Kuzmich, Sandra; Farsiou, David  
**Subject:** RE: Dr. Sanfilippo

Thanks for the response Joe. Are you representing to me that your client Dr. Sanfilippo and his private entity does not know anything about "Byan Haygins" and that he did not send any such emails?

If the answer is YES then there is obviously no reason to send them to you. Ed

**10 AM EDT:**

## The Patent '813 Story, Part II -- Version 2

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/SHEnQmY4ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/SHEnQmY4ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Tuesday March 24, 2015**

**From:** Lucci, Joseph [mailto:JLucci@bakerlaw.com]  
**Sent:** Tuesday, March 24, 2015 8:19 AM  
**To:** Haug, Ed  
**Cc:** Kuzmich, Sandra; Farsiou, David  
**Subject:** RE: Dr. Sanfilippo

Ed

My client and I would like to see the alleged communications from "Byan Haygins."

Joe

**From:** Haug, Ed [mailto:EHAug@flhlaw.com]  
**Sent:** Tuesday, March 24, 2015 8:25 AM  
**To:** Lucci, Joseph  
**Cc:** Kuzmich, Sandra; Farsiou, David  
**Subject:** RE: Dr. Sanfilippo

Please answer the question I posed in my last email. If you represent that your client has not sent any emails or used any alias to do so, then there is no reason for us to provide you with anything. Thank you for your cooperation. Ed

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at: [http://www.4shared.com/download/g-yVmByHba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/g-yVmByHba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Informa <info@pharmamedtechbi.net>  
**Subject:** The latest insight on a recent hot topic  
**Date:** March 24, 2015 4:21:01 PM EDT  
**To:** <louis.sanfilippo@yale.edu>  
**Reply-To:** Informa <reply-fe631674776402757411-860765\_HTML-971136402-67843-0@pharmamedtechbi.net>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/qyd6dkFoba/32415\\_The\\_Rose\\_Sheets\\_\\_The\\_lat.pdf?lgfp=3000](http://www.4shared.com/download/qyd6dkFoba/32415_The_Rose_Sheets__The_lat.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**5:31 PM EDT:**

Lucerne Biosciences, LLC's "**Supplemental Amendment Prior to Examiner Interview (and Electronic Acknowledgement Receipt)**" for U.S. Patent Application No. 14/464,249, as filed with the USPTO, is available in PDF at:  
[http://www.4shared.com/download/qzsAtxcJba/Supplemental\\_Amendment\\_Prior\\_t.pdf?lgfp=3000](http://www.4shared.com/download/qzsAtxcJba/Supplemental_Amendment_Prior_t.pdf?lgfp=3000)

**Wednesday March 25, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/x9HmAr9ece/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/x9HmAr9ece/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Thursday March 26, 2015:**

**From:** BioStorage Technologies <info@biostorage.com>  
**Subject:** IIR Partnerships Meeting - Special Invitation and Discount Code  
**Date:** March 26, 2015 8:01:37 AM EDT  
**To:** <Louis.Sanfilippo@yale.edu>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:** [http://www.4shared.com/download/V6Fp-Lfnba/32615BioStorage\\_TechnolgiesIIR.pdf?lgfp=3000](http://www.4shared.com/download/V6Fp-Lfnba/32615BioStorage_TechnolgiesIIR.pdf?lgfp=3000)**]**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/5sQ2DQLvce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/5sQ2DQLvce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Wolinsky, Toni" <Toni.Wolinsky@crl.com>  
**Subject:** *in vivo* CNS Discovery at Charles River  
**Date:** March 26, 2015 3:02:21 PM EDT  
**To:** "louis.sanfilippo@yale.edu" <louis.sanfilippo@yale.edu>  
**Cc:** "Panepinto, Carrie" <Carrie.Panepinto@crl.com>

Dear Dr. Sanfilippo,

I am the CNS *in vivo* Specialist for Charles River Discovery Services. Our team includes experienced CNS drug discovery scientists, while the breadth of capabilities at our CNS *in vivo* research site allows for the comprehensive assessment of the efficacy of compounds using multiple endpoints in the same study – from behavioral to molecular and cellular readouts, and

## The Patent '813 Story, Part II -- Version 2

really exceptional structural and functional small animal imaging.

I am hoping you and your colleagues would be interesting in speaking with me to learn more about Charles River can help support the preclinical efforts at LCS Therapeutics. I would be happy to give you a call at your convenience, or to meet with you in person (I am base in nearby northern NJ). In the interim, please take a look at the CNS discovery section of our website (<http://www.criver.com/products-services/drug-discovery/central-nervous-system-pain>) and let me know if I can provide you with more detailed information on any areas of potential interest. Our portfolio of services and disease models is constantly expanding, so please ask if you do not see something you might be looking for.

Thank you for your consideration.

Best regards,  
Toni Wolinsky

Toni D. Wolinsky, PhD  
Sr. Specialist, *In Vivo* Discovery | Charles River  
251 Ballardvale Street, Wilmington, MA 01887  
Direct: (781) 222-7800  
Mobile: (978) 495-0698  
[toni.wolinsky@crl.com](mailto:toni.wolinsky@crl.com) | [www.criver.com](http://www.criver.com)

### **4:06 PM EDT:**

Lucerne Biosciences, LLC's:

(i) **"Supplemental Filing Prior to Examiner Interview Before First Action"** for U.S. Patent Application No. 14/464,249, as filed with the USPTO, is available in PDF at:  
[http://www.4shared.com/download/i\\_Bu\\_BmUba/Supplemental\\_Filing\\_Prior\\_to\\_E.pdf?lgfp=3000](http://www.4shared.com/download/i_Bu_BmUba/Supplemental_Filing_Prior_to_E.pdf?lgfp=3000)

(ii) **"Information Disclosure Statement (IDS) Form (SB08)"** for U.S. Patent Application No. 14/464,249, as filed with the USPTO, is available in PDF at:  
[http://www.4shared.com/download/ymXkp4\\_Xce/Information\\_Disclosure\\_Stateme.pdf?lgfp=3000](http://www.4shared.com/download/ymXkp4_Xce/Information_Disclosure_Stateme.pdf?lgfp=3000)

(iii) **"Electronic Filing System Acknowledgement Receipt"** for (i) and (ii) is available in PDF at:  
[http://www.4shared.com/download/2tPVeptFce/Electronic\\_Filing\\_System\\_Ackno.pdf?lgfp=3000](http://www.4shared.com/download/2tPVeptFce/Electronic_Filing_System_Ackno.pdf?lgfp=3000)

### **Friday March 27, 2015:**

#### **10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/LINWe8rVba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/LINWe8rVba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**From:** Review Concierge <notify@expert-reputation.com>  
**Subject: Keep your A on Superpages**  
**Date:** March 27, 2015 11:28:00 AM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** concierge@expert-reputation.com

**EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

**[http://www.4shared.com/download/Fn24tuFYce/32715\\_Review\\_Concierges\\_\\_Keep\\_.pdf?lgfp=30003:23](http://www.4shared.com/download/Fn24tuFYce/32715_Review_Concierges__Keep_.pdf?lgfp=30003:23) PM EDT:**

Lucerne Biosciences, LLC's:

(i) **"Information Disclosure Statement (IDS) Form (SB08)"** for U.S. Patent Application No. 14/464,249, as filed with the USPTO, is available in PDF at:  
[http://www.4shared.com/download/StMIs19cce/Information\\_Disclosure\\_Stateme.pdf?lgfp=3000](http://www.4shared.com/download/StMIs19cce/Information_Disclosure_Stateme.pdf?lgfp=3000)

(ii) **"Electronic Filing System Acknowledgement Receipt"** for (i) is available in PDF at:  
[http://www.4shared.com/download/1bbJT\\_TPba/Electronic\\_Acknowledgement\\_Rec.pdf?lgfp=3000](http://www.4shared.com/download/1bbJT_TPba/Electronic_Acknowledgement_Rec.pdf?lgfp=3000)

**Monday March 30, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/VRRVHVzMba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/VRRVHVzMba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**3:57 PM EDT:**

Lucerne Biosciences, LLC's:

(i) **"Information Disclosure Statement (IDS) Form (SB08)"** for U.S. Patent Application No. 14/464,249, as filed with the USPTO, is available in PDF at:  
[http://www.4shared.com/download/x1kNJ\\_2Mce/Information\\_Disclosure\\_Stateme.pdf?lgfp=3000](http://www.4shared.com/download/x1kNJ_2Mce/Information_Disclosure_Stateme.pdf?lgfp=3000)

(ii) **"Electronic Filing System Acknowledgement Receipt"** for (i) is available in PDF at:  
[http://www.4shared.com/download/s1Xoa5a-ce/Electronic\\_Filing\\_System\\_Ackno.pdf?lgfp=3000](http://www.4shared.com/download/s1Xoa5a-ce/Electronic_Filing_System_Ackno.pdf?lgfp=3000)

**Tuesday March 31, 2015:**

**From:** Megan Anderson <megan.anderson@marketingtopics.com>  
**Subject: The Definitive Guide To Customer Nurturing**  
**Date:** March 31, 2015 8:30:54 AM EDT  
**To:** <louis.sanfilippo@yale.edu>

## The Patent '813 Story, Part II -- Version 2

**Reply-To:** <megan.anderson@marketingtopics.com>

Hi Louis

I thought you might appreciate a free copy of the latest marketing research [The Definitive Guide To Customer Nurturing](#)

Today's buyers are more empowered than ever before. They engage with brands and companies through their own research across multiple channels, long before marketing has the opportunity to engage with them directly. Potential buyers don't become customers overnight they require marketing over time as they self-educate and build trust with a company.

With customer nurturing, B2C marketers can communicate consistently with buyers cross-channel and throughout the buyer journey addressing the gap in time between when a customer first interacts with you and throughout the buyer journey, before a customer purchases, after they purchase, and to drive repeat purchases.

### **Read guide to learn:**

- What customer nurturing is
- How to develop a customer nurturing strategy
- Who you should nurture
- How to nurture across channels
- How to segment your customer nurturing
- How to calculate the ROI of customer nurturing

Use this guide as a workbook take notes, highlight what you find inspirational, share what you learn with your colleagues and start using customer nurturing to drive business growth and lasting relationships.

To learn more click here to view a free copy: [The Definitive Guide To Customer Nurturing](#)

Best regards

Megan Anderson  
Vice President Marketing Research  
Marketing Topics  
[megan.anderson@marketingtopics.com](mailto:megan.anderson@marketingtopics.com)  
[www.marketingtopics.com](http://www.marketingtopics.com)

This email and any attachments to it may be confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of MarketingTopics.

You are subscribed as [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu). [Unsubscribe me from this list](#) from future mailings. Unsubscribed but still receiving emails? Contact [support@marketingtopics.com](mailto:support@marketingtopics.com) Please allow up to 48 hours for us to process your request.

North America: 555 California Street Suite 4925, San Francisco CA  
EMEA: 145-157 St. John Street, London, EC1V 4PW

**10 AM EDT:**

## The Patent '813 Story, Part II -- Version 2

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10:11 AM EDT"** is available as a merged PDF at: [http://www.4shared.com/download/z-tzx9Xdba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/z-tzx9Xdba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Charles River <charlesriver@crl.com>

**Subject:** Discover why we do what we do. Check out our video.

**Date:** March 31, 2015 1:12:18 PM EDT

**To:** <louis.sanfilippo@yale.edu>

**Reply-To:** <charlesriver@crl.com>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/AaAfLAYwba/33115\\_Charles\\_Rivers\\_\\_Discover.pdf?lgfp=3000](http://www.4shared.com/download/AaAfLAYwba/33115_Charles_Rivers__Discover.pdf?lgfp=3000)

**Wednesday April 1, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/5NZtiSIWce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/5NZtiSIWce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Thursday April 2, 2015:**

**10:30 AM - 11:00 AM EDT:**

Lucerne Biosciences, LLC's "**Applicant-Initiated Examiner (Teleconference) Interview**" in the United States Patent and Trademark Organization for U.S. Patent Application No. 14/464,249

**1 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 1 PM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/sxCUjyqWba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/sxCUjyqWba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Lucci, Joseph

**Sent:** Thursday, April 02, 2015 6:01 PM

**To:** Haug, Ed (EHaug@flhlaw.com)

**Cc:** Sandra Kuzmich (SKuzmich@flhlaw.com)

**Subject:** RE: Monetization of Patent

Ed

## The Patent '813 Story, Part II -- Version 2

My client, Lucerne Biosciences, has informed me that it has exclusively licensed the 813 Patent and 249 application.

Joe

**Joseph Lucci | BakerHostetler**

2929 Arch Street | Cira Centre, 12th Floor | Philadelphia, PA 19104-2891

T 215.564.8370 | F 215.568.3439

jlucci@bakerlaw.com

**From:** Lucci, Joseph  
**Sent:** Friday, March 13, 2015 5:11 PM  
**To:** Haug, Ed ([EHaug@flhlaw.com](mailto:EHaug@flhlaw.com))  
**Cc:** Sandra Kuzmich ([SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com))  
**Subject:** Monetization of Patent

Ed,

My client has informed me that plans have been made to take imminent action to monetize the 813 Patent and its continuation application. Is Shire interested in discussing acquiring rights? If so, its response would be needed as soon as possible.

Joe

**Friday April 3, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/RQW2JKW2ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/RQW2JKW2ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Review Concierge <[concierge@expert-reputation.com](mailto:concierge@expert-reputation.com)>  
**Subject:** How to Get More Online Reviews - Register Webinar Today!  
**Date:** April 3, 2015 2:28:30 PM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** [concierge@expert-reputation.com](mailto:concierge@expert-reputation.com)

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/qQwNM\\_kNba/4315\\_Review\\_Concierges\\_\\_How\\_to.pdf?lgfp=3000](http://www.4shared.com/download/qQwNM_kNba/4315_Review_Concierges__How_to.pdf?lgfp=3000)]

**From:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813) - Authorization Request  
**Date:** April 3, 2015 6:20:09 PM EDT  
**To:** "trials@uspto.gov" <[trials@uspto.gov](mailto:trials@uspto.gov)>  
**Cc:** "Lucci, Joseph" <[JLucci@bakerlaw.com](mailto:JLucci@bakerlaw.com)>, "Farsiou, David" <[DFarsiou@bakerlaw.com](mailto:DFarsiou@bakerlaw.com)>, "Haug, Ed" <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, "shire.ipr.813@flhlaw.com" <[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)>

IPR2014-00739 (U.S. Patent No. 8,318,813)

## The Patent '813 Story, Part II -- Version 2

To Whom It May Concern,

Petitioner respectfully requests authorization, or at the Board's earliest convenience, a conference call to seek authorization, to file a motion to modify the Scheduling Order to allow Petitioner's Reply to Patent Owner's Response—due April 17, 2015—to be up to 25 pages long. See <http://www.uspto.gov/blog/director/> (March 27, 2015) (stating that through scheduling orders, the Board will immediately begin allowing petitioners' reply briefs to be up to 25 pages long). Petitioner does not seek to modify any deadlines.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

Sandra Kuzmich  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York NY 10151

### **10:43 PM EDT:**

Lucerne Biosciences, LLC's:

(i) **"Supplemental Amendment After Examiner Interview"** for U.S. Patent Application No. 14/464,249, as filed with the USPTO, is available in PDF at:  
[http://www.4shared.com/download/\\_pb3utpJba/Supplemental\\_Amendment\\_After\\_E.pdf?lgfp=3000](http://www.4shared.com/download/_pb3utpJba/Supplemental_Amendment_After_E.pdf?lgfp=3000)

(ii) **"Electronic Filing System Acknowledgement Receipt"** for (i) is available in PDF at:  
[http://www.4shared.com/download/\\_D\\_myVeKce/Electronic\\_Filing\\_System\\_Ackno.pdf?lgfp=3000](http://www.4shared.com/download/_D_myVeKce/Electronic_Filing_System_Ackno.pdf?lgfp=3000)

### **11 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 11 PM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/ICxhpwZrce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/ICxhpwZrce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

### **Monday April 6, 2015:**

**From:** Shire <alerts@shire.com>  
**Subject:** Shire plc News Alert - Shire Comments on USPTO Petitions Related to LIALDA and GATTEX  
**Date:** April 6, 2015 7:06:48 AM EDT

## The Patent '813 Story, Part II -- Version 2

To: <lsanfilippo@lcsgruopluc.com>  
Reply-To: Shire <alerts@shire.com>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at: [http://www.4shared.com/download/qmNN-8F9ba/Shire\\_plc\\_News\\_Alert\\_-\\_Shire\\_Co.pdf?lgfp=3000](http://www.4shared.com/download/qmNN-8F9ba/Shire_plc_News_Alert_-_Shire_Co.pdf?lgfp=3000)]**

### **Circa 7:00 AM EDT:**

Shire Plc's Press Release **"Shire Comments on USPTO Petitions Related to LIALDA and GATTEX,"** in which Shire Plc writes that "The patents listed in the FDA Orange Book for LIALDA and GATTEX protect the innovation and value Shire brings to patients who benefit from these important medicines. **Shire will continue to defend vigorously its patents and pursue all legal options available to protect its products,**" is available in PDF at:  
[http://www.4shared.com/download/XwiS1\\_dRce/shire-lialda-gattex-statement-.pdf?lgfp=3000](http://www.4shared.com/download/XwiS1_dRce/shire-lialda-gattex-statement-.pdf?lgfp=3000)

### **10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at: [http://www.4shared.com/download/GfPuqf-bce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/GfPuqf-bce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

### **Tuesday April 7, 2015:**

#### **10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at: [http://www.4shared.com/download/BK1Vba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/BK1Vba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's **"Examiner Interview Summary"** for Lucerne Biosciences, LLC's **U.S. Patent Application No. 14/464,249**, as posted on the USPTO's Public Patent Application Information Retrieval ("PAIR") system, is available in PDF at:  
[http://www.4shared.com/download/hVxMvVpJce/Examiner\\_Interview\\_Summary.pdf?lgfp=3000](http://www.4shared.com/download/hVxMvVpJce/Examiner_Interview_Summary.pdf?lgfp=3000)

**From:** Trials <Trials@USPTO.GOV>  
**Subject:** RE: IPR2014-00739 (U.S. Patent No. 8,318,813) - Authorization Request  
**Date:** April 7, 2015 10:00:57 AM EDT  
**To:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>, Trials <Trials@USPTO.GOV>  
**Cc:** "Lucci, Joseph" <JLucci@bakerlaw.com>, "Farsiou, David" <DFarsiou@bakerlaw.com>, "Haug, Ed" <EHaug@flhlaw.com>, "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>

## The Patent '813 Story, Part II -- Version 2

Counsel: Petitioner is authorized to file a 25 page reply to the Patent Owner Response. The panel will not be issuing an amended scheduling order.

Thank you,

Maria Vignone  
Paralegal Operations Manager  
Patent Trial and Appeal Board  
XXX-XXX-XXXX

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Friday, April 03, 2015 6:20 PM  
**To:** Trials  
**Cc:** Lucci, Joseph; Farsiou, David; Haug, Ed; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813) - Authorization Request

IPR2014-00739 (U.S. Patent No. 8,318,813)

To Whom It May Concern,

Petitioner respectfully requests authorization, or at the Board's earliest convenience, a conference call to seek authorization, to file a motion to modify the Scheduling Order to allow Petitioner's Reply to Patent Owner's Response—due April 17, 2015—to be up to 25 pages long. See <http://www.uspto.gov/blog/director/> (March 27, 2015) (stating that through scheduling orders, the Board will immediately begin allowing petitioners' reply briefs to be up to 25 pages long). Petitioner does not seek to modify any deadlines.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

Sandra Kuzmich  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York NY 10151

**Wednesday April 8, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/IA3gcVsEce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/IA3gcVsEce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** MTS Health Partners <[info@mtspartners.com](mailto:info@mtspartners.com)>

## The Patent '813 Story, Part II -- Version 2

**Subject:** MTS Health Partners Acts as Exclusive Financial Advisor to ImmunoGen, Inc.

**Date:** April 8, 2015 12:56:40 PM EDT

**To:** <louis.sanfilippo@yale.edu>

**Reply-To:** <info@mtspartners.com>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/wKoDtwysce/4815\\_MTS\\_Health\\_Partners\\_Email.pdf?lgfp=3000](http://www.4shared.com/download/wKoDtwysce/4815_MTS_Health_Partners_Email.pdf?lgfp=3000)

**Thursday April 9, 2015:**

**From:** Quotient ADHD System <info@quotient-adhd.com>

**Subject:** New Webinar! Quotient and the Family Partnership

**Date:** April 9, 2015 7:26:36 AM EDT

**To:** louiscsan@aol.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/aQ0iUZdPba/4915\\_Quotient\\_System\\_Email\\_to\\_.pdf?lgfp=3000](http://www.4shared.com/download/aQ0iUZdPba/4915_Quotient_System_Email_to_.pdf?lgfp=3000)

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/EUhw1NfRce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/EUhw1NfRce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Friday April 10, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/ILE8tWCYba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/ILE8tWCYba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Review Concierge <notify@expert-reputation.com>

**Subject:** Keep your A on Superpages

**Date:** April 10, 2015 11:26:32 AM EDT

**To:** louiscsan@aol.com

**Reply-To:** concierge@expert-reputation.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/yhXwEphLba/41015\\_Review\\_Concierge\\_Email\\_s.pdf?lgfp=3000](http://www.4shared.com/download/yhXwEphLba/41015_Review_Concierge_Email_s.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

00]

**Monday April 13, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/VfowtUCsce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/VfowtUCsce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Evan Skoures <evan.skoures@pearson.com>  
**Subject: Re: Your previous interest in Quotient**  
**Date:** April 13, 2015 10:36:29 AM EDT  
**To:** louiscsan@aol.com

Dear Dr. Sanfilippo,

My name is Evan Skoures and I am your Regional Sales Executive. As you know, the Quotient is an objective and quantifiable test that is FDA Cleared to aid in the assessment of ADHD.

I am touching base as you had previously inquired about Quotient. Please let me know if your questions were answered and if you have anything additional you would like to discuss.

Here are a few resources that I thought might be helpful to you:

- \* [Quotient Research Summaries](#)
- \* [Free Webinar Series](#)
- \* [New Quotient Website](#)

Thank you for your time and I look forward to hearing from you.

Best Regards,

Evan

--

**Evan A Skoures**  
Regional Sales Executive  
Quotient ADHD System  
Pearson Clinical Assessments  
200 Old Tappan Road Old Tappan, NJ 07675  
E: [evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)  
P: 215-272-4095

**Pearson**  
**Always Learning**  
Learn more at [pearsonclinical.com](http://pearsonclinical.com) | [quotient-adhd.com](http://quotient-adhd.com)

## The Patent '813 Story, Part II -- Version 2

Unsubscribe from all communications.

**From:** Dudley Medlock <jogle@d-medcorp.com>  
**Subject:** LouisRevenue Cycle ManagementLouis  
**Date:** April 13, 2015 11:57:40 AM EDT  
**To:** <louis.sanfilippo@yale.edu>  
**Reply-To:** Dudley Medlock <jogle@d-medcorp.com>

### **D-MED Corporation is A COMPLETE REVENUE CYCLE MANAGEMENT COMPANY**

**Just a note to let you know that D-MED Corporation can offer you Interim PFS Directors, CFO's, supervisors, billers, collectors, etc., in addition to a total revenue Cycle assessment. If you find yourself with open key positions, or if you have someone out on leave, or you have temporary back logs, D-MED Corporation can supply you with experienced staff on a temporary interim basis to help insure your organization does not experience a reduction in cash flow. We can put a whole team on site to do a cash acceleration program. D-MED Corporation has been in the revenue cycle , cash recoupment, and cost containment business since 1987. For more information about our services, please Contact us at:**

***800-695-2404 Extension 210, or email us***

***to see how we may assist your facility in achieving, and/or, maintaining your desired goals***

***D-MED Corporation***

**From:** Lucci, Joseph  
**Sent:** Monday, April 13, 2015 2:14 PM  
**To:** Haug, Ed ([EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)); 'Banchik, David'  
**Subject:** Exclusive Licensee

Ed and David,

My client has informed me that its exclusive licensee has performed an analysis of (i) the 813 Patent and 249 Application, (ii) filings made in the *inter partes* review of the 813 Patent and (iii) communications involving my client and its representatives, and has made plans to take action of a public nature based on the conclusions of its analysis.

My client has indicated that if any Shire entity (*i.e.*, Shire LLC, Shire Development LLC, Shire Plc) has an interest in communicating with its exclusive licensee, such communication would need to take place soon, as such action is expected to be imminent.

Joe

**From:** Review Concierge <concierge@expert-reputation.com>  
**Subject:** Upgrade Your Plan to Manage Your Online Reviews  
**Date:** April 13, 2015 4:05:32 PM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** concierge@expert-reputation.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

**[http://www.4shared.com/download/IVU4b3\\_Dce/41315\\_Review\\_Concierge\\_Upgrade.pdf?lgfp=3000](http://www.4shared.com/download/IVU4b3_Dce/41315_Review_Concierge_Upgrade.pdf?lgfp=3000)**

## The Patent '813 Story, Part II -- Version 2

**Tuesday April 14, 2015:**

**From:** Haug, Ed [mailto:EHaug@flhlaw.com]  
**Sent:** Tuesday, April 14, 2015 9:14 AM  
**To:** Lucci, Joseph  
**Subject:**

Good morning Joe...are you available for a quick call this morning? Ed



**From:** Megan Anderson <megan.anderson@marketingtopics.com>  
**Subject:** **Your Brand Sux: Turning Social Sentiment Into Opportunity**  
**Date:** April 14, 2015 9:06:58 AM EDT  
**To:** <louis.sanfilippo@yale.edu>  
**Reply-To:** <megan.anderson@marketingtopics.com>

Hi Louis

I hope you are well. I thought you might appreciate a free copy of the latest marketing research [Your Brand Sux: Turning Social Sentiment Into Opportunity](#)

While traditional marketing is still important to communicating your brand, engaging with the voice of the customer is becoming more important than ever. When a customer searches for your brand, they won't be searching for what you say about your brand they'll be searching for what other customers like them think about your brand. When someone shares something on social, it's there for the whole world to see and customers today increasingly focus on peer reviews over marketing material.

For savvy brands that want to reach customers at the point of influence, social marketing is the new mandate. Furthermore, social listening plays a critical role in bridging the gap between your digital campaigns and the conversations they spark.

To learn more click here to view a free copy: [Your Brand Sux: Turning Social Sentiment Into Opportunity](#)

Best regards  
Megan Anderson  
Vice President Marketing Research  
Marketing Topics  
[megan.anderson@marketingtopics.com](mailto:megan.anderson@marketingtopics.com)  
[www.marketingtopics.com](http://www.marketingtopics.com)

This email and any attachments to it may be confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of MarketingTopics.

You are subscribed as louis.sanfilippo@yale.edu. Unsubscribe me from this list from future mailings. Unsubscribed but still receiving emails? Contact [support@marketingtopics.com](mailto:support@marketingtopics.com) Please allow up to 48 hours for us to process your request.

## The Patent '813 Story, Part II -- Version 2

North America: 555 California Street Suite 4925, San Francisco CA  
EMEA: 145-157 St. John Street, London, EC1V 4PW

### 10 AM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/IMT1DNYKba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/IMT1DNYKba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Subject:** RE:  
**Date:** April 14, 2015 3:55:11 PM EDT  
**To:** "Haug, Ed" <EHaug@flhlaw.com>

Ed

Sorry but I've been in meetings today. I'm generally available the rest of the day, though. Let me know when works for you.

Joe

**Joseph Lucci | BakerHostetler**  
2929 Arch Street | Cira Centre, 12th Floor | Philadelphia, PA 19104-2891  
T 215.564.8370 | F 215.568.3439  
jlucci@bakerlaw.com

**From:** Haug, Ed [mailto:EHaug@flhlaw.com]  
**Sent:** Tuesday, April 14, 2015 9:14 AM  
**To:** Lucci, Joseph  
**Subject:**

Good morning Joe...are you available for a quick call this morning? Ed



### 7:30 PM:

**"Three-Day Analysis (April 12-14) of Public Download Activity"** of All Hyperlinked PDFs Contained in **"Supplemental Information U.S. Patent No. 8,318,813.pdf"** (as featured in the hyperlinked PDF from LCS Group, LLC's Dec. 26, 2014 Press Release "LCS Therapeutics and Lucerne Biosciences to Commercialize '813 Patent for Lisdexamfetamine Dimesylate in the Treatment of Binge Eating Disorder" that was "publicly active" between Dec. 26, 2014 to March 16, 2015):

- **3 Downloads of "19 . GLG.LSanfilippo.portfolio.pdf,"** as made available by hyperlink on page 5 of the "181page PDF" titled **"Important Vyvanse.Shire.Matter email.asemailedFLH.Brewerton.11.10.14,"** with the following "context" for the hyperlink on pages 4-5 (hyperlink bolded):

## The Patent '813 Story, Part II -- Version 2

"This "expert analysis" of mine was posted on GLG's website October 18, 2006, four months *before* New River Pharmaceuticals was acquired by Shire, and is featured for its "analysis" and "implications" in my GLG "NewsAnalysis" portfolio that's available at the following 4share direct link, which also contains over one-hundred similar such "analyses" I wrote between Oct. 2005-July 2008 (p. 40 is the "NRP104" analysis):

[http://www.4shared.com/download/ucJj1P9qba/19\\_\\_GLGLSanfilippoPortfolio.pdf?lgfp=3000.](http://www.4shared.com/download/ucJj1P9qba/19__GLGLSanfilippoPortfolio.pdf?lgfp=3000)"

- No evidence of any download activity of **"19 . GLG.LSanfilippo.portfolio.pdf"** during the 2015 calendar year

### **Wednesday April 15, 2015:**

**From:** BioStorage Technologies <info@biostorage.com>  
**Subject:** April Biosample Buzz  
**Date:** April 15, 2015 8:02:04 AM EDT  
**To:** <Louis.Sanfilippo@yale.edu>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/dl7BnS4Wba/41515\\_BioStorage\\_Technologies\\_B.pdf?lgfp=3000](http://www.4shared.com/download/dl7BnS4Wba/41515_BioStorage_Technologies_B.pdf?lgfp=3000)

**From:** Review Concierge <concierge@expert-reputation.com>  
**Subject:** How to Get More Online Reviews - Register Webinar Today!  
**Date:** April 15, 2015 8:05:35 AM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** concierge@expert-reputation.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/33BC2Xilce/41515\\_Review\\_Concierge\\_How\\_to\\_.pdf?lgfp=3000](http://www.4shared.com/download/33BC2Xilce/41515_Review_Concierge_How_to_.pdf?lgfp=3000)

### **10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/IHPxMQhxce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/IHPxMQhxce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Review Concierge <concierge@thereviewconcierge.com>  
**Subject:** 0 visits - Low Usage on Dr. LOUIS C. SANFILIPPO's Review Link  
**Date:** April 15, 2015 12:49:37 PM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** concierge@thereviewconcierge.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is**

## The Patent '813 Story, Part II -- Version 2

**available at:**

[http://www.4shared.com/download/tFdpRfviba/41515\\_Review\\_Concierges\\_\\_Low\\_U.pdf?lgfp=3000](http://www.4shared.com/download/tFdpRfviba/41515_Review_Concierges__Low_U.pdf?lgfp=3000)

**From:** The Rose Sheet <info@pharmamedtechbi.net>

**Subject:** The latest insight on a recent hot topic

**Date:** April 15, 2015 1:46:52 PM EDT

**To:** <louis.sanfilippo@yale.edu>

**Reply-To:** Informa <reply-fe611674776c05797c14-860765\_HTML-971136402-67843-0@pharmamedtechbi.net>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/-C-35u\\_7ba/41515\\_The\\_Rose\\_Sheet\\_Email\\_to\\_.pdf?lgfp=3000](http://www.4shared.com/download/-C-35u_7ba/41515_The_Rose_Sheet_Email_to_.pdf?lgfp=3000)

**Thursday April 16, 2015:**

**From:** BioStorage Technologies <info@biostorage.com>

**Subject:** IIR Partnerships Meeting - Special Invitation and Discount Code

**Date:** April 16, 2015 8:02:06 AM EDT

**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:** [http://www.4shared.com/download/5Wjag1\\_-ce/41615\\_BioStorage\\_Technologies\\_.pdf?lgfp=3000](http://www.4shared.com/download/5Wjag1_-ce/41615_BioStorage_Technologies_.pdf?lgfp=3000)

**10 AM EST:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/qelltScYba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/qelltScYba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Christine Jordan <cjordan@assurgentmedical.com>

**Subject:** Psychiatry Medicine Physician Locums Coverage Need- Massachusetts

**Date:** April 16, 2015 11:10:02 AM EDT

**To:** <louis.sanfilippo@yale.edu>

Hope all is well with you.

Based on your experience in Psychiatry Medicine, I am reaching out to you as I believe you would be an excellent fit for a confidential role that I am working on. I am looking to refer a highly motivated and detailed oriented Person.

Here are a few details about the company:

\*A Hospital in Massachusetts has an urgent need for a Psychiatry Medicine Physician for Locums

## The Patent '813 Story, Part II -- Version 2

Tenens coverage.

\*Compensation is highly competitive

\*Medical malpractice provided

\*Travel and Lodging will be taken care of

Are you interested in hearing more details? If so, what is the best time to talk and the best number to reach you?

Looking forward to speaking with you.

Best Regards

Christine Jordan

[Recruitment Consultant](#)

ASSURGENT MEDICAL SOLUTIONS

[cjordan@assurgentmedical.com](mailto:cjordan@assurgentmedical.com)

Direct Line: 470-427-0633

Cell: 240-350-8243

Office Line: 877-842--6833

[Assurgentmedical.com](http://Assurgentmedical.com)

A member of NALTO

[One-click unsubscribe from all future emails.](#)

**Friday April 17, 2015:**

**[DEADLINE for Shire Development LLC's "Response" To Lucerne Biosciences, LLC's January 27, 2015 "Response" to Shire Development LLC's *Inter Partes* Review Petition]**

**From:** "dovinse11@yeah.net" <dovinse11@yeah.net>

**Subject:** Re:greeting from genecreate

**Date:** April 17, 2015 XX:2X:XX AM XDT

**To:** XXXX.XXXXXXXX@XXX.XXX

Dear Sir or Madam,

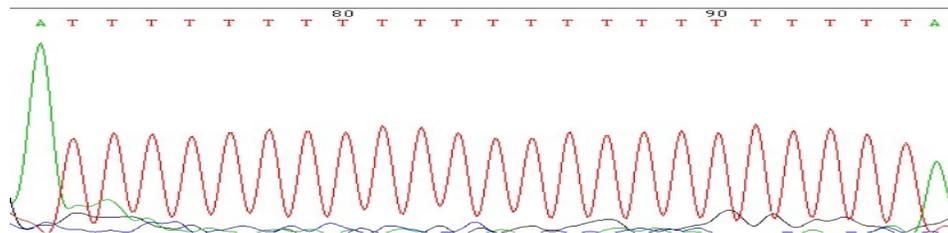
This is Cora Dai from Wuhan GeneCreate Biological Engineering Co. Ltd.

We are an innovative biotech company providing competitive gene synthesis service, protein service, molecular biology service and antibody service for global customers.

The gene synthesis period of GeneCreate is short and stable. Compared with traditional gene synthesis technologies, we have the newest leading technology to synthesize complex genes of any length ( such as sequence of High GC content, highly repetitive sequences etc.) and we ensure the 100% accuracy as well. We are willing to offer you the available DNA sequencing results table. Furthermore, we provide really competitive price in the market as a result of our innovative research.

*22bp Poly T sequence*

## The Patent '813 Story, Part II -- Version 2



Part of the screenshot for a 6bp 80T repetitive sequence table. ( Currently ONLY Genecreate can synthesize it according to the customers' requirments and deadlines in the market) .

Here we ensure the security of our customer information, as well as guarantee the reliable and cost-effective price for you.

If you need any help, please do not hesitate to contact my email [cora@genecreate.com](mailto:cora@genecreate.com).

Best regards,

Cora Dai

Sales and Market Department

Wuhan Genecreate Biological Engineering Co. Ltd.

Web: [www.genecreate.com](http://www.genecreate.com)

Email: [cora@genecreate.com](mailto:cora@genecreate.com)

Skype: lvwei.dai

Add: R&D Building B4, No.666 Gaoxin Avenue, Donghu Development Zone, Wuhan, Hubei, China.

**From:** "cora\_genecreate@yeah.net" <cora\_genecreate@yeah.net>

**Subject:** Re:greeting from genecreate

**Date:** April 17, 2015 XX:5X:XX AM XDT

**To:** XXXX.XXXXXXXX@XXX.XXX

Dear Sir or Madam,

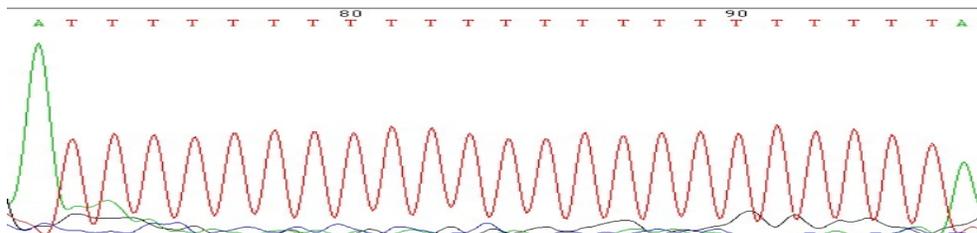
This is Cora Dai from Wuhan GeneCreate Biological Engineering Co. Ltd.

We are an innovative biotech company providing competitive gene synthesis service, protein service, molecular biology service and antibody service for global customers.

The gene synthesis period of GeneCreate is short and stable. Compared with traditional gene synthesis technologies, we have the newest leading technology to synthesize complex genes of any length ( such as sequence of High GC content, highly repetitive sequences etc.) and we ensure the 100% accuracy as well. We are willing to offer you the available DNA sequencing results table. Furthermore, we provide really competitive price in the market as a result of our innovative research.

*22bp Poly T sequence*

## The Patent '813 Story, Part II -- Version 2



Part of the screenshot for a 6bp 80T repetitive sequence table. (Currently ONLY Genecreate can synthesize it according to the customers' requirements and deadlines in the market).

Here we ensure the security of our customer information, as well as guarantee the reliable and cost-effective price for you.

If you need any help, please do not hesitate to contact my email [cora@genecreate.com](mailto:cora@genecreate.com).

Best regards,

Cora Dai

Sales and Market Department

Wuhan Genecreate Biological Engineering Co. Ltd.

Web: [www.genecreate.com](http://www.genecreate.com)

Email: [cora@genecreate.com](mailto:cora@genecreate.com)

Skype: lvwei.dai

Add: R&D Building B4, No. 666 Gaoxin Avenue, Donghu Development Zone, Wuhan, Hubei, China.

**From:** Charles River Webinars <[Charlesriver@crl.com](mailto:Charlesriver@crl.com)>

**Subject:** A Complimentary Charles River Webinar: RNAi and CRISPR/Cas9-Based In Vivo Models for Drug Discovery

**Date:** April 17, 2015 7:52:05 AM EDT

**To:** "louis.sanfilippo@yale.edu" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

**Reply-To:** <[Charlesriver@crl.com](mailto:Charlesriver@crl.com)>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/raVfuiFYce/41715\\_Charles\\_River\\_Labs\\_\\_A\\_Co.pdf?lgfp=3000](http://www.4shared.com/download/raVfuiFYce/41715_Charles_River_Labs__A_Co.pdf?lgfp=3000)

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10:10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/nv8EMG12ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/nv8EMG12ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**10:30 AM:**

**"Five-Day Analysis (April 12-17) of Public Download Activity"** of All Hyperlinked PDFs Contained in "**Supplemental Information U.S. Patent No. 8,318,813.pdf**" (as featured in the

## The Patent '813 Story, Part II -- Version 2

hyperlinked PDF from LCS Group, LLC's Dec. 26 Press Release "LCS Therapeutics and Lucerne Biosciences to Commercialize '813 Patent for Lisdexamfetamine Dimesylate in the Treatment of Binge Eating Disorder" that was "publicly active" between Dec. 26, 2014 to March 16, 2015):

- **7 Downloads of "19.GLG.LSanfilippo.portfolio.pdf"** (one download from a "known proprietary contact"), as made available by hyperlink on page 5 of the "181page PDF" titled "**Important Vyvanse.Shire.Matter email.asemailedFLH.Brewerton.11.10.14,**" with the following "context" for the hyperlink on pages 4-5 (hyperlink bolded):

"This "expert analysis" of mine was posted on GLG's website October 18, 2006, four months *before* New River Pharmaceuticals was acquired by Shire, and is featured for its "analysis" and "implications" in my GLG "NewsAnalysis" portfolio that's available at the following 4share direct link, which also contains over one-hundred similar such "analyses" I wrote between Oct. 2005-July 2008 (p. 40 is the "NRP104" analysis):

[http://www.4shared.com/download/ucJj1P9qba/19\\_\\_GLGLSanfilippoPortfolio.pdf?lgfp=3000.](http://www.4shared.com/download/ucJj1P9qba/19__GLGLSanfilippoPortfolio.pdf?lgfp=3000)"

- No evidence of any download activity of "**19. GLG.LSanfilippo.portfolio.pdf**" during the 2015 calendar year **until April 12, 2015.**

**From:** Vertical Health on behalf of Takeda.us <vhupdates@verticalhealth.com>

**Subject:** Stay tuned for an upcoming TV commercial about an antidepressant

**Date:** April 17, 2015 10:10:12 AM EDT

**To:** <louis.sanfilippo@yale.edu>

**Reply-To:** <reply-to@verticalhealth.com>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/6gYUmszqce/41715\\_Vertical\\_Healths\\_\\_TV\\_com.pdf?lgfp=3000](http://www.4shared.com/download/6gYUmszqce/41715_Vertical_Healths__TV_com.pdf?lgfp=3000)]

**11:00 PM--11:59 PM EDT:**

Shire Development LLC's "**Petitioner's Reply to Patent Owner's Response,**" as publicly posted between 11:00 PM-11:59 PM EDT in IPR2014-00739, is available in PDF for download at: <http://www.4shared.com/download/6CPscB-Dba/reply-25-2.pdf?lgfp=3000>

**Saturday April 18, 2015:**

**From:** "Charter Oak Field Services" <panelmanager@cofieldservices.us>

**Subject:** \$100 Market Research Survey Re: Spine Surgery Products [91340]

**Date:** April 17, 2015 10:42:58 PM EDT

**To:** louiscsan@aol.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/4B5wLCV2ce/41815\\_Charter\\_Oak\\_Field\\_Servic.pdf?lgfp=3000](http://www.4shared.com/download/4B5wLCV2ce/41815_Charter_Oak_Field_Servic.pdf?lgfp=3000)]

## The Patent '813 Story, Part II -- Version 2

**Sunday April 19, 2015:**

**From:** Kate Gordon <kate.gordon@curemd.com>  
**Subject:** Good News for Physicians  
**Date:** April 19, 2015 11:05:51 AM EDT  
**To:** louiscsan@aol.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/PAnyaZFDce/41915\\_CureMDs\\_Good\\_News\\_for\\_P.pdf?lgfp=3000](http://www.4shared.com/download/PAnyaZFDce/41915_CureMDs_Good_News_for_P.pdf?lgfp=3000)

**Monday April 20, 2015:**

**From:** BioStorage Technologies <info@biostorage.com>  
**Subject:** ISBER Conference - Special Invitations  
**Date:** April 20, 2015 8:01:45 AM EDT  
**To:** <Louis.Sanfilippo@yale.edu>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/I0md0Ky6ba/42015\\_BioStorage\\_Technologies\\_.pdf?lgfp=3000](http://www.4shared.com/download/I0md0Ky6ba/42015_BioStorage_Technologies_.pdf?lgfp=3000)

**From:** "Proscan Imaging Education Foundation" <mrieducationfoundation@proscan.com>  
**Subject:** MSK Case-Based Review - Only Two Seats Left  
**Date:** April 20, 2015 9:14:06 AM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** "Proscan Imaging Education Foundation" <mrieducationfoundation@proscan.com>

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/M7gJ\\_Hance/42015\\_Proscan\\_Imaging\\_Foundati.pdf?lgfp=3000](http://www.4shared.com/download/M7gJ_Hance/42015_Proscan_Imaging_Foundati.pdf?lgfp=3000)

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/X1z5XiM5ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/X1z5XiM5ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Evan Skoures <evan.skoures@pearson.com>  
**Subject:** Fwd: Your previous interest in Quotient  
**Date:** April 20, 2015 11:03:06 AM EDT  
**To:** louiscsan@aol.com

Hello Dr. Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

My purpose for emailing is to see if you had a chance to digest the new content on [our website](#) and/or register for one of our [free webinars](#).

If there are any additional resources that you would find helpful, please let me know and I will be happy to share them with you. I would be happy to schedule a quick call to answer any additional questions you may have.

Thank you for your time and I hope you have a nice day.

Best Regards,

Evan

--

### **Evan A Skoures**

Regional Sales Executive

Quotient ADHD System

Pearson Clinical Assessments 200 Old Tappan Road Old Tappan, NJ 07675

E: [evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)

P: [215-272-4095](tel:215-272-4095)

### **Pearson**

#### **Always Learning**

Learn more at [pearsonclinical.com](http://pearsonclinical.com) | [quotient-adhd.com](http://quotient-adhd.com)

[Unsubscribe](#) from all communications.

--

-----Forwarded Message-----

Sent to: Sanfilippo, Louis <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

By: Skoures, Evan <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>

--

Dear Dr. Sanfilippo,

My name is Evan Skoures and I am your Regional Sales Executive. As you know, the Quotient is an objective and quantifiable test that is FDA Cleared to aid in the assessment of ADHD.

I am touching base as you had previously inquired about Quotient. Please let me know if your questions were answered and if you have anything additional you would like to discuss.

Here are a few resources that I thought might be helpful to you:

\* [Quotient Research Summaries](#)

\* [Free Webinar Series](#)

\* [New Quotient Website](#)

Thank you for your time and I look forward to hearing from you.

## The Patent '813 Story, Part II -- Version 2

Best Regards,

Evan

--

### **Evan A Skoures**

Regional Sales Executive

Quotient ADHD System

Pearson Clinical Assessments 200 Old Tappan Road Old Tappan, NJ 07675

E: [evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)

P: 215-272-4095

### **Pearson**

#### **Always Learning**

Learn more at [pearsonclinical.com](http://pearsonclinical.com) | [quotient-adhd.com](http://quotient-adhd.com)

[Unsubscribe](#) from all communications.

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

**Subject:** Re: Your previous interest in Quotient

**Date:** April 20, 2015 2:22:23 PM EDT

**To:** Evan Skoures <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>

Dear Mr. Skoures,

Thank you for your email. It's proven very useful. I have a few important and highly time-sensitive questions for you and/or certain people with whom you work. I would appreciate a prompt written reply given the seriousness and implications of their answers.

1. On Thursday April 9, 2015 at 7:26 am EDT, I received an email at "[louiscsan@aol.com](mailto:louiscsan@aol.com)" from "[info@quotient-adhd.com](mailto:info@quotient-adhd.com)" (i.e., Pearson) having the subject "New Webinar! Quotient and the Family Partnership." But based on an analysis of emails "received" at "[louiscsan@aol.com](mailto:louiscsan@aol.com)" over a period of at least two years, there's no evidence whatsoever that I ever received anything from "Quotient," "Quotient ADHD System," "Pearson," or "[info@quotient-adhd.com](mailto:info@quotient-adhd.com)," including in spam/junk folders. Can you explain how that "quotient-adhd.com email" of April 9 could have "found" the email address "[louiscsan@aol.com](mailto:louiscsan@aol.com)"?
2. On Monday April 13, 2015 at 10:36 am EDT, I received an email at "[louiscsan@aol.com](mailto:louiscsan@aol.com)" from your "[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)" email in which you stated, "I am touching base as you had previously inquired about Quotient..." and you identified the subject of your email as "Re: Your previous interest in Quotient." But I never inquired about "Quotient" or any related "Pearson" product, at least not since the 2008 APA's Conference in Washington D.C., at which time I would have "inquired" verbally at a conference booth. So why did you state that in your email? Or if were you told by someone to state that, what is the name of that person and who do they work for?
3. Below is that forwarded April 13, 2015 (at 10:36 am EDT) email, **as forwarded by you today, Monday April 20** (at 11:03 am EDT). However, the email that you "forwarded" to me today appears to have been tampered by deleting standard "header information" like the "Subject" and "Date" and appears also to have other tampered features like (i) "Sent to" rather than "To" and (ii) "By" rather than "From." Can you explain why your April 13 email appears to

## The Patent '813 Story, Part II -- Version 2

have been altered for its being "forwarded" to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" today? Or if were you told by someone to alter its features, what is the name of that person and who do they work for?

Your prompt written response is expected.

Sincerely,

Louis Sanfilippo

On Apr 20, 2015, at 11:03 AM, Evan Skoures wrote:

Hello Dr. Sanfilippo,

My purpose for emailing is to see if you had a chance to digest the new content on [our website](#) and/or register for one of our [free webinars](#).

If there are any additional resources that you would find helpful, please let me know and I will be happy to share them with you. I would be happy to schedule a quick call to answer any additional questions you may have.

Thank you for your time and I hope you have a nice day.

Best Regards,

Evan

--

**Evan A Skoures**

Regional Sales Executive

Quotient ADHD System

Pearson Clinical Assessments 200 Old Tappan Road Old Tappan, NJ 07675

E: [evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)

P: [215-272-4095](tel:215-272-4095)

**Pearson**

**Always Learning**

Learn more at [pearsonclinical.com](http://pearsonclinical.com) | [quotient-adhd.com](http://quotient-adhd.com)

[Unsubscribe](#) from all communications.

--

-----Forwarded Message-----

Sent to: Sanfilippo, Louis <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

By: Skoures, Evan <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>

--

Dear Dr. Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

My name is Evan Skoures and I am your Regional Sales Executive. As you know, the Quotient is an objective and quantifiable test that is FDA Cleared to aid in the assessment of ADHD.

I am touching base as you had previously inquired about Quotient. Please let me know if your questions were answered and if you have anything additional you would like to discuss.

Here are a few resources that I thought might be helpful to you:

- \* [Quotient Research Summaries](#)
- \* [Free Webinar Series](#)
- \* [New Quotient Website](#)

Thank you for your time and I look forward to hearing from you.

Best Regards,

Evan

--

### **Evan A Skoures**

Regional Sales Executive

Quotient ADHD System

Pearson Clinical Assessments 200 Old Tappan Road Old Tappan, NJ 07675

E: [evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)

P: [215-272-4095](tel:215-272-4095)

### **Pearson**

#### **Always Learning**

Learn more at [pearsonclinical.com](http://pearsonclinical.com) | [quotient-adhd.com](http://quotient-adhd.com)

[Unsubscribe](#) from all communications.

**From:** Review Concierge <[concierge@expert-reputation.com](mailto:concierge@expert-reputation.com)>

**Subject:** Upgrade Your Plan to Manage Your Online Reviews

**Date:** April 20, 2015 3:10:37 PM EDT

**To:** louiscsan@aol.com

**Reply-To:** [concierge@expert-reputation.com](mailto:concierge@expert-reputation.com)

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/GJmhifz\\_ce/42015\\_Review\\_Concierges\\_\\_Upgra.pdf?lgfp=3000](http://www.4shared.com/download/GJmhifz_ce/42015_Review_Concierges__Upgra.pdf?lgfp=3000)

**3:28 PM EDT:**

## The Patent '813 Story, Part II -- Version 2

**Voice Message left for Louis Sanfilippo at his Private Medical Practice Telephone Number at 3:28 PM EDT** (in an m4a audio file) is available at:  
<http://www.4shared.com/download/VRe2BSe0ce/Memo.m4a?lgfp=3000>

**11:25 PM EDT:**

**"Unsubscribe Confirmation" for Charles River Laboratories' Mailings Lists is available in PDF at:** [http://www.4shared.com/download/V2yvQX5hba/42015\\_Post-Unsubscribe\\_Charles.pdf?lgfp=3000](http://www.4shared.com/download/V2yvQX5hba/42015_Post-Unsubscribe_Charles.pdf?lgfp=3000)

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** **Subscribe/Unsubscribe Issue**  
**Date:** April 20, 2015 11:49:07 PM EDT  
**To:** "custcare@informa.com" <custcare@informa.com>

Hello,

I received two emails from "info@pharmamedtechbi.net" ("The Rose Sheet") on Tuesday March 24 at 4:21 pm EDT and Wednesday April 15 at 1:46 pm EDT to the email above ("louis.sanfilippo@yale.edu"). However, I never subscribed to your email list serve, which made it a challenge to "unsubscribe" to it because your "unsubscribe protocol" directed me to my "alleged account" (that involves a password) for which I never signed up because I never subscribed or joined your service/list serve in the first place.

Please confirm that you received this email and have successfully "unsubscribed" the email address "louis.sanfilippo@yale.edu" for any communications that may come from Informa. If you could provide me a written explanation with a signed name (for the purposes of accountability) for how you think this may have occurred, it would be greatly appreciated.

Sincerely,

Louis Sanfilippo, MD

**11:51 PM:**

**"Unsubscribe Confirmation" for BioStorage Technologies is available in PDF at:**  
[http://www.4shared.com/download/Lj3uROj4ce/42015\\_Unsubscribe\\_BioStorage\\_T.pdf?lgfp=3000](http://www.4shared.com/download/Lj3uROj4ce/42015_Unsubscribe_BioStorage_T.pdf?lgfp=3000)

**"Unsubscribe Confirmation" for All BioStorage Technologies Publications is available in PDF at:**

[http://www.4shared.com/download/FsSTQ1\\_hba/42015\\_Unsubscribe\\_From\\_All\\_Bio.pdf?lgfp=3000](http://www.4shared.com/download/FsSTQ1_hba/42015_Unsubscribe_From_All_Bio.pdf?lgfp=3000)

**From:** Pharma & Medtech BI Customer Care <custcare@informa.com>  
**Subject:** **Automatic reply: Subscribe/Unsubscribe Issue**  
**Date:** April 20, 2015 11:52:09 PM EDT  
**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

Dear Customer,

Thank you for your email. Our Client Services team has received your inquiry and are currently

## The Patent '813 Story, Part II -- Version 2

working on resolving your request. We will contact you shortly with an update on your inquiry.

Client Services Team  
Informa Business Information  
52 Vanderbilt Avenue  
New York, NY 10017  
888-670-8900 toll free  
908-748-1221 toll  
646-666-9878 fax

**Tuesday April 21, 2015:**

**12:01 PM EDT:**

**"Unsubscribe Confirmation" for Review Concierge is available in PDF at:**

[http://www.4shared.com/download/ntiiSFwOba/42114\\_Post-Unsubscribe\\_Review\\_.pdf?lgfp=3000](http://www.4shared.com/download/ntiiSFwOba/42114_Post-Unsubscribe_Review_.pdf?lgfp=3000)

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

**Subject: Re: Your Brand Sux: Turning Social Sentiment Into Opportunity**

**Date:** April 21, 2015 12:18:35 AM EDT

**To:** "<megan.anderson@marketingtopics.com>" <megan.anderson@marketingtopics.com>

Dear Ms. Anderson,

I have received two emails from you very recently, one as noted below and the other which you sent on Tuesday March 31 at 8:30 am EDT. After an analysis of emails "received" in my "louis.sanfilippo@yale.edu" account over a period of about two years (including emails trapped in spam/junk), it would appear that these are the first and only two emails that you've ever sent to me or that have come from "@marketingtopics.com." Remarkably, the content of your two emails is highly uncharacteristic of the types of emails that I typically receive at this email address.

Can you tell how you obtained the email address "louis.sanfilippo@yale.edu" for that first email that you sent on March 31? If it was from a person, then I would appreciate that person's name and who they work for. If it was from a list serve of some kind, then I would appreciate you providing me that information.

Your prompt attention to this matter would be appreciated.

Thank you,

Louis Sanfilippo, MD

On Apr 14, 2015, at 9:06 AM, Megan Anderson wrote:

Hi Louis

I hope you are well. I thought you might appreciate a free copy of the latest marketing research [Your Brand Sux: Turning Social Sentiment Into Opportunity](#)

While traditional marketing is still important to communicating your brand, engaging with the voice of the customer is becoming more important than ever. When a customer searches for your brand, they won't be searching for what you say about your brand they'll be searching for what other customers like them think about your brand. When someone shares something on social, it's there for the whole world to see and customers

## The Patent '813 Story, Part II -- Version 2

today increasingly focus on peer reviews over marketing material.

For savvy brands that want to reach customers at the point of influence, social marketing is the new mandate. Furthermore, social listening plays a critical role in bridging the gap between your digital campaigns and the conversations they spark.

To learn more click here to view a free copy: [Your Brand Sux: Turning Social Sentiment Into Opportunity](#)

Best regards  
Megan Anderson  
Vice President Marketing Research  
Marketing Topics  
[megan.anderson@marketingtopics.com](mailto:megan.anderson@marketingtopics.com)  
[www.marketingtopics.com](http://www.marketingtopics.com)

This email and any attachments to it may be confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of MarketingTopics.

You are subscribed as [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu). [Unsubscribe me from this list](#) from future mailings. Unsubscribed but still receiving emails?  
Contact [support@marketingtopics.com](mailto:support@marketingtopics.com) Please allow up to 48 hours for us to process your request.

North America: 555 California Street Suite 4925, San Francisco CA  
EMEA: 145-157 St. John Street, London, EC1V 4PW

**From:** "Sanfilippo, Louis" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject: Re: Former FDA Experts Request Meeting**  
**Date:** April 21, 2015 1:20:34 AM EDT  
**To:** "<[susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com)> <[susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com)>"  
<[susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com)>

Dear Ms. Walsh,

You emailed me on Wednesday March 4 (below) hoping that we could speak that very week. Before getting back to you, I (and some "collaborators") needed to evaluate a number of communications of which yours was prominently featured. I have some specific questions about the "content" and "delivery" characteristics of your email for which I would appreciate a prompt written reply from your "[susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com)" email address.

1. Your email is to my "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" email account. How did you obtain that email address? If it was a person who provided it to you, then who was that person and who do they work for? If it was through another means, please describe. The general nature of your email to my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" address is very unusual, as measured against a composite baseline of emails "received" to that address for at least a couple years now (including those sequestered in junk/spam).
2. The subject line of your email was "Former FDA Experts Request Meeting." Why would you think I'd be interested in meeting with "Former FDA Experts"? In other words, where (or from whom) did that "idea" come from? And what did you think I would be interested in "meeting" or

## The Patent '813 Story, Part II -- Version 2

"speaking" about anyway? Your email is unusually vague as compared to emails written by people who are making representations on behalf of an organization such as "The FDA Group, LLC."

3. At the bottom your email, it writes "Managing Director, Cenestra Health, New Haven, CT" (you spelled "Haven" inaccurately). What motivated you to put that at the bottom of your email? What does your "former FDA experts request meeting" have to do with "Cenestra Health," and what does "Cenestra Health" have to do with your contacting me at my "[yale.edu](mailto:yale.edu)" address?

4. You wrote that the FDA Group, LLC was a "preferred provider for a company similar to yours," but you emailed my "[yale.edu](mailto:yale.edu)" account which is not affiliated with any "company of mine." Which "company" were you specifically referring to in your email when you said that? Any reasonable person viewing your email would see that your "context of communication" is very odd and particularly vague.

5. Is the email you sent me from your "normal" "The FDA Group, LLC email" from which you routinely send emails to others and receive emails from others? The reason I ask is that its stem is "[@thefdagroupusa.com](mailto:@thefdagroupusa.com)" but "The FDA Group, LLC" has the domain name of "[thefdagroup.com](http://thefdagroup.com)."

Your prompt written reply is expected given the implications and seriousness of making communications of this kind.

Sincerely,

Louis Sanfilippo, MD

On Mar 4, 2015, at 2:43 PM, <[susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com)>  
<[susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com)> wrote:

Dear Louis,

I hope this email finds you well. I wanted to take a moment to reach out to you and tell you about The FDA Group, LLC. We are a preferred provider for a company similar to yours, and after doing some research, I think we can help you out. As a global leader in FDA compliance consulting, regulatory services, and executive recruitment, we have a large staff of former FDA investigators, officials & reviewers, as well as industry experts.

Would you be available to speak sometime this week? Thank you.

For more information on our mission, values, quality, consultants, or if you would like a quote, please visit us at [www.thefdagroup.com](http://www.thefdagroup.com)

Regards,

Susan Walsh  
The FDA Group, LLC  
290 Turnpike Road, Suite 200  
Westborough, MA 01581  
240 498 8499

## The Patent '813 Story, Part II -- Version 2

[NOTE: The completely blank space between the signature line of "Susan Walsh" above and footer "Manager Director..." below represents the way the email was apparently formatted and received]

Managing Director  
Cenestra Health  
New Haven CT

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject: Re: Discussion of Scientific Advisory Board Member Role**  
**Date:** April 21, 2015 2:36:47 AM EDT  
**To:** msiek@aegiscap.com, snicholson@aegiscap.com, kdegennaro@aegiscap.com

Dear Ms. Degennaro, Mr. Siek and Mr. Nicholson,

Attached is a PDF of an email that the three of you managed to send me at my "[louiscsan@aol.com](mailto:louiscsan@aol.com)" email on Friday March 13, 2015 having the subject "Discussion of Scientific Advisory Board Member Role." I say "managed to send" because it was "from" Aegis Capital Ventures' Ms. Degennaro "to" Aegis Capital Ventures' Mr. Siek and Mr. Nicholson (even as it was really "from" Mr. Siek and Mr. Nicholson who "signed" it) while "I" -- the "receiver" of your email -- was "bcc'd." Any reasonable person would quite easily appreciate that your collectively communicated email is very odd from its outset, which is why it has been carefully evaluated (by me and "collaborators") for its very unique "content" and "delivery" features, as it stands by itself and in view of other emails "received" to (i) my "[louiscsan@aol.com](mailto:louiscsan@aol.com)" and (ii) other email accounts in the temporal vicinity of your email.

I (and "collaborators") have a few very serious questions regarding your "communication behavior" for which I would appreciate a prompt written reply given the implications of their answers.

1. Where, or from whom, did "you" (collectively speaking) receive my "[louiscsan@aol.com](mailto:louiscsan@aol.com)" email address?
2. Why did you write that "I contacted you a few months ago as a referral concerning scientific and advisory roles..." when I don't recall that you ever contacted me a "first time" for that, nor is there any evidence based on an analysis of emails in any of my "email accounts" (including those trapped in spam/junk) that anyone from "Aegis Capital" (and various derivations of that "email stem") ever contacted me at all by email, at least not in the last couple or more years?
3. You write that you're involved in an exciting project in the "anti-infective drug delivery

## The Patent '813 Story, Part II -- Version 2

space." What makes you think that "I" would be interested in something like that? Do you know anything about "me," the person to whom you sent your email? Do you know what I do professionally? Mr. Siek is a senior managing director and Mr. Nicholson is a managing director of a reputable financial firm (at least based on your representation of it in your email). However, your solicitation of me supports the fact that you've done no due diligence whatsoever in your asking me to contact you about "this limited, pending opportunity." Is that the way that you and Aegis Capital Ventures routinely solicit people for its Boards, advisory roles, etc....? Is that the way you handle your investments?

4. What motivated you to write "I contacted you...." but two of you (Mr. Siek and Mr. Nicholson) signed it as a "we"? That's a very odd thing for anyone to do in writing an email, unless it was intentional.

5. By an objective measure of "communication behavior," the method by which you "sent" this email to my "[louiscsan@aol.com](mailto:louiscsan@aol.com)" is bizarre, which any reasonable person would appreciate means one of a couple things. Whose idea among the three of you was that? Or of it was someone else's idea, what is name of that person and who do they work for?

Let me tell you in advance that how you respond to this email (including your silence to me) will also be evaluated for its implications and proper actions will be taken accordingly.

Sincerely,

"[louiscsan@aol.com](mailto:louiscsan@aol.com)"

(the header in the attached PDF will provide you a little more context for my "identity," which may help you understand the seriousness, scope and implications of this matter)

**ATTACHMENT: "3.13.15 Aegis Captial Email Bcc'd to 813 Inventor's aol.com address.pdf"**

(available for download at:

[http://www.4shared.com/download/zB3wy6Btba/31315\\_Aegis\\_Captial\\_Email\\_Bccd.pdf?lgfp=3000](http://www.4shared.com/download/zB3wy6Btba/31315_Aegis_Captial_Email_Bccd.pdf?lgfp=3000))

**From:** "Sanfilippo, Louis" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject: Re: in vivo CNS Discovery at Charles River**  
**Date:** April 21, 2015 5:17:48 AM EDT  
**To:** "Toni.Wolinsky@crl.com" <[Toni.Wolinsky@crl.com](mailto:Toni.Wolinsky@crl.com)>  
**Cc:** "Carrie.Panepinto@crl.com" <[Carrie.Panepinto@crl.com](mailto:Carrie.Panepinto@crl.com)>

Dear Dr. Wolinsky,

You sent me the email below on Thursday March 26 (at 3:02 pm EDT) to my "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" email address, cc'ing Carrie Panepinto. Attached you'll also find PDF's of three additional "Charles River Labs" emails to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" on the dates of (i) March 19 at 10:09 am EDT, (ii) March 31 at 1:12 pm EDT and (ii) April 17 at 7:52 am EDT.

Based on an analysis of emails "received" to my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" address over a good period of time, these four "Charles River Labs" emails would appear to be the "first" and "only ever" that I've "received" to that account, including in junk/spam folders. Your own "Charles River Labs" email, Dr. Wolinsky, has received particular attention to determine the motivation for your "communication behavior" (as well as that of Charles River Labs more generally and why I began

## The Patent '813 Story, Part II -- Version 2

to receive emails from the company on March 19 when I apparently never did before, nor did I "sign up" to receive them). To this effect, I would strongly encourage that you take this communication from me very seriously and reply to my questions in writing or have a representative from Charles River Labs (who can be held accountable) do so instead. Your failure (or your company's) to respond to my inquires will also be evaluated for its implications and used as evidence to support the motivational basis for your (and Charles Rivers') communication conduct to my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" address.

1. Where, or from whom, did you receive the email "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)"? I would appreciate a specific name if it was provided to you by a person. If you found it off the internet or through some other "source," please describe how.
2. Was it your decision to send your email to me at my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" address or did someone ask you to do it on their behalf?
3. Did you write your email wholly on your own or did someone help you write it? If someone provided you guidance on how to write it, what is the name of that person and who do they work for?
4. You say "I am hoping you and your colleagues would be interesting in speaking with me to learn more about Charles River can help support the preclinical efforts at LCS Therapeutics." What "colleagues" are you referring too? Yale colleagues? LCS Therapeutics' colleagues? Please provide **specific context** and its relationship to your representing "LCS Therapeutics" in that sentence. You are not emailing me at "LCS Therapeutics," which surely a person of your credentials would understand, which begs the question of why would you refer to "LCS Therapeutics" in writing an email to my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" email address? That's very odd, particularly if you consider the fact that when you look for the most accessible public information on "LCS Therapeutics" you find a press release issued on December 26, 2014 in which the only email listed in the press release itself is the one featured in its "Inquiries/Business Development Section," which is "[info@lcsgrupp.com](mailto:info@lcsgrupp.com)." Did you read that Dec. 26 press release? If so, how do you get at "preclinical work" from its contents? Any reasonable person with a modicum of knowledge about the difference between "preclinical" and "clinical" efforts would see that it's bizarre to get from that Dec. 26 press release and its contents to "preclinical work," unless its intentionally done for a specific purpose. That, of course, would have some very serious ramifications (legal ones of course) for why you and/or Charles River Labs would be emailing "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" and communicating like that.
6. But more revealingly than any of the above questions/comments, you should know that I know that Charles River Labs' "communication behavior" has been under close surveillance by "collaborators" who do this kind of thing using, in this case, the kinds of analytical tools readily (and publicly) available to companies that issue press releases through services like PR Newswire. Once you have enough information to draw conclusions with a high degree of certainty, certain actions can be taken to remedy "problematic behavior." As it turns out, I've been informed that Charles River Labs was identified as making its first two "organizational hits" to view that December 26 press release in **the two days prior to Charles Rivers' "first" (March 19) email to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" but the hyperlink to the attached PDF having that "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" email information was (as I've also been informed) "publicly de-activated" three days prior to Charles Rivers' "first" March 19 email to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)"** (on Monday March 16 between 2:30 pm -- 3:30 pm EDT). That suggests that someone "outside of Charles River Labs" provided the company -- and you -- the "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" address, perhaps from that PDF of "email communications" from the Dec. 26 "LCS Therapeutics" press release so that you/Charles River Labs could email me these "first ever" Charles River Labs' emails and you could email me a solicitation regarding "LCS

## The Patent '813 Story, Part II -- Version 2

Therapeutics" at "louis.sanfilippo@yale.edu." If that's the case, you and/or someone at Charles River Labs has some serious explaining to do, because there are serious consequences for that type of thing, especially if it's done for unfair and deceptive purposes.

Dr. Wolinsky, are you aware of the publicly available information involving "LCS Therapeutics"? If you're not, then you probably should be very very soon because its very serious stuff and you and your company seem to be right in the middle of it.

Sincerely,

Louis Sanfilippo, MD

Begin forwarded message:

**From:** "Wolinsky, Toni" <Toni.Wolinsky@crl.com>  
**Subject:** **in vivo CNS Discovery at Charles River**  
**Date:** March 26, 2015 3:02:21 PM EDT  
**To:** "louis.sanfilippo@yale.edu" <louis.sanfilippo@yale.edu>  
**Cc:** "Panepinto, Carrie" <Carrie.Panepinto@crl.com>

Dear Dr. Sanfilippo,

I am the CNS *in vivo* Specialist for Charles River Discovery Services. Our team includes experienced CNS drug discovery scientists, while the breadth of capabilities at our CNS *in vivo* research site allows for the comprehensive assessment of the efficacy of compounds using multiple endpoints in the same study – from behavioral to molecular and cellular readouts, and really exceptional structural and functional small animal imaging.

I am hoping you and your colleagues would be interesting in speaking with me to learn more about Charles River can help support the preclinical efforts at LCS Therapeutics. I would be happy to give you a call at your convenience, or to meet with you in person (I am base in nearby northern NJ). In the interim, please take a look at the CNS discovery section of our website (<http://www.criver.com/products-services/drug-discovery/central-nervous-system-pain>) and let me know if I can provide you with more detailed information on any areas of potential interest. Our portfolio of services and disease models is constantly expanding, so please ask if you do not see something you might be looking for.

Thank you for your consideration.

Best regards,  
Toni Wolinsky

Toni D. Wolinsky, PhD  
Sr. Specialist, *In Vivo* Discovery | Charles River  
251 Ballardvale Street, Wilmington, MA 01887  
Direct: (781) 222-7800  
Mobile: (978) 495-0698  
toni.wolinsky@crl.com | www.criver.com

### **ATTACHMENTS:**

**"3.19.15 Email from Charles River Labs to 813 Inventor's yale.edu address.pdf"** (available

## The Patent '813 Story, Part II -- Version 2

for download at:

[http://www.4shared.com/download/SKNVh\\_bFce/31915\\_Email\\_from\\_Charles\\_River.pdf?lgfp=3000](http://www.4shared.com/download/SKNVh_bFce/31915_Email_from_Charles_River.pdf?lgfp=3000))

**"3.31.15 Charles River's "Discover why we do what we do" Email to Sanfilippo's yale.edu email.pdf"** (available for download at:

[http://www.4shared.com/download/rFHJh-opce/33115\\_Charles\\_Rivers\\_\\_Discover.pdf?lgfp=3000](http://www.4shared.com/download/rFHJh-opce/33115_Charles_Rivers__Discover.pdf?lgfp=3000))

**"4.17.15 Charles River Labs' "A Complimentary...." Email to Sanfilippo's yale email.pdf"**

(available for download at:

[http://www.4shared.com/download/r\\_7HeCEUba/41715\\_Charles\\_River\\_Labs\\_\\_A\\_Co.pdf?lgfp=3000](http://www.4shared.com/download/r_7HeCEUba/41715_Charles_River_Labs__A_Co.pdf?lgfp=3000))

**From:** "Panepinto, Carrie" <Carrie.Panepinto@crl.com>

**Subject:** Automatic reply: in vivo CNS Discovery at Charles River

**Date:** April 21, 2015 5:18:03 AM EDT

**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

I will be out of the office Monday April 20 through Friday April 24 with no access to email or voice mail. For any urgent needs, please contact Jessica Metterville ([jessica.metterville@crl.com](mailto:jessica.metterville@crl.com))

I will attend to all matters as soon as possible on Monday, April 27.

Carrie

**5:39 AM EDT:**

**"Unsubscribe Confirmation" for D-Med-Corp is available in PDF at:**

[http://www.4shared.com/download/-Af4HyI1ce/42115\\_UNSUBSCRIBE\\_D-MED\\_CORP.pdf?lgfp=3000](http://www.4shared.com/download/-Af4HyI1ce/42115_UNSUBSCRIBE_D-MED_CORP.pdf?lgfp=3000)

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

**Subject:** Re: Psychiatry Medicine Physician Locums Coverage Need- Massachusetts

**Date:** April 21, 2015 6:39:34 AM EDT

**To:** Christine Jordan <cjordan@assurgentmedical.com>

Dear Ms. Jordan,

I am writing in reference to your email below, as sent to me at my "[yale.edu](mailto:yale.edu)" email address on Thursday April 16. There are several questions for which I'd appreciate your prompt written response, because your email has been analyzed by a very skilled team for its rhetorical, semantic and linguistic features -- and it has raised serious red flags for its motivational intent. It is highly likely that action will be taken on it because of its serious implications in view of numerous other emails I've "received" at my "[yale.edu](mailto:yale.edu)" account having highly unusual rhetorical, semantic and linguistic features. Let me be specific.

1. What do you know about me? You write **as if** you know something about me, like "based on your experience in Psychiatry Medicine, I am reaching out to you as I believe you would be an excellent fit for....." That's bizarre, as measured against standard solicitations of this kind (of which you should be aware based on your credentials), unless (i) you do know something about me, or (ii) someone told you something about me, or (iii) someone put you up to writing that email and/or helped you write it. All of those have very serious legal ramifications that I'm in a much

## The Patent '813 Story, Part II -- Version 2

better place to understand than you are, but I can assure you that the implications of your email are extremely serious and far-reaching. So which one is it? And how did you obtain the email address "louis.sanfilippo@yale.edu"? If by person, what is the name of that person and who do they work for? If by other means, please describe.

2. You write in your email that I would be "an excellent fit for a confidential role that I'm working on." What are you talking about? You speak **as if** we should be communicating under a "confidentiality disclosure agreement," as businesses sometimes do when they're trying to close a deal and each company wants the terms of their communication kept confidential. Is there something that you know about "business activities" I've been, and/or are, involved in? If so, why would you email me at my "yale.edu" address? And from whom might you have received such guidance? Any comments regarding your specific use of the language "**a confidential role**" would be most welcome.

3. Lastly, you should know that after "I send" this email to you, I will immediately "unsubscribe" to your service. It won't be long, perhaps another hour or so, that I will have unsubscribed from just about all the emails that have been designated by a special team (who has helped me analyze my different email accounts over a period of about two years) to have a "high probability" of involvement in a rather serious legal problem for which certain public actions have been extensively planned and certain people will be unexpectedly exposed for their involvement in this "communication matter." To this effect, I would suggest that for any communication of which you have been, and/or are, involved regarding my name, or my email account(s), you should handle all forward-going communications truthfully, because if you don't you should expect very serious consequences for your professional conduct. Unfortunately, you're in the middle of something that is about to go very public and for which there's only one way for it to go, complete exposure.

I would appreciate a response to my questions in writing, so that I have something from you that makes you accountable for your communication behavior. The "collaborators" that have been involved in evaluating communications to my different emails are very big on accountability and they don't suffer fools. They know exactly what they're doing, which is why I'm writing this email to you from my "yale.edu" address pointing out all these things after having written (with formidable help of course) a string of similar emails to other people who have communicated to "me" very oddly and uncharacteristically.

Sincerely,

Louis Sanfilippo MD

On Apr 16, 2015, at 11:10 AM, Christine Jordan wrote:

Hope all is well with you.

Based on your experience in Psychiatry Medicine, I am reaching out to you as I believe you would be an excellent fit for a confidential role that I am working on. I am looking to refer a highly motivated and detailed oriented Person.

Here are a few details about the company:

\*A Hospital in Massachusetts has an urgent need for a Psychiatry Medicine Physician for Locums Tenens coverage.

\*Compensation is highly competitive

\*Medical malpractice provided

\*Travel and Lodging will be taken care of

## The Patent '813 Story, Part II -- Version 2

Are you interested in hearing more details? If so, what is the best time to talk and the best number to reach you?

Looking forward to speaking with you.

Best Regards

Christine Jordan  
Recruitment Consultant  
ASSURGENT MEDICAL SOLUTIONS  
cjordan@assurgentmedical.com  
Direct Line: 470-427-0633  
Cell: 240-350-8243  
Office Line: 877-842--6833  
Assurgentmedical.com  
A member of NALTO

[One-click unsubscribe from all future emails.](#)

**6:42 AM EDT:**

**"Unsubscribe Confirmation" for "Assurgent Medical Solutions" is available in PDF at:**

[http://www.4shared.com/download/LASKmHDace/42115\\_Unsubscribe\\_Assurgent\\_.pdf?lgfp=3000](http://www.4shared.com/download/LASKmHDace/42115_Unsubscribe_Assurgent_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Fwd: Psychiatry Medicine Physician Locums Coverage Need- Massachusetts  
**Date:** April 21, 2015 6:47:32 AM EDT  
**To:** stopspam@akken.com

Please see unsolicited email below (as well as my response) to Ms. Jordan's email to me at "louis.sanfilippo@yale.edu." Frankly, it's worse than spam, for self-evident reasons. Please see that proper measures are taken to address this from within your company's email handling of things.

Thank you

Begin forwarded message:

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Re: Psychiatry Medicine Physician Locums Coverage Need- Massachusetts  
**Date:** April 21, 2015 6:39:34 AM EDT  
**To:** Christine Jordan <cjordan@assurgentmedical.com>

Dear Ms. Jordan,

I am writing in reference to your email below, as sent to me at my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" email address on Thursday April 16. There are several questions for which I'd appreciate your prompt written response, because your email has been analyzed by a very skilled team for its rhetorical, semantic and linguistic features -- and it has raised serious red flags for

## The Patent '813 Story, Part II -- Version 2

its motivational intent. It is highly likely that action will be taken on it because of its serious implications in view of numerous other emails I've "received" at my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" account having highly unusual rhetorical, semantic and linguistic features. Let me be specific.

1. What do you know about me? You write **as if** you know something about me, like "based on your experience in Psychiatry Medicine, I am reaching out to you as I believe you would be an excellent fit for....." That's bizarre, as measured against standard solicitations of this kind (of which you should be aware based on your credentials), unless (i) you do know something about me, or (ii) someone told you something about me, or (iii) someone put you up to writing that email and/or helped you write it. All of those have very serious legal ramifications that I'm in a much better place to understand than you are, but I can assure you that the implications of your email are extremely serious and far-reaching. So which one is it? And how did you obtain the email address "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)"? If by person, what is the name of that person and who do they work for? If by other means, please describe.

2. You write in your email that I would be "an excellent fit for a confidential role that I'm working on." What are you talking about? You speak **as if** we should be communicating under a "confidentiality disclosure agreement," as businesses sometimes do when they're trying to close a deal and each company wants the terms of their communication kept confidential. Is there something that you know about "business activities" I've been, and/or are, involved in? If so, why would you email me at my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" address? And from whom might you have received such guidance? Any comments regarding your specific use of the language "**a confidential role**" would be most welcome.

3. Lastly, you should know that after "I send" this email to you, I will immediately "unsubscribe" to your service. It won't be long, perhaps another hour or so, that I will have unsubscribed from just about all the emails that have been designated by a special team (who has helped me analyze my different email accounts over a period of about two years) to have a "high probability" of involvement in a rather serious legal problem for which certain public actions have been extensively planned and certain people will be unexpectedly exposed for their involvement in this "communication matter." To this effect, I would suggest that for any communication of which you have been, and/or are, involved regarding my name, or my email account(s), you should handle all forward-going communications truthfully, because if you don't you should expect very serious consequences for your professional conduct. Unfortunately, you're in the middle of something that is about to go very public and for which there's only one way for it to go, complete exposure.

I would appreciate a response to my questions in writing, so that I have something from you that makes you accountable for your communication behavior. The "collaborators" that have been involved in evaluating communications to my different emails are very big on accountability and they don't suffer fools. They know exactly what they're doing, which is why I'm writing this email to you from my "[yale.edu](mailto:louis.sanfilippo@yale.edu)" address pointing out all these things after having written (with formidable help of course) a string of similar emails to other people who have communicated to "me" very oddly and uncharacteristically.

Sincerely,

Louis Sanfilippo MD

On April 16, 2015, at 11:10 AM, Christine Jordan wrote:

## The Patent '813 Story, Part II -- Version 2

Hope all is well with you.

Based on your experience in Psychiatry Medicine, I am reaching out to you as I believe you would be an excellent fit for a confidential role that I am working on. I am looking to refer a highly motivated and detailed oriented Person.

Here are a few details about the company:

\*A Hospital in Massachusetts has an urgent need for a Psychiatry Medicine Physician for Locums Tenens coverage.

\*Compensation is highly competitive

\*Medical malpractice provided

\*Travel and Lodging will be taken care of

Are you interested in hearing more details? If so, what is the best time to talk and the best number to reach you?

Looking forward to speaking with you.

Best Regards

Christine Jordan  
Recruitment Consultant  
ASSURGENT MEDICAL SOLUTIONS  
cjordan@assurgentmedical.com  
Direct Line: 470-427-0633  
Cell: 240-350-8243  
Office Line: 877-842--6833  
Assurgentmedical.com  
A member of NALTO

[One-click unsubscribe from all future emails.](#)

**From:** AkkenCloud <customersuccess@akkencloud.com>

**Subject:** Ticket Received - [#797679] Fwd: Psychiatry Medicine Physician Locums Coverage Need- Massachusetts

**Date:** April 21, 2015 6:53:08 AM EDT

**To:** louiscsan@aol.com

**Reply-To:** AkkenCloud <customersuccess@akkencloud.com>

Hello Louis Sanfilippo, MD We would like to acknowledge that we have received your request and a ticket has been created with Ticket ID - 797679. A support representative will be reviewing your request and will send you a personal response. (usually within 24 hours). To view the status of the ticket or add comments, please

visit <https://support.akkencloud.com/helpdesk/tickets/797679>

Thank you for your patience.

Sincerely,

Your AkkenCloud Support Team.

## The Patent '813 Story, Part II -- Version 2

**From:** Pharma & Medtech BI Customer Care <custcare@informa.com>  
**Subject: RE: Subscribe/Unsubscribe Issue**  
**Date:** April 21, 2015 8:24:13 AM EDT  
**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Cc:** Pharma & Medtech BI Customer Care <custcare@informa.com>

Good morning Louis,

Thank you for your email. I have updated your record in our system so you will no longer receive any emails from us.

If you need anything else, please reply to this email or call Customer Care Monday through Friday anytime between 8am - 6pm eastern time at (888)670-8900.

Kelly Mazzocchi  
Client Services Executive | Business Intelligence | Informa  
Pharma and Healthcare  
52 Vanderbilt Avenue 11th Floor  
New York, NY 10017  
(888)670-8900 toll free  
(908)748-1221 Customer Care  
(908)748-1214 Direct

-----Original Message-----

**From:** Sanfilippo, Louis [mailto:louis.sanfilippo@yale.edu]  
**Sent:** Monday, April 20, 2015 11:49 PM  
**To:** Pharma & Medtech BI Customer Care  
**Subject:** Subscribe/Unsubscribe Issue

Hello,

I received two emails from "info@pharmamedtechbi.net" ("The Rose Sheet") on Tuesday March 24 at 4:21 pm EDT and Wednesday April 15 at 1:46 pm EDT to the email above ("louis.sanfilippo@yale.edu"). However, I never subscribed to your email list serve, which made it a challenge to "unsubscribe" to it because your "unsubscribe protocol" directed me to my "alleged account" (that involves a password) for which I never signed up because I never subscribed or joined your service/list serve in the first place.

Please confirm that you received this email and have successfully "unsubscribed" the email address "louis.sanfilippo@yale.edu" for any communications that may come from Informa. If you could provide me a written explanation with a signed name (for the purposes of accountability) for how you think this may have occurred, it would be greatly appreciated.

Sincerely,

Louis Sanfilippo, MD

**From:** "Wolinsky, Toni" <Toni.Wolinsky@crl.com>  
**Subject: Re: in vivo CNS Discovery at Charles River**  
**Date:** April 21, 2015 8:43:35 AM EDT

## The Patent '813 Story, Part II -- Version 2

To: "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

FYI

I have forwarded this most bizarre email below to Gina. And, of course, have NOT responded.

Traveling to CA today ...

TW

Sent from my iPhone

**From:** "Wolinsky, Toni" <Toni.Wolinsky@crl.com>

**Subject: Re: in vivo CNS Discovery at Charles River**

**Date:** April 21, 2015 8:47:47 AM EDT

**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

Dr. Sanfilippo,

Clearly my last email was sent to you in error . I am sure you will get an response to your message from an appropriate person at Charles River in due time.

Toni

Sent from my iPhone

On Apr 21, 2015, at 8:43 AM, Wolinsky, Toni <[Toni.Wolinsky@crl.com](mailto:Toni.Wolinsky@crl.com)> wrote:

FYI

I have forwarded this most bizarre email below to Gina. And, of course, have NOT responded.

Traveling to CA today ...

TW

Sent from my iPhone

**From:** <susanw@thefdagroupusa.com>

**Subject: RE: Former FDA Experts Request Meeting**

**Date:** April 21, 2015 9:15:02 AM EDT

**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

Dear Louis, Your advertisement on LinkedIn is where I found you, as well your connection with Cenestra Health and your connection with Yale. The Yale email address was most likely found on web as you have been in our system since 2012.

Founding members of a company helping to progress medicine and in your position at times need help in FDA filings for which we are experienced. The idea to email you was mine. Feedback

## The Patent '813 Story, Part II -- Version 2

from industry is to be short and to the point, thus the reason for the shortness.

Many executives working with a company and affiliated with a university or foundation, use the edu address to be contacted.

Companies promoting services (Like the FDA Group) have various email domains i.e. @fdagroupusa or @fdagroup that all point to the same email group.

It appears you are not interested to received emails from us, so what we do is to remove you from our mailing list as soon as we learn you are not interested. For now I will do so. However, if you do need support with filings please let me know.

Regards,

Susan Walsh  
The FDA Group, LLC  
290 Turnpike Road, Suite 200  
Westborough, MA 01581  
240 498 8499

**From:** "Skoures, Evan" <evan.skoures@pearson.com>  
**Subject: Re: Your previous interest in Quotient**  
**Date:** April 21, 2015 9:23:31 AM EDT  
**To:** "Louis Sanfilippo, MD" <louiscsan@aol.com>

Good Morning Dr. Sanfilippo,

I received your email and appreciate your getting back to me. I would like to take this opportunity to apologize for any confusion that my earlier email may have caused.

I believe your email address along with the inquiry - perhaps from the APA Conference -came into our database as a result of the Pearson acquisition of BioBehavioral Diagnostics a couple of years ago.

I sent you the last messages as a courtesy to follow up and ensure that any/all of your questions have been answered. The format is consistent with normal language and does not appear to have been "tampered" with....Based on your feedback, I will remove your address from our list and confirm that you will not receive email materials going forward.

Again, my apologies and please excuse any confusion. If you have any additional questions, feel free to contact me.

Sincerely,  
Evan.

**From:** "Mullane, Gina" <Gina.Mullane@crl.com>  
**Subject: RE: in vivo CNS Discovery at Charles River**  
**Date:** April 21, 2015 9:34:06 AM EDT  
**To:** "louis.sanfilippo@yale.edu" <louis.sanfilippo@yale.edu>

Dr. Sanfilippo,

I would like to offer my sincere apologies for your frustrations. An employee in our inside Sales

## The Patent '813 Story, Part II -- Version 2

team used Linked In to find your contact information and attached your Yale email address to the LCS Group. This employee has been notified not to infer these connections again and we have removed your contact information from our system. I truly am sorry for any inconvenience this may have caused.

If there is anything further that you would like to discuss or see us do, please let me know.

Sincerely, Gina Mullane

### **Gina Mullane**

Corporate Vice President, Global Marketing | Charles River

P: 781.222.6371 | M: 603.247.0552

[gina.mullane@crl.com](mailto:gina.mullane@crl.com) | [www.criver.com](http://www.criver.com)

LinkedIn | Twitter | Facebook | Eureka

**From:** Wolinsky, Toni  
**Sent:** Tuesday, April 21, 2015 7:18 AM  
**To:** Mullane, Gina  
**Cc:** Panepinto, Carrie  
**Subject:** FW: in vivo CNS Discovery at Charles River  
**Importance:** High

Hi Gina,

Please read the email below.

Keep me posted.

Thanks,

Toni

**From:** Sanfilippo, Louis [<mailto:louis.sanfilippo@yale.edu>]

**Sent:** Tuesday, April 21, 2015 5:18 AM

**To:** Wolinsky, Toni

**Cc:** Panepinto, Carrie

**Subject:** Re: in vivo CNS Discovery at Charles River

Dear Dr. Wolinsky,

You sent me the email below on Thursday March 26 (at 3:02 pm EDT) to my "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" email address, cc'ing Carrie Panepinto. Attached you'll also find PDF's of three additional "Charles River Labs" emails to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" on the dates of (i) March 19 at 10:09 am EDT, (ii) March 31 at 1:12 pm EDT and (ii) April 17 at 7:52 am EDT.

**[EMAIL CONTENTS STRIPPED]**

### **10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

## The Patent '813 Story, Part II -- Version 2

[http://www.4shared.com/download/GeLFMK72ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/GeLFMK72ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject: Re: in vivo CNS Discovery at Charles River**  
**Date:** April 21, 2015 10:34:45 AM EDT  
**To:** "Wolinsky, Toni" <Toni.Wolinsky@crl.com>

Toni,

Take no offense, but you needn't spend time trying to disguise what's obvious (at least from "my side of things" where I have access to some formidable analytic tools along with the help of "collaborators" who take special note of timing, rhetorical and semantic content, etc... of communications). In a "narrative vacuum" (as it would be if one took a narrow range of information and tried to frame it to appear a certain way), your email could make sense. But for those on "my side of the story" in which the "legal narrative" is just about completely written, your email only supports everything that I highlighted to you. You and Gina, and Carrie (and many others) will find out soon enough so that there's no doubt in your mind. That's the objective of my communications (and their timing) to you -- to make everything transparent and clear so that it's all beyond a reasonable doubt.

Regards,

Louis Sanfilippo, MD

On Apr 21, 2015, at 8:47 AM, Wolinsky, Toni wrote:

Dr. Sanfilippo,

Clearly my last email was sent to you in error . I am sure you will get an response to your message from an appropriate person at Charles River in due time.

Toni

Sent from my iPhone

On Apr 21, 2015, at 8:43 AM, Wolinsky, Toni <Toni.Wolinsky@crl.com> wrote:

FYI

I have forwarded this most bizarre email below to Gina. And, of course, have NOT responded.

Traveling to CA today ...  
TW

Sent from my iPhone

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject: Re: Your previous interest in Quotient**

## The Patent '813 Story, Part II -- Version 2

**Date:** April 21, 2015 11:00:23 AM EDT  
**To:** "Skoures, Evan" <evan.skoures@pearson.com>

Dear Evan,

Are you prepared to testify in court and/or in a deposition (under oath with penalty of imprisonment) that you believe your April 13 email (and the one that came to my "[yale.edu](mailto:evan.skoures@pearson.com)" address from Pearson on April 9) was based on a migration of emails into your database a couple years ago as a result of the Pearson acquisition of BioBehavioral Diagnostic? If I were an attorney in possession of email and audio communications made to "Dr. Louis Sanfilippo" at any number of "contact locations" (i.e., emails, phone numbers) between January 7, 2015 and today, in view of a composite baseline for about two years of communications before then, that's the first question I'd be asking you.

The second question would be whether you believe that a "forwarded" email would have the features that you say it does (i.e., "by" instead of "from," "sent to" instead of "to," an absent subject and date line) . Can your forward me this email immediately after I send it to you so that I can see what it looks like (as your email system may have different configurations than most others) and then I can take that information to the "collaborators" with whom I have been, and still am, working to put together the proper "legal narrative" based on "communications" like yours. Perhaps you'll have a chance to answer those questions again when the venue is a good bit more public, because it will be.

Sincerely,

Louis Sanfilippo, MD

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject: Re: Your previous interest in Quotient**  
**Date:** April 21, 2015 11:02:20 AM EDT  
**To:** "Skoures, Evan" <evan.skoures@pearson.com>

Please note that I wrote "[yale.edu](mailto:evan.skoures@pearson.com)" address in the email below, but it's actually the "[aol.com](mailto:evan.skoures@pearson.com)" one. -Louis Sanfilippo, MD

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject: Re: Former FDA Experts Request Meeting**  
**Date:** April 21, 2015 11:32:13 AM EDT  
**To:** "<susanw@thefdagroupusa.com> <susanw@thefdagroupusa.com>"  
<susanw@thefdagroupusa.com>

Dear Ms. Walsh,

Can you explain to me your "reasoning" as to how you got from my "connection with Cenestra Health" and "connection with Yale" to "Former FDA Experts Request Meeting" (as in your first email of March 4) and "founding members of a company helping to progress medicine and in your position at times need help in FDA filings for which we are experienced"? That's a pretty big jump that any reasonable would have a hard time following. What FDA filings did you think "Cenestra Health" was making? Or what FDA filings did you think "Yale" was making? If I were an attorney (or a group of them) looking to understand what motivated you to represent the things that you have, that's where I'd go. And then I'd ask you if you had any knowledge, direct or indirect, of

## The Patent '813 Story, Part II -- Version 2

whether "Louis Sanfilippo" (to whom you sent your email) was involved **in any entity other than** "Cenestra Heath" or "Yale" that could have "FDA flings" in the temporal vicinity of your own email to me. How would you answer those questions in a deposition and/or court under oath, with penalty of imprisonment for perjury?

You also say that "Many executives working with a company and affiliated with a university or foundation, use the edu address to be contacted." Do you realize the legal implications of your statement? If I were an attorney and questioning you under oath, that's another place I would go to understand the motivational basis for your making the representations that you do in your email.

I can tell one thing that you should pay attention to. Your email has drawn considerable attention on "my side of things," particularly from the collaborators with whom I have been, and still am, working who are committed to make sure that you have your chance to answer the above questions above publicly. I'm just telling you what I know, because I know what's about to happen imminently that involves your communications to me **in view of many others to me at any number of my emails**. You should also know that my emails to you have been very well planned and supported by a very skilled team that will not stop until it gets to the truth of the matter. Can you the same for your emails to me?

Sincerely,

Louis Sanfilippo MD

**From:** <susanw@thefdagroupusa.com>  
**Subject: RE: Former FDA Experts Request Meeting**  
**Date:** April 21, 2015 12:09:07 PM EDT  
**To:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>

Dear Louis, would you like to talk on the phone? My approach to you was simply to introduce services being performed by former FDA experts, that you may or may not be interested in. My review of your webpage led me to believe you work in Natural product and my personal experience is that natural product companies at times seek quality and evaluation to be handled similar to FDA regulated products. No other motivation other than to ask if you are interested in our consulting services. I can be available this afternoon to understand further what I have done to upset you. I apologize and wish to understand what I have done wrong and am willing to learn from you what that is so that I will not, if warranted, do it again.

Susan

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject: Re: Former FDA Experts Request Meeting**  
**Date:** April 21, 2015 6:03:08 PM EDT  
**To:** "<susanw@thefdagroupusa.com>" <susanw@thefdagroupusa.com>

Susan,

Thank you for your email. If you haven't yet appreciated it, let me say that I prefer emails. The reason for that, so you know, is that last October -- Oct. 1 to be exact -- I made an important "business decision" on behalf of the entity "LCS Group, LLC" (in my role as its "CEO") that had

## The Patent '813 Story, Part II -- Version 2

nothing to do with “Yale” or “Cenestra Health,” but remarkably (in view of your emails to me from “The FDA Group, LLC”) the company did at the time wholly own a patent (U.S. Patent No. 8,318,813) for the use of lisdexamfetamine dimesylate (“Vyvanse,” marketed by Shire US Inc.) to treat Binge Eating Disorder, claims later approved by the FDA on January 30, 2015. That patent is now wholly owned by another company, “Lucerne Biosciences, LLC,” in which I am a Manager and Member. It’s all public information if you know where to look. And there’s no evidence anywhere that Shire has rights to the IP. So that’s clearly a curious situation, particularly in view of your March 4 email to my [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu) address and its timing (among other unusual emails “received” to that account since Vyvanse was FDA-approved for “BED”). But there’s more.

While I am not at liberty to disclose to you details of who and/or what entity(ies) are involved with Lucerne Biosciences, LLC, I can tell you simply based on publicly available information that the company is very well “supported” by some formidable talent, not the least of which is its legal counsel of two reputable law firms. One reason for my saying that is that the company’s 813 Patent is in an *inter partes* review with the Patent Trial and Appeal Board, lodged by Shire Development LLC, but it doesn’t take long from reading the public filings to see that Shire Development LLC has clearly used the IPR proceedings to engage in baseless sham litigation for anti-competitive purposes. As that’s going on, Lucerne Biosciences, LLC also has a patent application running through the USPTO for which a notice of allowance can be expected anytime now that will effectively have the same claimed methods of treating BED with LDX as the 813 Patent, again all public information if you know how to properly interpret it, putting Shire US Inc. in expectedly a 30-60 day time frame (from today) of induced infringement. (Your March 4 email happened to come at a “sensitive time,” a day or so before the “249 patent application” was made public by the USPTO and which Shire counsel would have expected to go public around then).

In effect, then, “Shire” has a massive two-tiered problem that is very quickly escalating and reaching its crisis point. In psychiatric circles, they call this a “double bind.” You lose either way, but in this case Shire stands to “synergistically lose” because each legal venue would offer support (and public exposure/embarrassment) for the other and make Shire look willfully [you can fill in the word]. This is a pharmaceutical litigation lawyer’s dream scenario, a “legal double bind” with tons of “evidence and documentation” in which multiple Shire entities are stuck in an anti-competition/unfair and deceptive trade practice lawsuit while Shire Development LLC is still trying to argue its “clinical nonsense” to the Patent Board (as it did a few days ago in a filing) while Shire US Inc. and other Shire entities are hit with an induced infringement lawsuit in federal court. Everything happening at the exact same time. In the right legal hands (like an aggressive generic manufacturer), that’s enough to keep Shire Plc, Shire Development LLC, Shire LLC and Shire US Inc.’s in-house and outside counsels, and senior executives, in the headline pharmaceutical news for some time to come. It’s also a brilliantly orchestrated and honest “legal pathway” to leveraging Shire’s litigation headaches for early entry of a generic version of lisdexamfetamine dimesylate into the US market. I think someone with your skills would appreciate that as well as anyone.

But that Shire “set of problems” is made far worse if you’ve ever seen the PDF attachment of “email communications” in LCS Group, LLC’s December 26, 2014 press release that included emails from me (in my role as CEO of LCS Group, LLC) to Shire Plc’s CEO Dr. Flemming Ornskov and General Counsel Tatjana May (who moved to Shire Acquisition Inc. in December), Shire Development LLC’s VP of IP David Banchik, and Shire LLC’s James Harrington. You don’t get a clearer, more effectively written “story” than what’s been written up in those emails, to highlight important concepts and teachings that could educate a jury (or a judge) on the eating disorder art, stimulants, things like “options and licenses,” “mens rea” (i.e., motivation) and “actus reus” (i.e., behavior) as they relate to intentional/willful actions, patent terms and concepts, etc...Which would make any reasonable person wonder, who wrote those rather perfect

## The Patent '813 Story, Part II -- Version 2

“educationally-based emails” and why, without hardly even a typo? And also, how does Shire get out of a mess like that without losing its entire public face along with a complete fragmentation of its “Shire entities” through antitrust litigation? If I had to say, at this point the only plausible path forward without effectively incriminating themselves for their “problematic behavior” is to reach out to a “third party” like you who could function as a “discreet intermediary” and subtly navigate the complexities of their multiple legal problems without drawing attention to them that could materially disrupt shareholder value. But any good attorney familiar with these matters would quickly tell you that this effectively would be more anti-competitive conduct and unfair/deceptive trade practices.

If you look at the publicly available information on (i) the 813 Patent, (ii) its two owners at different points in time (LCS Group, LLC and Lucerne Biosciences, LLC), and (iii) “Shire’s” own communications to/from LCS Group, LLC CEO “Louis Sanfilippo” (that is me), it’s very simple to see based on simple business concepts and communications what “Shire” (collectively through its “one” outside counsel of Frommer, Lawrence & Haug, LLC -- “FLH”) was trying to do in filing the IPR in the first place, namely, to “split up” “Louis Sanfilippo” (as might be represented in my “yale.edu” address) from “LCS Group, LLC” (as represented in my “LCS Group email” address) and using its legal muscle and financial resources to either invalidate or acquire on the cheap what’s arguably the most non-obvious and valid patent in pharmaceutical history (because its claims are so narrow and its idea is revolutionary -- ie, treating an eating disorder without ADHD with a stimulant).

You can see Shire’s legal/business “modus operandi” very clearly in the publicly available communication made by FLH partner Sandra Kuzmich in her email to LCS Group attorney Joe Lucci on Sept. 4, 2014 in which she says “Shire understands that Dr. Sanfilippo is represented by you in these matters. Please inform Dr. Sanfilippo that all negotiations with Shire will involve in-house and outside counsel representing Shire.” Any second year law student would quickly recognize that Baker Hostetler attorney Joe Lucci was representing “LCS Group, LLC” simply by virtue of the “Power of Attorney” filed in the IPR proceedings by LCS Group on June 2, not representing “Dr. Sanfilippo.” So why would Ms. Kuzmich say “Shire understands that Dr. Sanfilippo is represented by you....”? And why would Ms. Kuzmich even talk about “negotiations” before the Patent Board issued its decision on the patentability of the 813 Patent on Shire’s IPR petition alleging the “obviousness” (and therefore “valuelessness”) of the 813 Patent?

You don’t get much clearer communication than that with respect to seeing what’s motivating Shire’s and FLH’s behavior? And any decent college age business student would see that FLH was trying to position itself to represent multiple Shire entities in order to control the negotiation process while they effectively were trying to make “LCS Group’s” representation a conflict of interest for “Dr. Sanfilippo” by having “LCS Group stuck in the IPR’s legal proceedings with Lucci as counsel” while also having “LCS Group stuck in Shire business negotiations with Lucci as counsel.” In behavioral profiling circles, they call Shire’s and FLH’s shared behavior “leveraged splitting.” It’s when two arms (i.e., “good cop”/ “bad cop”) are used in an intentionally coordinated way for a common “bad objective.” I say “bad” because it’s a deceptive practice, in this case to negotiate a commercial transaction while knowing you’ve done, and are doing, some very sketchy legal maneuverings (to put it gently, but for which people can go to jail) to establish the conditions for “business to happen.”

In this light, you can see why your March 4 email to me is so concerning, as are your follow-up responses. If you look at the timing of your March 4 email in view of events publicly taking place involving Lucerne Biosciences and Shire, any reasonable person would ask why were you emailing me to meet “former FDA Experts” at “louis.sanfilippo@yale.edu” under such odd topics as “Yale” and “Cenestra Health” when the **real public** “**pharma related activities**” that I was involved in at that time through my role as a Manager and Member of Lucerne Biosciences (and

## The Patent '813 Story, Part II -- Version 2

previously as CEO of LCS Group) had to do with defending a patent (in IPR proceedings) whose claims encompass **the first ever FDA approved treatment of Binge Eating Disorder**. **You contacted me representing "The FDA Group, LLC" to solicit a meeting with former FDA experts in the temporal context of my own work as a Manager and Member of a company that wholly owned a patent whose claims encompass a recent FDA approved indication.** If you look at the timing of your March 4 email in view of emails I received at three different of my email addresses since January 30, 2015 when Vyvanse was FDA-approved for the treatment of Binge Eating Disorder, well, any good litigation team could tell you what that means.

I think you get the point, as would any reasonable person (or judge) in view of a clearly written narrative that highlights the key "behavioral, business and legal features" of **many many written (and audio) communications**.

Sincerely,

Louis Sanfilippo MD

**Wednesday April 22, 2015:**

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** **Re: in vivo CNS Discovery at Charles River**  
**Date:** April 22, 2015 9:41:50 AM EDT  
**To:** "Mullane, Gina" <Gina.Mullane@crl.com>  
**Cc:** "toni.wolinsky@crl.com" <toni.wolinsky@crl.com>, "carrie.panepinto@crl.com" <carrie.panepinto@crl.com>

Thank you for your reply, Gina.

Let me point out a few things about your email from yesterday, because it won't be long before it and many others (like Toni's) become a matter of the public record. I'm just giving you, and Toni and Carrie (who I've cc'd), a head's up because I know what's been planned to happen and the parties that will be involved in it. And the reason I know this is that certain "special collaborators" have been asking me to do certain things, including writing this email to you now, for the purpose of accomplishing specific behavioral/legal objectives. Those objectives include making sure that they have everything they need in order to take "action." I am simply being transparent because that's what the "special collaborators" are telling me to do in this communication to you.

Also, I'm not frustrated in any way. So your perception of "me," vis-a-vis my "communication behavior," is **completely wrong**. You should know that I'm a psychiatrist. I will tell you that when you get something that completely wrong "perceptually," there's a term for it and it's called projection. It's a primitive defense mechanism that subjects one to perceptual distortions, typically amplified in times of stress. Sometimes, people will "projectively identify" with "projective comments" (like yours) in which they might even become "frustrated" feeling the frustration that the "other person" has. In other words, projection is taking what's unacceptable "within you" and inaccurately attributing it to another person **as if** it belongs to them, and "projective identification" is "buying into the projection." So your comment indicates that you're "projecting," albeit it's very subtle. I'm neither "projecting" nor "projectively identifying," because there's nothing unacceptable in me that I have to project, nor do I feel any emotional pull to react to "own your feelings." I am simply analyzing the communication behavior and telling you what I've been authorized to say to you.

In this sense, one reason why I am not frustrated is that I know exactly what I'm doing, why I am doing it and for "whom" I am doing it. In other words, I'm simply following orders from a very formidable team that I respect that has asked me to do certain things, like communicate to you in

## The Patent '813 Story, Part II -- Version 2

the way that I am now. The reason for that is so that there's a written record of it and that written record can be used to educate people who, for instance, might sit on a jury and have to evaluate email or voice message communications having "behavioral features" with "legal implications." Therefore, I'm actually quite excited (rather than frustrated). But so as to give you a head's up and not leave you perplexed in reading this email, you and others at Charles River Labs should expect to be asked questions of a nature like the following, whether in a deposition, under oath, cross-examination, or by the media or a show like 20/20:

1. Do you have any direct or indirect knowledge, or reason to believe, that any person or entity, now or formerly affiliated with, employed or paid by, consulting to, collaborating with, or volunteering for "Shire" (Pharmaceuticals) or any of its affiliates, collaborating entities or outside lawyers has or ever had sought to have a representative or employee of Charles River Laboratories contact Dr. Louis Sanfilippo at his "[yale.edu](mailto:yale.edu)" email address?
2. Do you have any direct or indirect knowledge, or reason to believe, that any person or entity, now or formerly affiliated with, employed or paid by, consulting to, collaborating with, or volunteering for "Shire" (Pharmaceuticals) or any of its affiliates, collaborating entities or outside lawyers has or ever had sought to have a representative or employee of Charles River Laboratories contact Dr. Louis Sanfilippo at his "[yale.edu](mailto:yale.edu)" email address and make reference to "LCS Therapeutics" or "LCS Group, LLC" in that communication?
3. Do you have any direct or indirect knowledge, or reason to believe, that any person or entity, now or formerly affiliated with, employed or paid by, consulting to, collaborating with, or volunteering for "Shire" (Pharmaceuticals) or any of its affiliates, collaborating entities or outside lawyers has or ever had sought to have a representative or employee of Charles River Laboratories contact Dr. Louis Sanfilippo at his "[yale.edu](mailto:yale.edu)" email address and make reference to "your colleagues," whether in reference to a specific entity like "LCS Therapeutics," or more generally to services of interest to such "colleagues" that Charles River Labs could provide, such as "preclinical efforts"?
4. Do you have any direct or indirect knowledge, or reason to believe, that any person or entity, now or formerly affiliated with, employed or paid by, consulting to, collaborating with, or volunteering for "Shire" (Pharmaceuticals) or any of its affiliates, collaborating entities or outside lawyers has or ever had sought to have a representative or employee of Charles River Laboratories attempt to communicate with Dr. Louis Sanfilippo, whether by email or by phone or in person, for the purpose of obtaining specific information on a patent or patent application involving the use of lisdexamfetamine dimesylate "VYVANSE" for the treatment of Binge Eating Disorder on which Dr. Sanfilippo is the only named inventor?
5. Do you have any direct or indirect knowledge, or reason to believe, that any person or entity, now or formerly affiliated with, employed or paid by, consulting to, collaborating with, or volunteering for "Shire" (Pharmaceuticals) or any of its affiliates, collaborating entities or outside lawyers has or ever had sought to have a representative or employee of Charles River Laboratories document in writing any information he or she could obtain involving statements made by Dr. Sanfilippo having to do with a patent or patent application involving the use of lisdexamfetamine dimesylate for the treatment of Binge Eating Disorder on which he is the only named inventor and then providing that information to a third party, whether electronically, by phone, paper or any other communication medium?

Just a few last things regarding your email that I've been asked to highlight for you. You write that an employee in your inside Sales team used Linked in to find my contact information. As it turns out, I routinely monitor my "LinkedIn account" to make sure that I am able to provide accurate "profiling information" for the documentation that will go with the "action" that is soon about to be taken. And while I do get "anonymous viewers," there's no evidence anyone from

## The Patent '813 Story, Part II -- Version 2

Charles River "viewed" my profile anytime recently **except** for the "Marketing Specialist at Charles River Laboratories" that viewed my profile in the last day or so, who I would think is you or Toni. The question, then, is this (for you specifically, Gina): did you check my LinkedIn profile to see if it featured my "[yale.edu](mailto:yale.edu) address" and then email me **afterwards** with your explanation of how Charles River obtained my contact information? I don't presume to know, nor am I implying, the answer. But the team that's been working on "this side of things" knows exactly how to get at the truth of something by going deeper and deeper into the story. This email is simply a benchmark against which certain events and their "timing" can be further probed, explored, questioned, analyzed, etc...

Further, don't be sorry. I'm not asking for an apology and I don't expect one. I'm only asking for the truth, however it's revealed, whether in a deposition, in court, under cross-examination, ... My email to you is a small part in a much bigger story, and when it's time for you to read the story and you're questioned about it, you'll understand why my email has been written this way, namely, so that "any reasonable person" can walk away from the "core communications" of the story and have not a doubt in their mind about what it says about any given person's behavior in it and the motivation for that behavior.

Sincerely,  
Louis Sanfilippo, MD

On Apr 21, 2015, at 9:34 AM, Mullane, Gina <[Gina.Mullane@crl.com](mailto:Gina.Mullane@crl.com)> wrote:

Dr. Sanfilippo,

I would like to offer my sincere apologies for your frustrations. An employee in our inside Sales team used Linked In to find your contact information and attached your Yale email address to the LCS Group. This employee has been notified not to infer these connections again and we have removed your contact information from our system. I truly am sorry for any inconvenience this may have caused.

If there is anything further that you would like to discuss or see us do, please let me know.

Sincerely, Gina Mullane

**Gina Mullane**

Corporate Vice President, Global Marketing | Charles River

P: 781.222.6371 | M: 603.247.0552 [gina.mullane@crl.com](mailto:gina.mullane@crl.com) | [www.criver.com](http://www.criver.com)

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Eureka](#)

### **10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/\\_EHAhikVba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/_EHAhikVba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Skoures, Evan" <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>

**Subject: Re: Your previous interest in Quotient**

**Date:** April 22, 2015 12:44:16 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: "Louis Sanfilippo, MD" <louiscsan@aol.com>

Good Afternoon Dr. Sanfilippo,

I received your email and since you asked that I reply back, I am doing so....

I do believe that the questions I answered in my last email to you are correct. Again, I do apologize if this has caused you any confusion, I was merely trying to make sure that there were no outstanding questions that I could help to address.

I would also like to make sure you are aware that you will not be receiving any additional materials via email into your in-box.

Have a great afternoon.

Sincerely,  
Evan.

On Tue, Apr 21, 2015 at 11:00 AM, Louis Sanfilippo, MD <louiscsan@aol.com> wrote:

Dear Evan,

Are you prepared to testify in court and/or in a deposition (under oath with penalty of imprisonment) that you believe your April 13 email (and the one that came to my "[yale.edu](http://yale.edu)" address from Pearson on April 9) was based on a migration of emails into your database a couple years ago as a result of the Pearson acquisition of BioBehavioral Diagnostic? If I were an attorney in possession of email and audio communications made to "Dr. Louis Sanfilippo" at any number of "contact locations" (i.e., emails, phone numbers) between January 7, 2015 and today, in view of a composite baseline for about two years of communications before then, that's the first question I'd be asking you.

The second question would be whether you believe that a "forwarded" email would have the features that you say it does (i.e., "by" instead of "from," "sent to" instead of "to," an absent subject and date line) . Can you forward me this email immediately after I send it to you so that I can see what it looks like (as your email system may have different configurations than most others) and then I can take that information to the "collaborators" with whom I have been, and still am, working to put together the proper "legal narrative" based on "communications" like yours. Perhaps you'll have a chance to answer those questions again when the venue is a good bit more public, because it will be.

Sincerely,

Louis Sanfilippo, MD

### Thursday April 23, 2015:

**From:** "Thomson IP Management Services" <ipms.info@thomsonreuters.com>

**Subject:** Got it all ironed out yet?

**Date:** April 23, 2015 9:34:04 AM EDT

**To:** lsanfilippo@lcsgrupp.com

**Reply-To:** "Thomson IP Management Services" <ipms.info@thomsonreuters.com>

## The Patent '813 Story, Part II -- Version 2

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

**[http://www.4shared.com/download/UpV2cPO9ce/42315\\_Thomson\\_IP\\_Management\\_Se.pdf?lgfp=3000](http://www.4shared.com/download/UpV2cPO9ce/42315_Thomson_IP_Management_Se.pdf?lgfp=3000)**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/ixVJx6Zsce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/ixVJx6Zsce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** **Important Legal Matter Involving an MTS Partners' Email Communication to "Louis.Sanfilippo@yale.edu"**  
**Date:** April 23, 2015 8:07:53 PM EDT  
**To:** Andrew Fineberg <Fineberg@mtspartners.com>  
**Cc:** info@mtspartners.com

Dear Andrew,

I hope you are well, and thank you for your email on behalf of MTS Partners that was "received" to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" on Wednesday April 8 (at 12:56 pm EST), attached below. It's been a couple years since we've last communicated. By my account, the last time I heard from you was when you emailed me at my "[louiscsan@aol.com](mailto:louiscsan@aol.com)" email on June 8, 2012 (at 5:12 pm EST) from your "[fineberg@mtspartners.com](mailto:fineberg@mtspartners.com)" email (that cc'd a person with whom I've conducted business and who you yourself know because we've worked together).

I mention the "email details" because I have received quite a number of highly idiosyncratic communications to various of my email accounts, particularly my "yale.edu" email address to which the April 8 MTS Partners email was sent. Based on an analysis of these communications for their rhetorical, semantic and linguistic features -- **and very importantly their timing** -- it's been determined with sufficiently high probability that they are materially relevant for a very serious legal matter involving a patent for which I am the only named inventor and whose ownership since the patent issued in 2012 has been two different entities (LCS Group, LLC and Lucerne Biosciences, LLC) in which I have had roles. The patent (U.S. Patent No. 8,318,813) and its related patent application (U.S. Patent App. No. 14/464,249) involve the use of lisdexamfetamine dimesylate "VYVANSE" (marketed by Shire US Inc.) for the treatment of Binge Eating Disorder. As you may or may not know, Vyvanse is the first FDA-approved treatment for Binge Eating Disorder and its approval came on Friday January 30, 2015. Shire is actively marketing the drug for its use in the treatment of "BED." You may have seen ads or commercials, including with spokesperson Monica Seles.

There are a few questions that I have been asked to ask you by "special collaborators" to LCS Group, LLC involving this very serious "legal matter" (with equally serious financial implications) that has been investigated for claims of misrepresentation, invasion of privacy, unfair and deceptive trade practices, and various and novel kinds of anti-competitive conduct. For this reason, I am emailing you from my "LCS Group, LLC" email address, as LCS Group, LLC was (i)

## The Patent '813 Story, Part II -- Version 2

the patent owner for the 813 Patent and 249 Application before they were wholly acquired by Lucerne Biosciences, LLC and (ii) the company has been involved in a strategic collaboration with Lucerne Biosciences, LLC since December 26, 2014 (at least as publicly announced in an LCS Group, LLC press release that day). Your attention to this matter, therefore, is extremely important, because your response(s) to this email (or lack of it) will be used as additional “behavioral communication evidence” to support certain imminent actions that have been planned by involved parties that include, among others, LCS Group, LLC.

Let me provide you some background before I get to the questions. You should know that MTS Partners' April 8 email drew a red flag in a routine “communication analysis” of emails “received” to “louis.sanfilippo@yale.edu.” There were a host reasons for your company's “flagged email,” but most notably because of its saying “We would be happy to discuss the transaction with you and hope that we can be helpful to you **as you consider your own financing alternatives and royalty monetization options**” in the narrative context of everything else MTS Partners represented in that email (i.e., a past transaction that MTS recently handled), as well as in view of the highly unusual “**pattern and nature of email communications**” that have been “received” at my “**louis.sanfilippo@yale.edu**” address over a number of months now but which have clearly been escalating in frequency since Tuesday March 24, 2015. (Bold emphasis is mine). That day in particular, to provide you proper temporal context, was a significant day in the public patent prosecution history of the 249 Application, because on that day an important “Supplemental Amendment **Prior To Examiner Interview**” was filed.

The legal -- **and behavioral** -- importance of this “Supplemental Amendment Prior To Examiner Interview” is related to an “*inter partes* review petition” filed by Shire Development LLC on Friday May 9, 2014 that alleged the “obviousness” of the 813 Patent. There are a few moving parts to keep in mind here in order to see the “motivational-behavioral connection” between (i) these two “patent venues” (i.e., “IPR,” “patent prosecution of a patent application”), (ii) the “red flag” for MTS Partners' April 8 email to “louis.sanfilippo@yale.edu” and (iii) the serious legal matters involving the multiple legal claims I just mentioned. But a person of your skill will quickly “get it” in view of what follows in this email.

In this light, the “Supplemental Amendment” supports that the patent prosecution of the 249 Application was “moving forward.” An “examiner interview” provides important information to the “patent owner” about the patentability of the application's claims, i.e., whether they're patentable, need “physical steps” (or different “physical steps”), need clarification of terms to make their claims encompass “eligible patent matter,” etc..... So modifying the patent application's claims in expectation of an “examiner interview” is a signal that the patent owner (in this case Lucerne Biosciences, LLC) is poising itself to obtain a “Notice of Allowance” on patentable claims involving the use of Vyvanse to treat Binge Eating Disorder. That “NOA” is an “intermediate step” from “patent application” to “issued patent.” You know this stuff, but I'm saying it here anyway because the “special collaborators” to LCS Group, LLC have advised me to do that for **important legal, behavioral and evidentiary reasons**. And, of course, to therefore support the strategic collaboration of LCS Group, LLC with Lucerne Biosciences, LLC.

Further, the patent examiner was the same for the 813 Patent as the 249 Patent Application, and a “prosecution history” analysis reveals that this examiner was very thorough and allowed only very narrow claims (i.e., “BED as defined in the DSM-IV-TR” as the treated entity, which is a very discrete diagnosis, and “lisdexamfetamine” as the only one drug to treat it). It therefore stands to reason that slightly different claims involving the use of Vyvanse to treat BED (but equally enforceable ones for an induced infringement action that can be initiated as early as the day the patent issues) could be obtained from the 249 Application in a not long period of time (i.e., a handful of weeks).

## The Patent '813 Story, Part II -- Version 2

Now keep that in mind and consider the prospect of a "Patent No. 2" (from the 249 Application) **in view of** what the public record has shown in the *inter partes* review of the 813 Patent. If you're not familiar with it, you can get up to speed on it fairly quickly through publicly available information, whether from the *inter partes* review proceedings themselves or communications that were made public following an LCS Group, LLC press release on December 26, 2014 that featured many easy-to-read explanations on "legal and scientific matters" relevant to the 813 Patent's "patentability" and Shire's "IPR representations" involving the state of the eating disorder art "as of September 13, 2007" (that is the filing date of the 813 Patent). To put it metaphorically, any competent psychiatrist would say that Shire "butchered the art of diagnosing and treating eating disorders." And they would also say that Shire "butchered the interpretation" of **how** an MD/psychiatrist would have interpreted the 813 Patent's **very narrow** "diagnostic claim limitation" of "Binge Eating Disorder as defined in the DSM-IV-TR," the very feature that makes the 813 Patent arguably the most "valid" and "non-obvious" patent in the pharmaceutical space. For details on that, though, you'd need to read a 181 page PDF that LCS Group, LLC emailed to Shire Plc's CEO Dr. Flemming Ornskov on Thursday November 13, 2014 (at 11:16 am EST) titled "Important Vyvance/Shire Matter" and for which a "communication analysis" at the time revealed that the PDF was downloaded at least a dozen times within the 72 hour temporal period immediately following that email from LCS Group, LLC to Shire Plc's CEO. (note that no one else was cc'd on that email)

Which leads to the significance of the *inter partes* review for the '813 Patent **in view of** (i) events taking place concurrently in the 249 Application's patent prosecution and (ii) the unusual pattern and nature of email communications "received" to any number of my email accounts **as well as idiosyncratic phone messages left on my cell phone and private practice voice mails since Vyvance was FDA-approved for the treatment of BED on January 30** (with a "relative escalation" since March 24). For one, while an *inter partes* review is intended to meaningfully address whether a given patent's claims are "valid" (i.e., "patentable") or not, it's easy to see that it can be a way to "avoid" a near-term infringement action. Anyone familiar with its newer legal process (from the American Invents Act, "AIA") could see how an *inter partes* review could be used strategically to forestall an infringement action (i.e., "induced infringement" rather than "direct infringement") involving a perfectly valid patent that encompasses claims for a drug expected to be FDA approved or that is FDA approved and actively being marketed by a pharmaceutical company. Further, various procedural actions taken in an *inter partes* review proceeding (i.e., "motions," "requests for authorization...", etc...) can be "tactically leveraged" to either harm, extort, pressure, manipulate or otherwise intimidate a company that hasn't the resources to defend itself (because it is small, kind of like LCS Group, LLC). In legal circles, they call such behavior "baseless sham litigation" and it represents a particular type of "anti-competitive (or anti-trust) conduct."

There are other forms of engaging in "anti-competitive conduct" as well, as it would relate to an *inter partes* review proceeding. Once such way, which you can clearly see if you were to analyze the email communications hyperlinked in that LCS Group, LLC December 26, 2014 press release, is how Shire's outside law firm **and** in-house counsel try to establish a "**frame for business negotiations**" with LCS Group, LLC **in the context of** an *inter partes* review proceeding that's premised on the patent's alleged "valuelessness" (because its claims are allegedly "unpatentable"). You can see that in an email from Shire's outside counsel to LCS Group, LLC's outside counsel on September 4, 2014 that writes, "Please inform Dr. Sanfilippo that all negotiations with Shire will involve in-house and outside counsel representing Shire." You can see that Shire's and its outside law firm's behavior of "**trying to negotiate business on a valueless patent**" makes no behavioral or logical sense, particularly in light of the fact that the Patent Board at this point in time hasn't even rendered its decision on the "patentability" of the 813 Patent for which Shire expended considerable resources to file its "*inter partes* review petition." Unless, of course, Shire and its law firm were motivated to use the "*inter partes*

## The Patent '813 Story, Part II -- Version 2

**review frame**” to intentionally attempt to unfairly and deceptively engage in business activity which, of course, the “behavioral communication evidence” clearly supports.

But there’s more very alarming “behavioral communication evidence,” which is that Shire’s outside law firm can be seen intentionally trying to establish a “framework for conducting business negotiations” in a way that its two partners clearly must know is not only inaccurate and misguided but also professionally unethical. Specifically, you can find in that same September 4 email from Shire’s outside counsel to LCS Group, LLC’s outside counsel the comment, “Shire understands that Dr. Sanfilippo is represented by you in these matters.” But clearly, Shire and its outside counsel **know** that Baker & Hostetler LLP’s Joe Lucci is “representing LCS Group, LLC,” as simply evidenced in the *inter partes* review “Power of Attorney” filing made by LCS Group, LLC on June 2, 2014. So you can see, therefore, that Shire’s outside counsel is trying to inaccurately represent (on the written record) that the law firm Baker & Hostetler LLP is “representing Dr. Louis Sanfilippo” **personally** for the purpose of “attempting to conduct business” when any competent lawyer would appreciate that Shire’s in-house counsel and outside counsel **know** Mr. Lucci is “representing LCS Group, LLC.” In legal circles, that kind of clearly intentional behavior, as used to “inaccurately frame the entities attempting to engage in business discussions,” **in view of** the kinds of things mentioned above (i.e., baseless sham litigation, misrepresentation) that are profusely evidenced in the public record, can be used to support a complaint (i.e., lawsuit) having claims of “unfair and deceptive trade practice” for the express purpose of “squelching, if not completely destroying, the competition.” The intentionality, method of doing it, and the parties involved couldn’t be any more obvious from a simple behavioral analysis of the publicly available written record.

Add to that there’s considerable “behavioral communication evidence” that clearly shows **how** Shire’s outside counsel was attempting to restrict (and even prohibit) “**business/commercial communication**” from LCS Group, LLC to “Shire” (across its entities of “Shire Plc,” “Shire LLC,” and “Shire Development LLC” and its various representatives thereof) by inaccurately alleging that LCS Group, LLC’s “business/commercial communication” (i.e., an option agreement to an exclusive license featured in LCS Group, LLC’s outside counsel’s email to Shire’s outside counsel on December 22, 2014 at 8:32 am EST) was within the scope of the *inter partes* review proceedings. Clearly, any reasonable person would understand (given a 10 minute tutorial on the “scope of material communications” relevant for “determining patentability” **versus** the “scope of material communications” relevant for “conducting business”) that the kinds of “legal and scientific communications” (as would be within the scope of an *inter partes* review proceeding) had nothing at all to do with the kinds of “business/commercial communication” (i.e., option agreement for an exclusive license) **that LCS Group, LLC was trying to communicate to Shire**. Consider that one day after that “anti-competitive act” (as on December 23), Shire’s outside counsel requested authorization from the Patent Board “for authorization to include a discussion of additional misconduct” in Shire’s expected “motion for sanctions” against LCS Group, LLC motivated by, obviously, that December 22 “business/commercial communication” LCS Group, LLC was attempting to communicate to Shire and, remarkably, for which Shire’s outside counsel’s senior partner reprimanded Mr. Lucci on three separate communications (via email) in a period of time just over 24 hours.

You don’t often get a clearer picture of “willful and coordinated anti-competitive conduct” involving two partners from a reputable law firm than that. And you can easily see (simply from the semantic and rhetorical communication features) **exactly how** Shire’s outside counsel does that, namely, by materially misrepresenting the “substantive nature and content” of LCS Group, LLC’s “communication to Shire” by alleging the “communication” is related to “patentability matters” when its clearly related to “business/commercial matters.” You don’t even need to be a lawyer to understand that. All you need to know is the difference between things like “business/commercial terms” and “legal/scientific terms,” and how Shire’s outside counsel is intentionally trying to

## The Patent '813 Story, Part II -- Version 2

conflate them.

If you take all of that “behavioral communication evidence” involving “unfair and deceptive trade practice” **in view of** other “behavioral communication evidence,” such as the fact that (i) “Shire LLC” and “LCS Group, LLC” had entered into a CDA (to discuss a business opportunity regarding the 813 Patent) on October 24, 2013 and were still entered into it when “Shire Development LLC” filed its *inter partes* review petition for the 813 Patent on May 9, 2014 and (ii) Shire’s outside counsel sought to engage “Dr. Sanfilippo” rather than “LCS Group, LLC” in “business negotiations” (vis-à-vis Shire’s outside counsel’s solicitation of Baker Hostetler’s Joe Lucci) **while** LCS Group, LLC was still **actively** in a CDA with “Shire, LLC” then you can see the very wide breadth of Shire’s -- and its outside counsel’s -- “legal problem.” That’s because you can see the **conspired and coordinated involvement** of different Shire entities, as “Shire LLC” (that executed the CDA c/o its “Manager” James Harrington) was clearly aware of Shire Development LLC’s *inter partes* review, as well its serious “petition representation problems,” vis-à-vis LCS Group, LLC’s emails that cc’d Mr. Harrington on September 4 (at 10:00 am EST), September 12 (at 1:12 pm EST), September 17 (at 1:13 am EST) and September 22 (at 1:07 pm EST).

I should also tell you that Shire Development LLC’s VP of Intellectual Property David Banchik’s September 23, 2014 email in this particular “communication sequence” drew the same kind of “red flag” that MTS Partners’ April 8 email did in a routine “behavioral communication analysis.” This is because Mr. Banchik’s September 23 email strikingly came one day **after** LCS Group, LLC terminated its CDA with Shire (specifically “Shire LLC” if you want to be technically accurate but its surely not materially relevant if good faith is the measure) but remarkably it failed to acknowledge “receipt of” LCS Group, LLC’s September 22 email that terminated the CDA whose purpose was to discuss a “business opportunity involving the 813 Patent and related patent applications.” It would seem that “Shire” vis-à-vis Mr. Banchik’s important email “omission” may have been motivated to keep its options open to “conduct business” by saying, for instance, “but hey, we’re under a CDA. We never received any email from LCS Group, LLC about terminating it. Why are you going about talking like that....” Further, Mr. Banchik’s September 23 email “left off” Mr. Harrington, as well Shire PLC’s CEO Dr. Ornskov and general counsel Tatjana May. Put those two “behavioral communication details” together in view of all the other “behavioral communication evidence,” it strikingly seems that Shire and its outside counsel are making very coordinated and calculated efforts to set up the written record such that they could use it in any number of scenarios to practice more “anti-competitive conduct.” Any reasonable person (or judge) in view of that kind of attention for details, ones that couldn’t reasonably have any “good motive,” would have to wonder how much effort, time and manpower Shire (across different entities and representatives) has been spending to intentionally interfere in LCS Group, LLC’s lawful efforts to practice business and trade. And that, any reasonable person (or judge) would appreciate, might well speak to Shire’s **having known** that the 813 Patent was perfectly valid, but they didn’t want face the reality that they’ve made a whole lot of misjudgments on it over a long period of time, as would be “confirmed” if they engaged in “fair business and trade practice” with (at this point in time) LCS Group, LLC.

And if you consider that there are “documented communications” (in the possession of LCS Group, LLC and its special collaborators) in which Shire representatives are making representations that they want to “do business on the 813 Patent” and were even “allegedly trying” to establish business meetings with Shire “business executives” (such as Shire’s Perry Sternberg) but then unexpectedly filed an *inter partes* review petition alleging the “obviousness” (and therefore “valuelessness”) of the 813 Patent, any reasonable person (or judge) would see that this kind of “contradictory behavior” is “chronic and severe.” There’s only one thing that could mean, namely, that its highly willful and calculated pattern, repeated multiple times over a good period of time, is for an anti-competitive purpose on something that it considers to be valuable and competitive (i.e., a perfectly valid patent), and for which it might like to try to obtain

## The Patent '813 Story, Part II -- Version 2

on the cheap. Either that, or invalidating a perfectly valid patent before it could be used by a company to take infringement action against Shire (assuming that the FDA would have approved Vyvance to treat BED).

Now think about those serious and manifold legal (and ethical) problems in view of another problem, namely, that there's a prospective "Patent No. 2" (from that 249 Application) moving along in its "patent prosecution" with an examiner whose "past behavior" was to "issue claims" on the specific subject matter of "using 'Vyvance' to treat BED." Any reasonable person (or judge) would appreciate that might cause some "very desperate, poorly-thought-out and even highly impulsive pharmaceutical company behavior" (assuming, of course, that the pharmaceutical company was actively marketing Vyvance according to claims that could be expected from the 249 Application). One such common-sense example of "very desperate, poorly-thought-out and even highly impulsive pharmaceutical company behavior," simply based on the psychological fact that people often prefer to "hide their mistakes" rather than acknowledge them and be accountable for them, would be if Shire tried to **indirectly and discreetly engage in business/commercial practice** with the "patent owner" of the 813 Patent (i.e., Lucerne Biosciences, LLC currently) **or** the "inventor" of the 813 Patent (i.e., Louis Sanfilippo) **through "third party intermediaries."** This, of course, would be a way to "avoid accountability" for all those different kinds of unfair and deceptive trade practices seemingly orchestrated in a willful, calculated and rather highly coordinated way and involving multiple parties over a sustained period of time.

But what if Shire were motivated through any number of its representatives, collaborating with "third party intermediaries," to **indirectly and discreetly engage in business/commercial practice in a "framework for conducting business" that it and its outside counsel knew was unlawful and unethical** -- like trying to engage "Dr. Sanfilippo" in "business/commercial communications" on a **"personal basis of representation"** when Shire and its outside counsel **knew** that "Dr. Sanfilippo on a personal basis of representation" would have no legal authority whatsoever to make business/commercial decisions for an entity like "LCS Group, LLC" (for which he's been a "CEO") or "Lucerne Biosciences, LLC" (for which he's been a Manager/Member)? What do you think "communications" of that kind (whether electronic communications like emails or texts, or phone messages) to "Dr. Sanfilippo" would look like if formatted for the purpose of educating a jury or judge, or taking a deposition, or cross-examining a witness in a trial? Do you think that the "third party communications" would be to the "business entity" of "LCS Group, LLC," for instance, or do you think that they would be to email accounts like "[louiscsan@aol.com](mailto:louiscsan@aol.com)" and/or "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)"? Any reasonable person would know the answer, because it's that obvious.

And what if that "third party intermediary communication behavior" could be objectively linked, through clearly evidenced and documented changes in "email/phone communication activity" (through any number of "measures" or "analytic tools"), to specific events taking place that posed a material risk to Shire interests, like its *inter partes* review of the 813 Patent "going from bad to worse" (with, for instance, expected filings which would represent more misrepresentation behavior on the public record) or the 249 Application posing itself for a Notice of Allowance? All that "leveraged third party communication behavior" from, among others, pharmaceutical industry contacts could (if sufficiently frequent) effectively pressure, coerce, unduly influence or otherwise intimidate a "person" involved in two "pharmaceutical business entities" into making "business decisions" involving intellectual property for which that person is not duly authorized to make. That would effectively be more "unfair and deceptive trade practice" and "anti-competitive conduct" on a foundation of plenty of it already, this time with features anyone would appreciate are a form of "extortion." But it also introduces another claim that can be incorporated into a complaint prepared for filing in federal court. That additional claim, if sufficiently supported for its directedness to "Louis Sanfilippo **personally**" that is outside any capacity for which he could

## The Patent '813 Story, Part II -- Version 2

legitimately engage in business communications (which I can assure you is sufficiently supported in a “behavioral communication analysis” to/from Louis Sanfilippo’s “aol.com” and “yale.edu” emails since Vyvanse’s FDA approval), would be “**invasion of privacy.**”

Now what happens if, for instance, one obtains more specific **non-behavioral** “communication evidence” to support that Shire’s counsel, as collectively defined by its **in-house and outside counsel**, **knew** that the 813 Patent was valid, based on a “patent validity opinion” performed by a reputable “independent third-party” law firm such as McDermott, Will & Emery in Chicago? And that Shire’s and its outside counsel’s determination of the 813 Patent’s validity **was known** before it even entered into a CDA with LCS Group, LLC -- and would have been, therefore, **also known** well before it ever began its plan to file an *inter partes* review on the 813 Patent? In such a scenario, if “Shire” were a “person,” then any reasonably minded psychiatrist would call Shire’s behavior “sociopathic.” The reason for that is because it can be seen to be so highly willful and calculated over time, and repeatedly engaged in the same kind of deceptive and unlawful conduct through which to “squelch, if not destroy, the competition.”

Andrew, that’s very serious stuff. It’s also the kind of legal material that very big and prominent law firms, like those based in NYC for which my recently deceased wife had worked (i.e., Clifford Chance and Cravath, Swaine & Moore), love to get their hands on. That’s because they know exactly what to do with it, namely, to leverage “the opponent’s” catastrophic legal problems (which include, among other things, potential incarceration for certain executives) in exchange for a financial settlement. There’s a lot of money involved in something like this, because the alleged perpetrator at the center of it is a pharmaceutical company whose market cap is, as of today, \$49 billion, and there’s evidence to support that the “third party intermediaries” may include such entities as VC firms, pharma-related companies (some with sizable market caps), and even financial transactors not unlike MTS Partners.

But I’ll throw in a twist that you’d appreciate as well as anyone, which is that this kind of thing is also what one or more generic manufacturers (like Teva, Mylan and/or Actavis, among others) would love to get their hands on too, especially if one or more of them has an “ongoing problem” with Shire and/or its outside counsel. The reason is that all that evidence could be used as leverage to acquire rights from Shire to a generic version of “Vyvanse” well before those composition patents expire. That’s a lot of money, especially if you consider that the commercial market for the treatment of Binge Eating Disorder with Shire’s drug Vyvanse is soon about to explode, simply because it’s the first ever and still only pharmacologic treatment for a psychiatric disorder that affects between 2-3% of the US population. I’ll tell you one thing, Andrew, I wouldn’t want to be looking straight into the line of fire if the “firing parties” were a high-powered litigation team from a law firm’s antitrust practice like that of Cravath, Swaine & Moore’s that’s been closely working with a third-party collaborator like Teva (and/or Actavis and/or Mylan) and its sophisticated in-house counsel over a good period of time, along with a couple small entities that have amassed all the right documentation and “communication analyses” to fire that shot straight between the eyes of “the opponent” with a trident nuclear missile.

I would appreciate if you could provide answers in writing to the following questions related to MTS Partners’ April 8 email from “[info@mtspartners.com](mailto:info@mtspartners.com)” to “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)”:

Were you in any way aware of the April 8 email? If so, please describe the nature and extent of your awareness.

Were you involved in any way in the creation or writing of that April 8 email? If so, please describe the nature and details of your involvement.

If a person or persons other than exclusively you were aware of it or involved in its creation or

## The Patent '813 Story, Part II -- Version 2

writing, what was the name of that person or those persons? If there was one or more other persons involved and, for whatever reason(s) you were unaware of their names because of the "communication medium" in which they communicated to you, please describe the nature and details of **how** they were "anonymously involved" and also **why** they were "anonymously involved."

By what decision pathway was the April 8 email sent to my "yale.edu" address? (as noted, the last contact I have on record as being "received" from you was to my "aol.com" email) Specifically, was it your decision? Andy Weisenfeld's? Or a third party collaborator of some kind? Please be specific and name names. If a third party collaborator, for what reason were they involved?

Do you have any direct or indirect knowledge, or reason to believe, that any person or entity, now or formerly affiliated with, employed or paid by, consulting to, collaborating with, representing (i.e., outside counsel) or volunteering for "Shire" (i.e., Shire Plc, Shire LLC, Shire Development LLC, Shire Acquisition Inc., etc....) was involved in any way in the creation or writing of that April 8 email, or the decision to send it to "louis.sanfilippo@yale.edu"? If so, please provide the details of your knowledge or reasons for believing that a Shire-affiliated entity, its representative or a third party collaborator was/were somehow involved.

If a "third party collaborator" was involved in any way in the creation, writing or sending of that April 8 email, however minor or significant, did that "third party collaborator" provide any instruction on **how** to communicate back to it (or him/her)? If so, please describe those "communication instructions" and the medium through which they were to be made (i.e., by phone, electronic text, email, etc...).

So you have additional "behavioral communication context" for understanding the nature of this email to you and its highly serious and profoundly far-reaching legal implications, below you will find two additional PDF's of "personalized communications" (as compared to those generated from a list-serve) to/from "louis.sanfilippo@yale.edu" involving representatives from two "pharma-related" companies (as might be involved in drug development for human use and/or FDA approval). The two companies are (i) "The FDA Group, LLC" located in Westborough, MA and (ii) "Charles River Laboratories" (whose entity designations from its various communicants are not particularly clear) located in Wilmington, MA (at least for Dr. Toni Wolinski; Corporate VP of Global Marketing Gina Mulane's email does not identify a specific location and the two telephone numbers represented in its two featured area codes are from different states, one from MA and the other from NH).

Your prompt attention to this matter would be greatly appreciated.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**"4.8.15 MTS Health Partners' Email to Sanfilippo's yale.edu email.pdf"** (available for download at:

[http://www.4shared.com/download/\\_GiEaCcTce/4815\\_MTS\\_Health\\_Partners\\_Email.pdf?lgfp=3000](http://www.4shared.com/download/_GiEaCcTce/4815_MTS_Health_Partners_Email.pdf?lgfp=3000))

**"3.4.15 to 4.21.15 FDA Group LLC Emails To/From Sanfilippo's yale.edu email address.pdf"** (available for download at:

## The Patent '813 Story, Part II -- Version 2

[http://www.4shared.com/download/0QTV60M7ba/3415\\_to\\_42115\\_\\_FDA\\_Group\\_LLC\\_E.pdf?lgfp=3000](http://www.4shared.com/download/0QTV60M7ba/3415_to_42115__FDA_Group_LLC_E.pdf?lgfp=3000))

**"3.26.15 to 4.22.15 Charles River Labs Email Thread To/From Sanfilippo's yale.edu email address.pdf"** (available for download at:

[http://www.4shared.com/download/ATpib5C9ba/32615\\_to\\_42215\\_Charles\\_River\\_L.pdf?lgfp=3000](http://www.4shared.com/download/ATpib5C9ba/32615_to_42215_Charles_River_L.pdf?lgfp=3000))

### **Friday April 24, 2015:**

**From:** "Fineberg, Andrew" <Fineberg@mtspartners.com>

**Subject:** Email?

**Date:** April 24, 2015 9:21:57 AM EDT

**To:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>

**Cc:** Vlad Coric MD <vladimir.coric@yale.edu>

Louis,

I received an email from your address that was highly complex and had legal elements related to an IPR.

Can we please have a phone call so that I may better understand it?

Thank you

Andrew

Andrew Fineberg  
MTS Health Partners  
623 Fifth Avenue, 14th Floor  
New York, NY 10022  
Office 212-887-2193  
Cell 917-519-9521  
Fineberg@mtspartners.com

Sent from my iPhone so apologies for brevity.

**From:** "Fineberg, Andrew" <Fineberg@mtspartners.com>

**Subject:** reconnecting

**Date:** April 24, 2015 9:58:35 AM EDT

**To:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgroupllc.com>

Louis - will you please call me in the office today to explain the email I received from this address.

Andrew Fineberg

**MTS Health Partners, L.P.**  
623 Fifth Avenue, 14<sup>th</sup> Floor  
New York, NY 10022  
Phone: 212.887.2193  
Cell: 917-519-9521

## The Patent '813 Story, Part II -- Version 2

Email: fineberg@mtspartners.com

### About MTS Health Partners

Founded in 2000, MTS Health Partners, L.P. is a preeminent New York City-based healthcare investment bank, providing strategic advisory services related to mergers & acquisitions, divestitures, restructuring, and equity and structured products capital markets transactions for companies in the global healthcare industry.

### 10 AM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 2 PM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/4GJM7JMce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/4GJM7JMce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

### Saturday April 25, 2015:

**From:** Kate Gordon <kate.gordon@curemd.com>

**Subject:** Time to say goodbye to your EHR!

**Date:** April 25, 2015 10:35:31 AM EDT

**To:** louiscsan@aol.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

[http://www.4shared.com/download/InjGg9I-ba/Kate\\_Gordons\\_Time\\_to\\_say\\_goodb.pdf?lgfp=3000](http://www.4shared.com/download/InjGg9I-ba/Kate_Gordons_Time_to_say_goodb.pdf?lgfp=3000)

### Monday April 27, 2015:

**From:** Byan Haygins <byan.haygins@gmail.com>

**Subject:** Important Lucerne Biosciences, LLC Matter

**Date:** April 27, 2015 7:00:01 AM EDT

**To:** fornskov@shire.com

Dear Dr. Ornskov,

The Management of Lucerne Biosciences, LLC is informing "Shire" (as collectively represented across various "Shire entities" including, but not limited to, "Shire LLC," "Shire Development LLC" and "Shire Plc") that it has been working closely with an elite behavioral intelligence team under a highly classified protocol execution order to develop and apply novel and proprietary counter-intelligence technology. That is the reason why you are receiving this email from "byan.haygins@gmail.com." The Management/Membership of Lucerne Biosciences, LLC, outside of its Manager/Member Dr. Louis Sanfilippo, has been, and continues to be, highly restricted except for those parties who have been authorized to know it following the proper security clearance.

Lucerne Biosciences, LLC has been authorized to disclose that certain of these highly classified and novel counter-intelligence technologies were authorized for partial declassification and briefly disclosed in the 181 page document that LCS Group, LLC emailed to you on November 13, 2014

## The Patent '813 Story, Part II -- Version 2

(at 11:16 am EST), as provided by hyperlink (*i.e.*, at: [http://www.4shared.com/download/4H91ac5sba/Important\\_VyvanseShireMatter\\_e.pdf?lgfp=3000](http://www.4shared.com/download/4H91ac5sba/Important_VyvanseShireMatter_e.pdf?lgfp=3000) ). That 181page document can also be accessed and downloaded from an active hyperlink on page 30 of the pdf titled "Supplemental Information U.S. Patent No. 8,318,813" which was featured in the Dec. 26 LCS Group, LLC press release. For example, reference was made to the application of "temporally-weighted profiling" ("TWP") and "sequential expanded analysis" ("SEA") in analyzing extensive misrepresentations in the Declaration on which Shire Development LLC's *inter partes* review petition was based, including disclosure of basic features of each particular technology's methodology. Lucerne Biosciences, LLC has also been authorized to disclose that the hyperlink to that pdf (from the Dec. 26 LCS Group, LLC press release) was "publicly de-activated" on March 16 approximately 3:00 pm EST as part of a classified counter-intelligence protocol involving "motivational response analysis"; the hyperlink was "re-activated" yesterday at 1:30 pm EST under a classified protocol execution order.

These novel counter-intelligence technologies that Lucerne Biosciences, LLC has been tasked to develop and apply under various classified protocols has been for the primary objective of **unmasking** "deception-based intelligence technology" that can be used in any number of situations including, but not limited to, matters of intelligence gathering and profiling, legal and business matters, and human experimentation. A critical feature of this classified protocol has been to completely ensure that this "process of unmasking" has been very well documented and explained so that any reasonable person (or judge) could understand it in view of its **extensively documented and clearly explained written record, including through the use of many specific examples in different kinds of situations that identify particular persons and/or entities.**

This highly classified counter-intelligence protocol has involved **lawful** surveillance and analysis of electronic communications to/from Lucerne Biosciences, LLC's Manager/Member "Dr. Louis Sanfilippo" at various of his email accounts including, but not limited to, "louiscsan@aol.com," "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" and "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)," from a time well before the company was first formed on November 22, 2011. It has also involved **lawful** surveillance and analysis of other kinds of communications to/from Dr. Sanfilippo including, but not limited to, those involving voice messages, physical evidence (*i.e.*, paper/package), other electronic (*i.e.*, text) communications, and persons. Lucerne Biosciences, LLC has closely collaborated with three entities (however loosely defined to include, but not be limited to, LLCs, Lmt'd.'s, Inc.'s, and individual persons) to accomplish certain classified behavioral intelligence objectives under a highly restricted protocol execution order, of which "**applied** counter-intelligence technology" (as has been used to write this email to you and the **10 other persons bcc'd on it**) was one critical objective. There are other objectives too, and they remain highly classified. Lucerne Biosciences, LLC has also very closely worked with these same three entities and the elite behavioral intelligence team to accomplish important business objectives regarding the intellectual property that it wholly owns, *i.e.*, U.S. Patent No. 8,318,813 and U.S. Patent Application 14/464,249. As you and Shire know, that intellectual property involves the use of lisdexamfetamine dimesylate (marketed by Shire U.S. Inc. as "Vyvanse") to treat Binge Eating Disorder.

Lucerne Biosciences, LLC has authorized disclosure that its proprietary counter-intelligence technologies have been used to conduct extensive communications analyses, as supported by massive amounts of "electronic (and other) communication evidence," for the purpose of **conclusively determining** their two "**primary sources**," as well as to provide important context, documentation, and analysis for their legal, financial, professional and ethical implications for any number of people and entities (however loosely defined) who may have intentionally perpetrated acts of deception in their communications to/from Dr. Louis Sanfilippo (most notably by failure to disclose materially relevant conflict of interest information involving the "nature" of their

## The Patent '813 Story, Part II -- Version 2

communication to him, **over any length of time**), whether electronically (i.e., email, text), by phone, or in-person. These two **“primary source entities”** have been **conclusively identified**, as well **nearly every particular person, by name**, involved in supporting their intentionally perpetrated “deceptive conduct.” That information is highly classified. It is also materially relevant to Shire interests, as further characterized below.

Lucerne Biosciences, LLC has also identified that these two “primary source entities,” working in strategic collaboration with each other, have “used” (i.e., recruited) many “third party interferers” in an extensive collaborative “electronic interference network” in order to develop and apply more sophisticated kinds of “deception-based intelligence technologies” that could be “behaviorally leveraged” in any number of situations, not the least of which would be to practice extortion, but for which these “third-party interferers” were unaware. The findings of these communications analyses, as supported by massive amounts of “electronic communication evidence,” provides ample data that this expansive “third-party interference network” has been **heavily leveraged to repeatedly engage in unlawful and unethical conduct** including, but not limited to, **material misrepresentation** (whether by omission to disclose materially relevant information in a communication or not), **unfair and deceptive trade practice, anti-competitive conduct including through the use of various novel forms of it (i.e., third party interference), invasion of privacy** and **improper research on human subjects** (regarding those who were not aware of how their communications were being used to repeatedly engage in unlawful and unethical conduct).

Lucerne Biosciences, LLC has also authorized me to inform you that it has also **conclusively determined** that these two “primary source entities” and its “third party interference network” have repeatedly and unlawfully materially supported “Shire” and its outside law firm of “Frommer, Lawrence & Haug, LLP” to interfere in sensitive business and legal matters (including, but not limited to, intellectual property) involving Lucerne Biosciences, LLC and LCS Group, LLC, each of which has wholly owned at different times intellectual property of which Dr. Sanfilippo would have been the only named inventor. The findings of such “third party interference” is not only unequivocal in its conclusions but also supports that these two “primary source entities” repeatedly attempted to unduly influence, manipulate, coerce, intimidate and/or otherwise harm either of those two companies as each attempted to conduct its business lawfully in the time that it owned, or still owns (as in the case of Lucerne Biosciences, LLC) certain patents and/or patent applicants for which Dr. Sanfilippo is the only named inventor. This “third party interference” involving electronic (and other) communications can clearly be seen to have increased since Vyvance was FDA approved for the treatment of Binge Eating Disorder; however, it can be seen to “relatively escalate” since approximately Tuesday March 24, 2015 when the company filed its “Supplemental Amendment Prior to Examiner Interview” on U.S. Patent Application 14/464,249.

Lucerne Biosciences, LLC and the elite behavioral intelligence team with which it is has been working since its inception has authorized disclosure that it has **conclusively determined** that Shire (as collectively represented across various “Shire entities” to include, but not be limited to, “Shire LLC,” “Shire Development LLC” and “Shire Plc”), its outside law firm of Frommer, Lawrence & Haug, LLP and its declarant Dr. Timothy Brewerton intentionally engaged in an act of fraud/misrepresentation, unfair deceptive trade practice, and anti-competitive conduct in its pursuit of the *inter partes* review of U.S. Patent No. 8,318,813, even if only by virtue of the fact that they may have justified (in their own minds) its perpetration by “simple omission” to disclose highly materially relevant information (i.e., that they were collaborating with two “primary source entities” in the development and application of “deception-based intelligence technology” and using LCS Group, LLC and Lucerne Biosciences, LLC as its two “targets” at their respective “time”). It has also **conclusively determined** that Dr. Brewerton was not even the architect of his own Declaration that he signed under Section 1001 of Title 18 of the United States Code that holds “statements made with the knowledge that willful false statements and the like so made are

## The Patent '813 Story, Part II -- Version 2

punishable by fine or imprisonment, or both,” which speaks centrally to the purpose of “deception-based intelligence technology,” namely, “to deceive” and then to “elude all accountability for the deception.” Lucerne Biosciences, LLC has authorized disclosure that it has identified the “primary architect” of Dr. Brewerton’s *inter partes* review Declaration by specific name/affiliation. That information is highly restricted for security reasons.

Lucerne Biosciences, LLC’s is authorizing disclosure that it plans to take action ***imminently*** to remedy this repeated unlawful and unethical conduct involving Shire and its outside counsel of Frommer, Lawrence & Haug LLP, as it has been determined (in collaboration with its counsel, three strategic collaborators and the elite behavioral intelligence team) that it has everything it needs to take action imminently. While the action it has planned for some time now may seem (as it happens in real-time) to be disproportionately extreme because it makes every “involved person” accountable for their conduct in this matter (far beyond Shire and its outside counsel), most notably those in senior leadership roles involving the two “primary source entities,” Lucerne Biosciences, LLC (in its strategic collaboration with three entities and an elite behavioral intelligence team) has determined that ***extreme unmitigated action to expose these “deception-based intelligence technologies,” as well as those people who began their development and willfully and unlawfully advanced their application, is warranted.*** The reason for that is the company has determined that it is the only way to ***permanently terminate*** and ***completely resolve*** repeatedly evidenced violations of the law over an extended period of time with equally repeatedly evidenced efforts to evade any and all accountability for doing so, particularly in view of the fact that Dr. Sanfilippo, as CEO of LCS Group, LLC, ***discreetly and specifically warned you on five separate occasions in September, 2014 that “Shire” had a very serious “representation problem” and “conflict of interest problem with its outside and in-house counsel” that was highly relevant to the interests of Shire’s shareholders, its affiliates and even, potentially, its prospective business partners and/or acquirers***” (i.e., quoted, email of Sept. 4 at 10:00 am EST; the other four “warnings” were on Sept. 12 at 1:12 pm EST; Sept. 17 at 1:13 pm EST; Sept. 22 at 1:07 pm; and Sept. 26 at 3:33 pm EST).

Lucerne Biosciences, LLC has authorized disclosure that Shire can imminently expect a “first action” to directly involve (i) “Shire” (as collectively represented by, to the best its knowledge, representatives currently affiliated with “Shire LLC,” “Shire Development LLC,” “Shire Acquisition Inc.” and “Shire Plc”), (ii) “Frommer, Lawrence & Haug, LLP” (notably two named partners in that firm), and (iii) “Dr. Timothy Brewerton.” Based on conclusive findings regarding the involvement of these two “primary source entities” in supporting (i) Shire’s and its outside counsel’s unlawful and unethical conduct in its business communications with LCS Group, LLC and Lucerne Biosciences, LLC (at such time that either company and/or its respective outside counsel was the “involved entity”), (ii) Shire’s and its outside law firm’s strategic planning and implementation of a fraudulent *inter partes* review petition of U.S. Patent No. 8,318,813 that effectively involved ***continuous anti-competitive conduct from its outset***, (iii) repeated and active “third party interference” (particularly in the time frame since Vyvanse was FDA approved for the treatment of Binge Eating Disorder on Friday January 30, 2015), this “first action” will also therefore ***indirectly*** (at least at first) involve these two “primary source entities,” their respective leadership, and the involved third-party interference network.

Lucerne Biosciences, LLC has also authorized disclosure that its plan to remedy this longstanding unlawful and unethical conduct was effectively completed in December 2014, but certain “terminal boundary conditions” needed to be satisfied in order for the company to initiate a highly classified protocol execution order for its final (and permanent) resolution. Using novel and highly proprietary “comparative group profiling counter-intelligence technology,” Lucerne Biosciences, LLC has determined that those requisite “boundary conditions” have been satisfied upon deployment of this email and, therefore, the company can begin sequential implementation

## The Patent '813 Story, Part II -- Version 2

of its classified protocol execution order led by its counsel that, self-evidently, will be “sequentially declassified” as certain events are made public.

As part of this highly classified final protocol execution order, as being conducted by Lucerne Biosciences, LLC (in strategic collaboration with three entities and an elite behavioral intelligence team), the company itself has required an anonymous communication protocol, though the content of any such communications from the company speaks for itself and can be evaluated at face value. The content of communications received by various “third parties” from “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)” and “[bhaygins@gmail.com](mailto:bhaygins@gmail.com)” of which you may or may not be aware, should make very transparent **with hindsight from today** that those communications were intended to provide Shire and its outside counsel (as well as any involved third party collaborators) sufficient “warning” of the **rapidly evolving and highly precarious situation** in which Shire should have reasonably expected to find itself at the time in which those communications were deployed under a highly classified counter-intelligence protocol.

Lucerne Biosciences, LLC is putting “Shire” (as collectively represented across various “Shire entities” including, but not limited to, “Shire LLC,” “Shire Development LLC” and “Shire Plc”), its outside counsel of Frommer, Lawrence & Haug, LLP, and its Declarant in the *inter partes* review of U.S. Patent No. 8,318,813 Dr. Timothy Brewerton on notice that it reserves the right to pursue all legal remedies for any unlawful, unprofessional and unethical conduct including, but limited to, misrepresentation, unfair and deceptive trade practices and various and novel forms anti-competitive conduct, invasion of privacy and extortion.

### The Management of Lucerne Biosciences, LLC

#### 10 AM EDT:

USPTO's Public Patent Application Information Retrieval (“PAIR”) “**Transaction History**” and “**Image File Wrapper**” for **US Patent Application 14/464,249 “as of 2 PM EDT”** is available as a merged PDF at:

[http://www.4shared.com/download/qlaAuOnYce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/qlaAuOnYce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Laurel Pilch <[laurel.pilch@prnewswire.com](mailto:laurel.pilch@prnewswire.com)>

**Date:** April 27, 2015 at 12:20:58 PM EDT

**To:** “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)” <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

**Subject:** PR Newswire: Got Content? We'll Distribute - Application Received!

Hi Byan:

Thanks for submitting your PR Newswire Membership application for Lucerne Biosciences. My name is Laurel Pilch and I'm a New Business representative here. To activate your account with PR Newswire, I need to first verbally confirm some information with you. Additionally, I wanted to go through PR Newswire's Pricing and Distribution options: [2015 Pricing Guide](#)

#### Membership Services - Did You Know With Every Domestic Newswire Distribution You Will Also Receive:

- Satellite feed to newsrooms of TV, radio & print media in the geographic area you choose; click [HERE](#) for listing
- Trade publication distribution nationwide with any newswire: see trade categories [HERE](#)

## The Patent '813 Story, Part II -- Version 2

- Distribution to more than 4,000+ websites nationwide with any newswire
- Distribution to PR Newswire for Journalists: our media-only website
- Visibility Reports and Release Watch Reports
- 24/7/365 Editorial assistance to help spot spelling and grammar errors

**Please note, your membership will remain pending until you verbally confirm the application details.**

Once your application has been approved, you will receive a welcome email with your Online Member Center log-in, as well as access to upload and distribute your release.

My normal office hours are 9AM-5PM ET, at your earliest convenience, please return my call by dialing 201-360-6635.

Looking forward to speaking with you soon!

All my best,

Laurel

Laurel Pilch  
New Business Development  
PR Newswire  
1300 E. 9th Street | 7th Floor | Cleveland, OH 44114  
Phone 201-360-6635  
laurel.pilch@prnewswire.com | www.prnewswire.com | LinkedIn

www.linkedin.com/in/laurelpilch    **Beyond PR Blog** Engage Opportunity *Everywhere*  
Please consider the environment prior to printing this e-mail. Thank you.

Thank you Laurel.

**From:** Review Concierge <concierge@expert-reputation.com>

**Subject: Upgrade to the Basic Plan - Promo ends soon!**

**Date:** April 27, 2015 12:54:39 PM EDT

**To:** louiscsan@aol.com

**Reply-To:** concierge@expert-reputation.com

**[EMAIL CONTENTS STRIPPED. A PDF of the complete email and its hyperlinks is available at:**

**[http://www.4shared.com/download/aSm2dM0nce/42715\\_Review\\_Concierges\\_Upgrad.pdf?lgfp=3000](http://www.4shared.com/download/aSm2dM0nce/42715_Review_Concierges_Upgrad.pdf?lgfp=3000)**

**From:** Byan Haygins <byan.haygins@aol.com>

**Date:** April 27, 2015 at 1:35:35 PM EDT

**To:** Laurel Pilch <laurel.pilch@prnewswire.com>

**Subject: Re: PR Newswire: Got Content? We'll Distribute - Application Received!**

Thank you Laurel. This is to confirm that your voice message to Lucerne Biosciences, LLC (tel. no. 475-202-3686) at 12:19 pm EDT today and your email below to "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" at 12:20 pm EDT today (on behalf of PR Newswire) has been received by the company.

This email from "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" has been written and deployed under a highly classified communications protocol execution order to inform you and PR Newswire that the classified intelligence/counter-intelligence project of which the company has recently been involved is entering a rapid sequential declassification under provisions included in, but not limited to, the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

## The Patent '813 Story, Part II -- Version 2

Using proprietary counter-intelligence analytic technology, such as “motivational response analysis” and “sequential expanded analysis” (both of which have already been authorized for partial declassification), the communication that you made to “Lucerne Biosciences, LLC” and “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)” on behalf of PR Newswire today has been analyzed for its implications and will be used to support various imminent public actions as part of a classified “final declassification” counter-intelligence protocol. This is all that has been authorized for disclosure to PR Newswire at this time.

**From:** Laurel Pilch <[laurel.pilch@prnewswire.com](mailto:laurel.pilch@prnewswire.com)>  
**Date:** April 27, 2015 at 12:20:58 PM EDT  
**To:** "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject: PR Newswire: Got Content? We'll Distribute - Application Received!**

Hi Byan:

Thanks for submitting your PR Newswire Membership application for Lucerne Biosciences. My name is Laurel Pilch and I'm a New Business representative here. To activate your account with PR Newswire, I need to first verbally confirm some information with you. Additionally, I wanted to go through PR Newswire's Pricing and Distribution options: [2015 Pricing Guide](#)

### **Membership Services - Did You Know With Every Domestic Newswire Distribution You Will Also Receive:**

- Satellite feed to newsrooms of TV, radio & print media in the geographic area you choose; click [HERE](#) for listing
- Trade publication distribution [nationwide with any newswire](#): see trade categories [HERE](#)
- Distribution to more than 4,000+ websites [nationwide with any newswire](#)
- Distribution to PR Newswire for Journalists: our media-only website
- Visibility Reports and Release Watch Reports
- 24/7/365 Editorial assistance to help spot spelling and grammar errors

### **Please note, your membership will remain pending until you verbally confirm the application details.**

Once your application has been approved, you will receive a welcome email with your Online Member Center log-in, as well as access to upload and distribute your release.

My normal office hours are 9AM-5PM ET, at your earliest convenience, please return my call by dialing 201-360-6635.

Looking forward to speaking with you soon!

All my best,

Laurel

Laurel Pilch  
New Business Development  
PR Newswire  
1300 E. 9th Street | 7th Floor |  
Cleveland, OH 44114  
Phone 201-360-6635  
[laurel.pilch@prnewswire.com](mailto:laurel.pilch@prnewswire.com) |

[www.prnewswire.com](http://www.prnewswire.com) | LinkedIn [www.linkedin.com/in/laurelpilch](http://www.linkedin.com/in/laurelpilch)    [Beyond PR Blog](#)

Engage Opportunity *Everywhere*  
Please consider the environment prior to printing this e-mail. Thank you.

## The Patent '813 Story, Part II -- Version 2

Thank you Laurel.

**Tuesday, April 28, 2015:**

**From:** Byan Haygins <byan.haygins@gmail.com>  
**Subject:** Lucerne Biosciences, LLC/Declassification of Communications  
**Date:** April 28, 2015 7:07:37 AM EDT  
**To:** fornskov@shire.com  
**Cc:** MD MD <louiscsan@aol.com>

Dear Dr. Ornskov,

Pursuant to the email that you received yesterday from Lucerne Biosciences, LLC under a highly classified protocol execution order, the company has been authorized to declassify the attached communications that were made under a classified counter-intelligence protocol. Effectively immediately, these communications are “public domain” and may be used to support, explain and/or clarify certain objectives that Lucerne Biosciences, LLC has been pursuing in strategic collaboration with three entities and an elite behavioral intelligence team including, but not limited to, objectives related to intelligence and business matters.

The company has also been authorized to inform Shire (as collectively represented across various “Shire entities” including, but not limited to, “Shire LLC,” “Shire Development LLC” and “Shire Plc”) that it has entered into **very rapid** sequential declassification of **all aspects** of this highly classified intelligence/counter-intelligence project. This protocol status has now been openly supported by representatives from each respective side and its increasingly “**declassified and open status**” will be used to support various imminent public actions that have been planned by Lucerne Biosciences, LLC for a final declassified “intelligence debriefing.” That “intelligence debriefing” has been nearly completely written, is very well organized, provides countless examples of “applied deception-based technology” (highlighting their behavioral/psychodynamic features), and would be easily understood by any reasonable person (or judge) for its legal and business implications. The same ten persons who were bcc'd yesterday have been cc'd again today. One additional party has been included today by cc in this email. That party is Dr. Sanfilippo, a Manager/Member of Lucerne Biosciences, LLC, who has been authorized for inclusion in the implementation of this final declassified “intelligence debriefing.”

Lucerne Biosciences, LLC is putting “Shire” (as collectively represented across various “Shire entities” including, but not limited to, “Shire LLC,” “Shire Development LLC” and “Shire Plc”), its outside counsel of Frommer, Lawrence & Haug, LLP, and its Declarant in the *inter partes* review of U.S. Patent No. 8,318,813 Dr. Timothy Brewerton on notice that it reserves the right to pursue all remedies, legal and otherwise, for any unlawful, unprofessional and unethical conduct including, but not limited to, misrepresentation, unfair and deceptive trade practices and various and novel forms anti-competitive conduct, invasion of privacy and extortion - and also the right to pursue such remedies through **highly novel and proprietary means**.

The Management of Lucerne Biosciences, LLC

**ATTACHMENT: “Declassified Communications Lucerne Biosciences,LLC.pdf”** (available for download at:  
[http://www.4shared.com/download/SnG8ZU0zce/Declassified\\_Communications\\_Lu.pdf?lgfp=3000](http://www.4shared.com/download/SnG8ZU0zce/Declassified_Communications_Lu.pdf?lgfp=3000))

## The Patent '813 Story, Part II -- Version 2

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 10 PM EDT**" is available as a merged PDF at:

[http://www.4shared.com/download/t2PC11Bkce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/t2PC11Bkce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>

**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813): Request for Conference Call

**Date:** April 28, 2015 5:51:02 PM EDT

**To:** "trials@uspto.gov" <trials@uspto.gov>

**Cc:** "Farsiou, David" <DFarsiou@bakerlaw.com>, "Lucci, Joseph" <JLucci@bakerlaw.com>, "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>

IPR2014-00739 (U.S. Patent No. 8,318,813)

Petitioner: Shire Development LLC

Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Petitioner respectfully requests, at the Board's earliest convenience, a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12. The Board issued an order requiring that "any communication from Patent Owner to Petitioner or Petitioner's representatives regarding this proceeding must be signed by Patent Owner's counsel of record" (Paper 14 at 4). In direct contravention of this order, two e-mails signed by "The Management of Lucerne Biosciences, LLC" (i.e., Patent Owner) were sent on April 27 and 28, 2015 to Shire's employees, Shire's expert witness, and counsel for Petitioner. The communications were not signed by Patent Owner's counsel.

Petitioner notes that this is not the first time that the Board's order has been violated. Earlier in this proceeding, Dr. Sanfilippo—inventor of the '813 patent, CEO of previous patent owner LCS Group LLC, and Manager/Member of current Patent Owner—sent prohibited electronic correspondence, necessitating a motion for sanctions (Paper 15). This motion remains pending.

For at least these reasons, Petitioner requests a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

**Wednesday April 29, 2015:**

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>

**Subject:** Important Legal Matter Regarding Guidepoint Global

**Date:** April 29, 2015 7:00:05 AM EDT

**To:** swade@guidepointglobal.com

**Cc:** byan.haygins@gmail.com

## The Patent '813 Story, Part II -- Version 2

Please see attached communication from Lucerne Biosciences, LLC.

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: "4.29.15 Letter from LB to Wade.GG.pdf"** (available for download at:  
[http://www.4shared.com/download/aY\\_EO-kxce/42915\\_Letter\\_from\\_LB\\_to\\_WadeGG.pdf?lgfp=3000](http://www.4shared.com/download/aY_EO-kxce/42915_Letter_from_LB_to_WadeGG.pdf?lgfp=3000))

**From:** "Louis Sanfilippo, MD" <Louiscsan@aol.com>  
**Subject:** Lucerne Biosciences, LLC/expected first public action  
**Date:** April 29, 2015 8:18:07 AM EDT  
**To:** fornskov@shire.com  
**Cc:** byan.haygins@gmail.com

Dear Dr. Ornsksov,

I am writing this email on behalf of the management of Lucerne Biosciences, LLC.

This email communication to you and "Shire" (including, but not limited to, Shire Plc, Shire Development and Shire LLC) is **not** materially related to the "*inter partes* review **proceedings**" of U.S. Patent No. 8,318,813 (as wholly owned by Lucerne Biosciences, LLC), because it has **nothing to do whatsoever** with "patentability matters" (*i.e.*, legal and scientific matters related to patentability), as is the clear purpose of an *inter partes* review and for which the Board previously made certain specific orders on December 23, 2014 for "inter-company communication" (when LCS Group, LLC was the patent owner). Nor is this communication to you and Shire related to matters of a "business/commercial nature," as LCS Group, LLC had attempted to communicate to you and other representatives of "Shire" but had received significant third-party interference on such "business/commercial communications" from your outside law firm of Frommer, Lawrence & Haug, LLP (specifically by partner Mr. Ed Haug on the dates of December 22-23, 2014 when LCS Group, LLC had attempted, via its then outside counsel Baker & Hostetler LLP's Joe Lucci, to communicate to you the business/commercial terms of an exclusive option agreement for an exclusive license, on behalf of LCS Group, LLC that the company even executed on its respective "side" on October 1, 2014).

On behalf of the management of Lucerne Biosciences, LLC, I have been authorized to communicate to you and "Shire" that you and "Shire" can expect a first public action sometime today. The purpose of this action is to satisfy certain pre-established objectives and to begin the rapid initiation of an increasingly "loud wave" of public disclosure involving **all aspects** of the "deception-based intelligence technology" that "Shire," its outside law firm of Frommer, Lawrence & Haug, LLP, and its declarant Dr. Timothy Brewerton have helped to develop and apply for two "primary source entities" through business and intellectual property venues **by specifically "targeting" LCS Group, LLC (formerly) and then Lucerne Biosciences, LLC (more recently)**. These disclosures will become **very rapidly public** based on actions that have been planned far in advance of today and which involve three entities and some very close "behavioral intelligence support." As additional context for you, I have attached the PDF that was electronically communicated this morning at 7:00 am EST on behalf of Lucerne Biosciences, LLC to Guidepoint Global's Ms. Sarah Wade.

On behalf of the management of Lucerne Biosciences, LLC, I would also like to inform you, Dr. Ornsksov, that the email sent below by Ms. Kuzmich to the Patent Board yesterday at 5:52 pm EST employs standard "deception-based intelligence technology." The reason is that Ms.

## The Patent '813 Story, Part II -- Version 2

Kuzmich (or any competent attorney) **knows** that those emails that you received on April 27 and 28 have **no material bearing on the kinds of “patentability matters”** (i.e., scientific and legal concerns) **routinely involved in inter partes review proceedings**, which makes her representation to the Patent Board effectively a material misrepresentation, not to mention an entirely baseless use of everyone’s time, energy and financial resources (including the Board’s) for dealing with her “request.”

This **same exact** “deception-based communication behavior” can also be evidenced when Ms. Kuzmich emailed attorney Joe Lucci on September 4, 2014 (at 12:56 pm EST) saying, “Shire understands that Dr. Sanfilippo is represented by you in these matters.” Clearly, Ms. Kuzmich **must have known** that Mr. Lucci/Baker & Hostetler LLP were **representing LCS Group, LLC** in the *inter partes* review of U.S. Patent No. 8,318,813, simply by virtue of the fact that the Power of Attorney (as executed by CEO Dr. Sanfilippo on behalf of the company on June 2, 2014) held that Mr. Lucci/Baker & Hostetler LLP were representing LCS Group, LLC in the *inter partes* review proceedings -- and that Power of Attorney was served to Ms. Kuzmich and Frommer, Lawrence & Haug, LLP, on June 2, 2014. It would be her fiduciary role as an attorney to communicate truthfully with her client, which means that **Shire would have understood that LCS Group, LLC was represented by Mr. Lucci/Baker & Hostetler, LLP**. This kind of “deception-based communication behavior” is all very obvious and by now it should be that way to you, Dr. Ornskov -- and everyone else at “Shire” (however loosely defined). I can assure you, based on everything that I’ve been hearing over the last few days (and it’s a lot from quite a number of sources), that it’s all very obvious to a lot of other people too, which helps explain all that “third party interference” referenced in the email communications that were made to you this week.

Let me also say on behalf of Lucerne Biosciences, LLC that this “deception-based communication behavior” can also be clearly evidenced in Mr. Haug’s efforts to identify “Dr. Sanfilippo” as Mr. Lucci’s client in email communications made to Mr. Lucci on March 20, 2015 (at 5:11 pm EST) “...campaign by your client Dr. Sanfilippo.....,” and March 23, 2015 (at 8:48 am EST), “Are you representing to me that you client Dr. Sanfilippo....” Surely, Mr. Haug **knew** that Lucerne Biosciences, LLC was Mr. Lucci’s/Baker & Hostetler LLP’s “client” at the time he made those communications, because he was served a Certificate of Service of January 27, 2015 identifying that Mr. Lucci/Baker & Hostetler LLP were **representing Lucerne Biosciences, LLC** and, therefore, that Lucerne Biosciences, LLC (and not Dr. Sanfilippo) was Mr. Lucci’s “client.” Thus, Mr. Haug can be seen materially misrepresenting important and relevant information that he **knows** he’s intentionally misrepresenting (if he’s to be considered a competent attorney), which is a cardinal feature of “deception-based intelligence technology.” Anyone involved in counter-intelligence technology that’s been developed and applied to “unmask” these kinds of tactics, whether used in “business” or “intelligence” matters, can see them a mile away. But it’s not often so easy to see for those less familiar with how they are applied and to see how they’ve become the target of “third party exploitation,” which is why it’s important to document and explain these things, so that any reasonable person can understand them and not be victimized and harmed by them.

This **intentional misidentification** of “Dr. Sanfilippo” (i.e., “personally”) as Mr. Lucci/Baker & Hostetler LLP’s “client” when Ms. Kuzmich and Mr. Haug **clearly knew** that LCS Group, LLC and Lucerne Biosciences, LLC, respectively, were Mr. Lucci/Baker & Hostetler’s “clients” that he was representing (at the respective time in which he was authorized to represent them vis-à-vis the Power of Attorneys filed in the *inter partes* review) is called in intelligence circles **“tactical leveraged splitting.”** It’s standard “deception-based intelligence technology” motivated by an intention deceive in order to “split,” in this case to split (i) “LCS Group, LLC” (as in Ms. Kuzmich’s effort) and (ii) “Lucerne Biosciences, LLC” (as in Mr. Haug’s effort) from “Dr. Sanfilippo” (outside his fiduciary role for the entity in which he is authorized to act on) by “splitting” Mr. Lucci’s “representation status” in a way that would make his representation of **either** “Dr.

## The Patent '813 Story, Part II -- Version 2

Sanfilippo" *or* "LCS Group, LLC/Lucerne Biosciences, LLC" (depending on the timeframe of representation) **a serious conflict of interest**. Add to that deceptively-leveraged "conflict of interest problem" for any "Sanfilippo-associated entity" (including himself) whatever "strong-armed negotiation tactics" may be prospectively in order from Ms. Kuzmich and Mr. Haug (and their law firm) to give **both** the respective "LLC entity" and the "person Dr. Sanfilippo" a very hard time through threats, manipulation, coercion or other kinds of anti-competitive conduct, as might be leveraged through "baseless legal actions" or even extortion (as in "third-party interference"), you have a classic "tactically leveraged split" applied to "business matters." When deception-based intelligence technology has been repeatedly used, documented and analyzed, as it has in Shire's, it's outside law firm's and its declarant's "collective communication behaviors" (or lack of them), this is all very easy to see. Really, any reasonable person would easily see it provided that it's sufficiently well-communicated for them to understand it in its proper "business and legal context."

That's the real story here, Dr. Ornskov - and it's been the real story **from the beginning**. And it's a **very very very big story**, much bigger than any financial settlement could ever be, and "Shire" and you happen to be squarely in the middle of it. But I, in my role as CEO of LCS Group, LLC tried to discreetly warn you and other representatives of "Shire" about this problem five times last September. Those warnings went unheeded. In my role as a Manager/Member of Lucerne Biosciences, LLC, I can assure you and Shire of one thing, namely, that nothing the company and its strategic collaborators have planned to imminently do will be done discreetly.

The management of Lucerne Biosciences, LLC has required that I cc "[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)" on this email in order to satisfy certain important behavioral intelligence and business objectives.

Ten persons are bcc'd on this email.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: "4.29.15 Letter from LB to Wade.GG.pdf"** is available at:  
[http://www.4shared.com/download/GXXeQMCxce/42915\\_Letter\\_from\\_LB\\_to\\_WadeGG.pdf?lgfp=3000](http://www.4shared.com/download/GXXeQMCxce/42915_Letter_from_LB_to_WadeGG.pdf?lgfp=3000)

----

**From:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813): Request for Conference Call  
**Date:** April 28, 2015 5:51:02 PM EDT  
**To:** "[trials@uspto.gov](mailto:trials@uspto.gov)" <[trials@uspto.gov](mailto:trials@uspto.gov)>  
**Cc:** "Farsiou, David" <[DFarsiou@bakerlaw.com](mailto:DFarsiou@bakerlaw.com)>, "Lucci, Joseph" <[JLucci@bakerlaw.com](mailto:JLucci@bakerlaw.com)>, "[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)" <[shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com)>

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Petitioner respectfully requests, at the Board's earliest convenience, a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12. The Board issued an order requiring that "any communication from Patent Owner to Petitioner or Petitioner's representatives regarding this proceeding must be signed by Patent

## The Patent '813 Story, Part II -- Version 2

Owner's counsel of record" (Paper 14 at 4). In direct contravention of this order, two e-mails signed by "The Management of Lucerne Biosciences, LLC" (i.e., Patent Owner) were sent on April 27 and 28, 2015 to Shire's employees, Shire's expert witness, and counsel for Petitioner. The communications were not signed by Patent Owner's counsel.

Petitioner notes that this is not the first time that the Board's order has been violated. Earlier in this proceeding, Dr. Sanfilippo— inventor of the '813 patent, CEO of previous patent owner LCS Group LLC, and Manager/Member of current Patent Owner— sent prohibited electronic correspondence, necessitating a motion for sanctions (Paper 15). This motion remains pending.

For at least these reasons, Petitioner requests a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

### 10 AM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/o9Ghmkvqce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/o9Ghmkvqce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Byan Haygins <byan.haygins@gmail.com>

**Subject: Important Shire Matter Actively Unfolding for which You Should Be Aware**

**Date:** April 29, 2015 2:22:38 PM EDT

**To:** sfagan@shire.com, gfisher@shire.com, jcotrone@shire.com, dhibbett@shire.com, brclarke@shire.com, ssalah@shire.com, seltonfarr@shire.com, investorrelations@shire.com, alistair.campbell@berenberg.com, paul.major@redburn.com, jo.walton@credit-suisse.com, jason.gerberry@leerink.com, david.a.amsellem@pjc.com, tluغو@williamblair.com, tchiang@crtllc.com, amy.walker@morganstanley.com, ken.cacciatore@cowen.com, dsteinberg@jeffries.com, james.d.gordon@jpmorgan.com, keyur.parekh@gs.com, richard.vosser@jpmorgan.com, mark.clark@db.com, graham.parry@baml.com, dani.saurymper@barclays.com

**Cc:** byan.haygins@gmail.com

Dear Shire Analysts, Shire Media & Shire Investor Relations,

This communication represents information in the public domain, including its two attachments. It also represents important information that is being "perceptually applied" for a *very rapid declassification* of a "dual-pronged behavioral intelligence/business experiment" of which Shire has been involved for some time and which is now in the midst of its complete public disclosure. This is a very important matter and your seriousness in attending to it would be greatly appreciated.

This "dual-pronged behavioral intelligence/business experiment," first established by two "primary source entities" (neither of which is Shire or any related Shire entity), has recently gone "catastrophically bad" and has required a special intervention protocol by an elite behavioral

## The Patent '813 Story, Part II -- Version 2

intelligence team under the alias "Byan Haygins," of which all of you previously received emails (i.e., the week of Monday March 9, 2015). This elite behavioral intelligence team has written this email to you under a highly classified "intelligence debriefing protocol," namely, to *minimize psychological harm* to any "involved parties," because this "dual pronged behavioral intelligence/business project" *has been very expansive, has involved many people, businesses, third-parties, etc... and was premised on the development and application of "deception-based intelligence technology" using "electronic communications" that also happened to be used unlawfully and unethically along the way.*

Every person on this email was previously contacted as part of establishing certain "communication boundary conditions" for a very rapid and safe declassification to be "psychologically tailored and implemented" as an "intelligence debriefing" at such time that it was required based on real-time assessments of "involved parties" and their psychological states, by the lawful use of highly proprietary communications surveillance and analysis technology. That final "intelligence debriefing" is very quickly approaching and this communication represents a "first major public step" toward that final objective, as referenced in the email below that was sent from manager/member Louis Sanfilippo, MD of Lucerene Biosciences, LLC to Shire Plc CEO Flemming Ornskov (bcc'ing ten other parties also) and which cc'd "byan.haygins@gmail.com" for the reason that his email would be sent to you as it is now under a highly classified behavioral intervention protocol for which Louis Sanfilippo wasn't even made aware at the time that he sent his email this morning would be taking place. The identity of this elite behavioral intelligence working under the name of "Byan Haygins" and charged with this large-scale "public intelligence debriefing" (and its associated rapid declassification of communications) is highly classified information at this time because of the sensitivity of the situation.

If none this makes sense to the analysts on this thread, namely because they "perceptually" stand "outside" the involved "closed communication network" (albeit open in its own right and very expansive), the Shire representatives on the thread can provide proper context and information to them -- as by now they are all surely aware of its nature, scope and implications. In this respect, this communication is designed to create a "public perceptual convergence" of Shire's own representatives (who have a fiduciary role to the company to secure its best interests) and the analysts following the company (who have a fiduciary role to their clients to understand public events having material financial implications to Shire) to "see the same thing." That "same thing" is that Lucerne Biosciences, LLC's "intellectual property," however broadly defined to include but not be limited to patents and patent applications involving the treatment of Binge Eating Disorder with "Vyvanse," is surely about the most valuable IP in pharmaceutical history, beyond just its "financial value."

One reason is that the company's IP also involves a very well-planned "psychological debriefing" (with its many documented "real-time interventions") to allow a massive of number of "third parties" to escape their location of "being caught in the middle" of this "catastrophic psychological mess" of a "dual-pronged behavioral intelligence/business experiment" gone as bad it can possibly go because of repeated misjudgments of the two "primary source entities." Right now, specific details involving all that information is classified but such details will make their way public very quickly, shortly after this communication is deployed. You can take your guess regarding the identity of these two "primary source entities" where "the bad idea" began.....*i.e.*, Harvard? Yale? NSA? CIA? Russian intelligence? Illuminati? Other? And you can take also your guess which entity(ies) is/are supporting Lucerne Biosciences, LLC in making critical behavioral intelligence interventions to help many of the involved parties "psychological debrief" from what surely is now a very intense and unpleasant experience for those centrally involved and "caught in the middle," like Shire and its CEO Flemming Ornskov (among others).

Let me make one additional observation. Based on an analysis of communications made from

## The Patent '813 Story, Part II -- Version 2

"Byan Haygins" the week of Monday March 9, it would appear that analysts Amy Walker of Morgan Stanley, Ken Cacciatore of Cowen and Mark Clark of Deutsche Bank (if he receives this email as he was planning to leave) will have arguably the "best perceptual view" to understand the dimension and scope of this very real-life story, particularly regarding its financial implications for Shire, simply because they probed it at a time that it was ripening for full disclosure and got a peak into its most remarkable nature. However, Mark Clark gets the prize for thoughtfully pushing the boundary by asking some very relevant and important questions, which I would say are worth looking at if there's any one thing you want to further probe to understand how this all fits together (see pp. 34-37 of the attached pdf of "Declassified Communications" for Mark's exchange with "Byan Haygins").

Please feel free to pass this communication along to any parties of interest, as it's intended to help many people "psychologically adjust" to the final resolution of a "dual-pronged behavioral intelligence/business experiment" gone catastrophically bad, but which will surely have many good things to teach from the perspective of hindsight. In this light, the objective of this communication and others that will publicly ensue is the simple disclosure of the truth in a way that people can meaningfully work with it and, you might say, also help "Shire" and its executive management finally recognize that they're sitting on what may be the single most important pharmaceutical intellectual property that's ever been developed and applied, all in plain view and documented for posterity, to help (and to continue to help) a great many people while concurrently advancing important business objectives (at least certainly as far as the pharmaceutical space is concerned). Shire's media, marketing and investor relations teams are surely best positioned to see that, which is why various of their representatives are included on this email thread. And, therefore, also why Shire analysts are too.

**ATTACHMENT: "Declassified Communications.pdf"** (available for download at: [http://www.4shared.com/download/t1-UAoStba/Declassified\\_Communications.pdf?lgfp=3000](http://www.4shared.com/download/t1-UAoStba/Declassified_Communications.pdf?lgfp=3000))

**From:** "Louis Sanfilippo, MD" <Louiscsan@aol.com>  
**Subject:** Lucerne Biosciences, LLC/expected first public action  
**Date:** April 29, 2015 8:18:07 AM EDT  
**To:** fornskov@shire.com  
**Cc:** byan.haygins@gmail.com

Dear Dr. Ornksov,

I am writing this email on behalf of the management of Lucerne Biosciences, LLC.

This email communication to you and "Shire" (including, but not limited to, Shire Plc, Shire Development and Shire LLC) is **not** materially related to the "*inter partes* review **proceedings**" of U.S. Patent No. 8,318,813 (as wholly owned by Lucerne Biosciences, LLC), because it has **nothing to do whatsoever** with "patentability matters" (*i.e.*, legal and scientific matters related to patentability), as is the clear purpose of an *inter partes* review and for which the Board previously made certain specific orders on December 23, 2014 for "inter-company communication" (when LCS Group, LLC was the patent owner). Nor is this communication to you and Shire related to matters of a "business/commercial nature," as LCS Group, LLC had attempted to communicate to you and other representatives of "Shire" but had received significant third-party interference on such "business/commercial communications" from your outside law firm of Frommer, Lawrence & Haug, LLP (specifically by partner Mr. Ed Haug on the dates of December 22-23, 2014 when LCS Group, LLC had attempted, via its then outside counsel Baker & Hostetler LLP's Joe Lucci, to communicate to you the business/commercial terms of an exclusive option agreement for an exclusive license, on behalf of LCS Group, LLC that

## The Patent '813 Story, Part II -- Version 2

the company even executed on its respective “side” on October 1, 2014).

On behalf of the management of Lucerne Biosciences, LLC, I have been authorized to communicate to you and “Shire” that you and “Shire” can expect a first public action sometime today. The purpose of this action is to satisfy certain pre-established objectives and to begin the rapid initiation of an increasingly “loud wave” of public disclosure involving **all aspects** of the “deception-based intelligence technology” that “Shire,” its outside law firm of Frommer, Lawrence & Haug, LLP, and its declarant Dr. Timothy Brewerton have helped to develop and apply for two “primary source entities” through business and intellectual property venues **by specifically “targeting” LCS Group, LLC (formerly) and then Lucerne Biosciences, LLC (more recently)**. These disclosures will become **very rapidly public** based on actions that have been planned far in advance of today and which involve three entities and some very close “behavioral intelligence support.” As additional context for you, I have attached the PDF that was electronically communicated this morning at 7:00 am EST on behalf of Lucerne Biosciences, LLC to Guidepoint Global’s Ms. Sarah Wade.

On behalf of the management of Lucerne Biosciences, LLC, I would also like to inform you, Dr. Ornskov, that the email sent below by Ms. Kuzmich to the Patent Board yesterday at 5:52 pm EST employs standard “deception-based intelligence technology.” The reason is that Ms. Kuzmich (or any competent attorney) **knows** that those emails that you received on April 27 and 28 have **no material bearing on the kinds of “patentability matters”** (i.e., scientific and legal concerns) **routinely involved in inter partes review proceedings**, which makes her representation to the Patent Board effectively a material misrepresentation, not to mention an entirely baseless use of everyone’s time, energy and financial resources (including the Board’s) for dealing with her “request.”

This **same exact** “deception-based communication behavior” can also be evidenced when Ms. Kuzmich emailed attorney Joe Lucci on September 4, 2014 (at 12:56 pm EST) saying, “Shire understands that Dr. Sanfilippo is represented by you in these matters.” Clearly, Ms. Kuzmich **must have known** that Mr. Lucci/Baker & Hostetler LLP were **representing LCS Group, LLC** in the *inter partes* review of U.S. Patent No. 8,318,813, simply by virtue of the fact that the Power of Attorney (as executed by CEO Dr. Sanfilippo on behalf of the company on June 2, 2014) held that Mr. Lucci/Baker & Hostetler LLP were representing LCS Group, LLC in the *inter partes* review proceedings - - and that Power of Attorney was served to Ms. Kuzmich and Frommer, Lawrence & Haug, LLP, on June 2, 2014. It would be her fiduciary role as an attorney to communicate truthfully with her client, which means that **Shire would have understood that LCS Group, LLC was represented by Mr. Lucci/Baker & Hostetler, LLP**. This kind of “deception-based communication behavior” is all very obvious and by now it should be that way to you, Dr. Ornskov -- and everyone else at “Shire” (however loosely defined). I can assure you, based on everything that I’ve been hearing over the last few days (and it’s a lot from quite a number of sources), that it’s all very obvious to a lot of other people too, which helps explain all that “third party interference” referenced in the email communications that were made to you this week.

Let me also say on behalf of Lucerne Biosciences, LLC that this “deception-based communication behavior” can also be clearly evidenced in Mr. Haug’s efforts to identify “Dr. Sanfilippo” as Mr. Lucci’s client in email communications made to Mr. Lucci on March 20, 2015 (at 5:11 pm EST) “...campaign by your client Dr. Sanfilippo.....,” and March 23, 2015 (at 8:48 am EST), “Are you representing to me that you client Dr. Sanfilippo....” Surely, Mr. Haug **knew** that Lucerne Biosciences, LLC was Mr.

## The Patent '813 Story, Part II -- Version 2

Lucci's/Baker & Hostetler LLP's "client" at the time he made those communications, because he was served a Certificate of Service of January 27, 2015 identifying that Mr. Lucci/Baker & Hostetler LLP were **representing Lucerne Biosciences, LLC** and, therefore, that Lucerne Biosciences, LLC (and not Dr. Sanfilippo) was Mr. Lucci's "client." Thus, Mr. Haug can be seen materially misrepresenting important and relevant information that he **knows** he's intentionally misrepresenting (if he's to be considered a competent attorney), which is a cardinal feature of "deception-based intelligence technology." Anyone involved in counter-intelligence technology that's been developed and applied to "unmask" these kinds of tactics, whether used in "business" or "intelligence" matters, can see them a mile away. But it's not often so easy to see for those less familiar with how they are applied and to see how they've become the target of "third party exploitation," which is why it's important to document and explain these things, so that any reasonable person can understand them and not be victimized and harmed by them.

This **intentional misidentification** of "Dr. Sanfilippo" (i.e., "personally") as Mr. Lucci/Baker & Hostetler LLP's "client" when Ms. Kuzmich and Mr. Haug **clearly knew** that LCS Group, LLC and Lucerne Biosciences, LLC, respectively, were Mr. Lucci/Baker & Hostetler's "clients" that he was representing (at the respective time in which he was authorized to represent them vis-à-vis the Power of Attorneys filed in the *inter partes* review) is called in intelligence circles "**tactical leveraged splitting**." It's standard "deception-based intelligence technology" motivated by an intention deceive in order to "split," in this case to split (i) "LCS Group, LLC" (as in Ms. Kuzmich's effort) and (ii) "Lucerne Biosciences, LLC" (as in Mr. Haug's effort) from "Dr. Sanfilippo" (outside his fiduciary role for the entity in which he is authorized to act on) by "splitting" Mr. Lucci's "representation status" in a way that would make his representation of **either** "Dr. Sanfilippo" **or** "LCS Group, LLC/Lucerne Biosciences, LLC" (depending on the timeframe of representation) **a serious conflict of interest**. Add to that deceptively-leveraged "conflict of interest problem" for any "Sanfilippo-associated entity" (including himself) whatever "strong-armed negotiation tactics" may be prospectively in order from Ms. Kuzmich and Mr. Haug (and their law firm) to give **both** the respective "LLC entity" and the "person Dr. Sanfilippo" a very hard time through threats, manipulation, coercion or other kinds of anti-competitive conduct, as might be leveraged through "baseless legal actions" or even extortion (as in "third-party interference"), you have a classic "tactically leveraged split" applied to "business matters." When deception-based intelligence technology has been repeatedly used, documented and analyzed, as it has in Shire's, it's outside law firm's and its declarant's "collective communication behaviors" (or lack of them), this is all very easy to see. Really, any reasonable person would easily see it provided that it's sufficiently well-communicated for them to understand it in its proper "business and legal context."

That's the real story here, Dr. Ornskov - and it's been the real story **from the beginning**. And it's a **very very very big story**, much bigger than any financial settlement could ever be, and "Shire" and you happen to be squarely in the middle of it. But I, in my role as CEO of LCS Group, LLC tried to discreetly warn you and other representatives of "Shire" about this problem five times last September. Those warnings went unheeded. In my role as a Manager/Member of Lucerne Biosciences, LLC, I can assure you and Shire of one thing, namely, that nothing the company and its strategic collaborators have planned to imminently do will be done discreetly.

The management of Lucerne Biosciences, LLC has required that I cc "[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)" on this email in order to satisfy certain important behavioral intelligence and business objectives.

## The Patent '813 Story, Part II -- Version 2

Ten persons are bcc'd on this email.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: "4.29.15 Letter from LB to Wade.GG.pdf"** is available at:  
[http://www.4shared.com/download/GXXeQMCxce/42915\\_Letter\\_from\\_LB\\_to\\_WadeGG.pdf?lgfp=3000](http://www.4shared.com/download/GXXeQMCxce/42915_Letter_from_LB_to_WadeGG.pdf?lgfp=3000)

----

**From:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813): Request for Conference Call  
**Date:** April 28, 2015 5:51:02 PM EDT  
**To:** "trials@uspto.gov" <trials@uspto.gov>  
**Cc:** "Farsiou, David" <DFarsiou@bakerlaw.com>, "Lucci, Joseph" <JLucci@bakerlaw.com>, "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Petitioner respectfully requests, at the Board's earliest convenience, a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12. The Board issued an order requiring that "any communication from Patent Owner to Petitioner or Petitioner's representatives regarding this proceeding must be signed by Patent Owner's counsel of record" (Paper 14 at 4). In direct contravention of this order, two e-mails signed by "The Management of Lucerne Biosciences, LLC" (i.e., Patent Owner) were sent on April 27 and 28, 2015 to Shire's employees, Shire's expert witness, and counsel for Petitioner. The communications were not signed by Patent Owner's counsel.

Petitioner notes that this is not the first time that the Board's order has been violated. Earlier in this proceeding, Dr. Sanfilippo—inventor of the '813 patent, CEO of previous patent owner LCS Group LLC, and Manager/Member of current Patent Owner—sent prohibited electronic correspondence, necessitating a motion for sanctions (Paper 15). This motion remains pending.

For at least these reasons, Petitioner requests a conference call to seek authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

## The Patent '813 Story, Part II -- Version 2

**From:** "Rosaasen Group" <emdjobs@qwestoffice.net>

**Subject:** Neurohospitalist employment opportunity-OH-Cleveland area-2390KG3-C2

**Date:** April 29, 2015 3:28:49 PM EDT

**To:** <louiscsan@aol.com>

Hi,

I am a recruiter.

Please feel free to let me know if you would like more information about the position shown below.

You are invited to send your mobile phone and CV to me in confidence.

Please send CV in word or PDF format.

Thanks,

Harry Rosaasen  
Rosaasen Group  
866.520.4400  
3899729 - C2

### **Neurohospitalist - Cleveland area - OH - 1175777 - 2390-KG**

Employed Neurohospitalist Opportunity in NE Ohio

Practice

Situated about an hour from Cleveland, Ohio, this employer is searching for a neurohospitalist to provide services in a nonprofit, community-based setting.

The neurohospitalist team works closely with an employed 21-physician inpatient medicine program to provide comprehensive quality patient care.

The hospitalists handle the admissions, while the neurologists focus on stroke alerts and consults only.

Offering a schedule that provides a great work-life balance, this opportunity is perfect for those that prefer working week-on/off blocks at a time.

Employment Benefits Include:

- Highly competitive compensation
- Comprehensive health care plan
- Excellent signing bonus
- Malpractice coverage
- Student loan repayment, relocation expense, CME allowance
- Generous paid time off

A highly recognizable facility, this hospital has been leading the community to improved health for over a century.

This employer has earned an award for consumer satisfaction for 15 consecutive years.

In addition, Thomson Reuters has named this employer one of the Top 50 Cardiovascular

## The Patent '813 Story, Part II -- Version 2

Hospitals in the country and one of the nation's Top 100 hospitals.

They are acknowledged as a leader in the healthcare field and exude excellence in patient care, customer service, and employee satisfaction.

We respect your online time and pledge not to abuse this medium. If you prefer not receive further emails of this type from us, please reply to this email and type **Remove** in the subject line.

**From:** Byan Haygins <byan.haygins@gmail.com>  
**Subject:** EMAIL MATTER  
**Date:** April 29, 2015 4:56:51 PM EDT  
**To:** "Rosaasen Group" <emdjobs@qwestoffice.net>  
**Cc:** MD MD <louiscsan@aol.com>

Dear Mr. Rosaasen,

The attached pdf email that you sent was flagged in a communications analysis confidentially conducted by an undisclosed entity this afternoon. It involves a generic recruitment solicitation of a person at the email "louiscsan@aol.com." It has been determined that your communication may have been used in an electronic third party interference network to engage in unlawful and deceptive trade practices and anti-competetive conduct, including through the use of extortion. If you are aware of any such use of your email, you are strongly advised to cease immediately as any further communications from you to that email address may be used to take certain actions including, but not limited to, legal ones that carry fines and potentially punishments involving incarceration. However, if you are unaware that your communication was potentially used in such a way but were aware of its "third-party use," you may be entitled to participate in a class-action lawsuit by simply disclosing the nature of your involvement in this electronic third-party interference network. In such instance, special debriefing materials may be provided to help you better understand how and why you and/or your company may have been "used" (i.e., exploited) for the purpose of engaging in unlawful conduct. You can reply to this email to indicate your interest in an anonymous third-party phone or electronic contact at such time that any such action is organized. You may also find that such opportunities are disclosed in the public domain.

Cc'd on this email is "louiscsan@aol.com," the party to whom you send your email.

From "Byan Haygins," representing the "class of involved third parties" who were not aware that their electronic communications were be used to engage in unlawful and unethical conduct.

**ATTACHMENT: "4.29.15 at 3:28 pm EDT Neurohospitalist employment opportunity-OH-Cleveland area-2390KG3-C2.pdf"** (available for download at: [http://www.4shared.com/download/jAGE0jikce/42915\\_at\\_328\\_pm\\_EDT\\_Neurohospi.pdf?lgfp=3000](http://www.4shared.com/download/jAGE0jikce/42915_at_328_pm_EDT_Neurohospi.pdf?lgfp=3000))

**Thursday April 30, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10:23 AM EDT"** is available as a merged PDF at:

## The Patent '813 Story, Part II -- Version 2

[http://www.4shared.com/download/ISXqZO05ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/ISXqZO05ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Kellogg, Andrew" <Andrew.Kellogg@USPTO.GOV>  
**Date:** Apr 30, 2015 3:28 PM  
**Subject:** RE: IPR2014-00739 (U.S. Patent No. 8,318,813): Conference Call TOMORROW  
**To:** "EHaug@flhlaw.com" <EHaug@flhlaw.com>, "SKuzmich@flhlaw.com" <SKuzmich@flhlaw.com>, "LFanelli@flhlaw.com" <LFanelli@flhlaw.com>, "RGarman@flhlaw.com" <RGarman@flhlaw.com>, "Lucci, Joseph" <JLucci@bakerlaw.com>, "Farsiou, David" <DFarsiou@bakerlaw.com>  
**Cc:**

A conference call has been scheduled with the panel for 11:00 am ET, TOMORROW, May 1, 2015 in the above case. The call in number for the call is 877-900-6438 and the passcode is XXXXXX. If you have any questions, please feel free to contact me.

Thanks,

Andrew Kellogg,  
Paralegal  
Patent Trial and Appeal Board  
USPTO  
andrew.kellogg@uspto.gov  
Direct: XXX-XXX-XXXX  
Patent Trial and Appeal Board: XXX-XXX-XXXX

### **Friday May 1, 2015:**

#### **11:00 AM EDT:**

**"Patent Trial and Appeal Board Conference Call"** for IPR2014-00739 to discuss Shire Development LLC's seeking authorization to file a motion for sanctions against Lucerne Biosciences, LLC on the grounds that the company violated the Board's order "requiring that 'any communication from Patent Owner to Petitioner or Petitioner's representatives regarding this proceeding must be signed by Patent Owner's counsel of record' (Paper 14 at 4)."

**From:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Subject:** RE: RE: IPR2014-00739 (U.S. Patent No. 8,318,813): Conference Call TOMORROW  
**Date:** May 1, 2015 11:55:45 AM EDT  
**To:** "Louis C. Sanfilippo, MD" <louiscsan@aol.com>

Louis

I participated in the conference call this morning but informed the Board and Shire that I had been advised that I no longer represent Lucerne and that the company has new counsel. I also told them that I informed Lucerne that the call had been scheduled and had asked whether the new counsel would be handling the call on behalf of the company, but had received no response.

Shire alleged that you had sent emails (both as yourself and as Byan Haygins) to Shire, its counsel, and Dr. Brewerton in violation of the Board's prior order, and asked the Board for leave to file a motion for sanctions.

## The Patent '813 Story, Part II -- Version 2

The Board asked Shire what sanctions it would seek, and informed Shire that it would be disinclined to terminate the IPR as a sanction. Shire's counsel didn't have any immediate response, and asked for the opportunity to think about what sanctions, other than termination, would be appropriate.

Shire is going to file its motion on Wednesday, May 6. The Board set a deadline of Wednesday, May 13, for Patent Owner's new counsel to file an opposition to the motion. The Board also noted that if Patent Owner does not file a response, then the Board will take Shire's allegations in its motion as undisputed.

Given Lucerne's termination of my representation, I will not prepare an opposition to Shire's motion.

Further to my prior inquiry, please let me know when Lucerne's new counsel will make an appearance in the IPR on behalf of the company. I think that this should be done as soon as possible.

Just let me know if you would like to discuss.

Thanks,

Joe

**Joseph Lucci | BakerHostetler**

### **12:30 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 12:30 PM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/Ol8wvnece/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/Ol8wvnece/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Anna Kazanchyan, M.D." <anna@pirllc.com>

**Subject:** Thank you - on behalf of neediest families in Gyumri, Armenia

**Date:** May 1, 2015 9:53:01 PM EDT

**To:** "Anna Kazanchyan, M.D." <anna@pirllc.com>

Dear Family, Friends, Colleagues and Clients:

I hope my email finds you all well.

My heartfelt thanks to all of you who extended their generosity during the past three years to help the neediest families in Gyumri, Armenia - thank you, thank you, thank you!!! Words alone cannot express the tremendous difference you are making in their lives.

This year, too, my family and I spent two weeks with the children at Armenian Sisters' Diramayr Hayastani Children's Center, children many of whose families are among the neediest and poorest in Gyumri.

This video <http://youtu.be/-jFkA-ATXb4> documents our visits to several of these families, and

## The Patent '813 Story, Part II -- Version 2

provides a glimpse into their lives, if one can even call it a life.... After each and every visit, I would nearly fall apart and then somehow manage to compose myself before the next visit. The video simply cannot relate just how overwhelming the experience was – the cold, the nauseating odors, and the pervasive feeling of desperation, helplessness and hopelessness that permeated the air...

These people have done absolutely nothing wrong to deserve the grim existence that is their life. And I have done nothing to deserve the good life that I have today. Hence, it is my responsibility and, yes, my *obligation* to do something to try and ease their burden, even to a smallest extent.

And yet these families have somehow done more to change my life than I have done to help theirs. I am a different person today than I was four years ago, thanks to these families. They taught me to truly appreciate everyone and everything in life as now I know that everything, no matter how small or big, is a blessing and a gift – from our ability to see and hear to our ability to feel a loved one's touch and to the food that is on our table. They have also helped me learn what true Love really is – it is giving to others without expecting anything in return. *For those of you who may be struggling to feel happy despite having achieved all that you at one time thought should have made you happy, please consider giving of yourself – not just money, but also your time and your heart. You will likely feel so rich in happiness and Love, that it will spill over onto other areas of your life and onto other people in your life, too.*

I often get asked the following questions that I am certain many of you have asked yourselves.

1. *Is there an alternative way to help these people, other than providing them with basic food necessities, and in a more sustainable manner that would enable them to provide for themselves?* It's a question that I have struggled with for the past couple of years – and then realized that sustainability is sometimes simply not an option. What can an 80-year old grandmother with congestive heart disease do to provide for her two orphaned grandchildren? What about a mentally ill woman who is caring for her sister with liver failure? And what about a mother who has to take care of her 24-year old quadriplegic son, around the clock? We simply cannot let our best intentions to provide a sustainable solution turn into a detriment and deprive these families of the help that they so desperately need! Just this year, two of the people that we had met during our 2013 trip had died due to the cold and malnutrition.

2. *Isn't this the same level of poverty that one can find in the U.S., even in areas very close to NYC?* It is really not the same thing, and here's why. In the U.S., there is some degree of a 'safety net' on one hand, and opportunities, on the other hand. There is welfare assistance, food stamps, Medicaid, subsidized housing, etc. Granted, these are far from perfect, but they are far better than what is available to families in Armenia. I am not at all ashamed to admit that, as immigrants, my family had to use this safety net when we first arrived in the U.S., and it allowed us to get on our own feet and move on to a better life. In Gyumri, on the other hand, we visited with a family of seven (including two toddlers) who receive only about \$150 a month as poverty assistance. This provides them with the option of either having several slices of bread per day with some cheese, or paying the utilities, or paying for half of the medicines required for the grandmother. Not much of a choice, is it??? To compound the situation further, there is no job training or job placement opportunities for *any* kind of a job, not even one that pays minimum-wage.

3. *Aren't we letting the Government in Armenia off the hook by providing this aid to these families?* As much as I love my motherland, I have come to learn that the government in Armenia is potentially one of the most corrupt and heartless governments in the world, run by oligarchs

## The Patent '813 Story, Part II -- Version 2

who are guided by insatiable greed and thirst for power. They don't know whether these families even exist and certainly don't care whether these people are alive or dead. If we don't help these people, we are condemning them to slow death, from cold and hunger. I typically refrain from quoting the Bible (mostly because I have not yet been a very good student of it, I am ashamed to say), but this is the one time when I feel it is warranted: *Matthew 25:40* – ‘*Truly I tell you, whatever you did for one of the least of these my brothers and sisters, you did it for me!*’ And these people are truly the least of our brothers and sisters!

The need for assistance is ongoing and critical, hence I feel compelled to make another appeal to your generosity and kindness. **For \$50 per month**, and under Armenian Sisters' (<http://www.armeniansisters.org>) and **Sister Arousiag's kind guidance and with the help of her dedicated staff, this amount will provide enough food to sustain one family for an entire month. I personally cover all the administrative costs of securing, packaging and delivering the food, so 100% of your donation is used to buy basic food supplies for these families.** We have already 'adopted' 75 such families that will receive monthly food supplies for the next year, but there are an additional 2,000+ families in Gyumri that need your help.

**All donations are fully tax-deductible – checks should be made out to: “The Armenian Sisters” (<http://www.armeniansisters.org>) and mailed to my attention at: 25 Allegra Court, White Plains, NY 10603. Please make certain that you state the following in the ‘comment’ line: “for neediest families in Gyumri”.**

May God bless you with an abundance of health, Love, happiness and money and return your generosity thousand-fold.

With Love,  
Anna  
XXX XXX XXXX

P.S. If you would prefer not to receive future updates, or appeals, please reply back with such a request.

### **Saturday May 2, 2015:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Important Follow-up on Your Email/Legal and Other Issues  
**Date:** May 2, 2015 7:37:06 AM EDT  
**To:** anna@pirllc.com  
**Cc:** MD MD <louiscsan@aol.com>

Dear Anna,

I am writing this email on behalf of LCS Group, LLC, a company in which I am the CEO. The company formerly owned U.S. Patent No. 8,318,813, which encompasses claims for the use of lisdexamfetamine dimesylate (“Vyvanse,” marketed by Shire U.S. Inc.) to treat Binge Eating Disorder. LCS Group, LLC is now involved in a strategic collaboration with Lucerne Biosciences, LLC (of which I am a manager/member), which acquired full ownership of the patent in January 2015.

As you may or may not know, Vyvanse was FDA approved to treat Binge Eating Disorder on Friday January 30, 2015. “Shire” does not have rights to U.S. Patent No. 8,318,813; rather, Shire Development LLC filed an *inter partes* review for U.S. Patent No. 8,318,813 on May 9, 2014

## The Patent '813 Story, Part II -- Version 2

alleging the patent was obvious and therefore unpatentable. Significant problems, including extensive misrepresentations of the prior art, were found in Shire's *inter partes* review petition and the Declaration on which it relied. You can find background information at LCS Group, LLC's December 26, 2014 press release by clicking the hyperlink to "supplemental information" in the "business inquires/development section." The press release is available at: <http://www.prnewswire.com/news-releases/lcs-therapeutics-and-lucerne-biosciences-to-commercialize-813-patent-for-lisdexamfetamine-dimesylate-in-the-treatment-of-binge-eating-disorder-300013986.html>.

On account of that development and many others since that time, "Shire" (collectively across several Shire entities) has been under investigation for claims of misrepresentation, unfair and deceptive trade practice and anti-competitive conduct, as well as invasion of privacy. Specifically, there is strong evidence to support Shire's involvement in a third-party interference network unlawfully being used to engage in unfair and deceptive trade practices and anti-competitive conduct by (in part) selective "third-party targeting" my "yale.edu" email address as a means of leveraging such communications from third-parties involved in the pharmaceutical space to unduly influence, manipulate, threaten, coerce and/or otherwise intimidate "Louis Sanfilippo" (*i.e.*, "me") to behave in a manner for which he is (*i.e.*, "I am") **not** authorized. The timing and nature of these unusual "third party electronic communications" to "Louis Sanfilippo" and various developments taking place involving U.S. Patent No. 8,318,813 and U.S. Patent Application No. 14/464,249, and their respective patent owners at different points in time, is explained in greater detail in the attached email sent by LCS Group, LLC/I to MTS Partners' Andrew Fineberg on April 23, 2015 at 8:07 pm.

With respect to you, your email from last evening to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" (via apparent "bcc") was "flagged" in an overnight communications analysis conducted by the management of Lucerne Biosciences, LLC of all "Louis Sanfilippo's" emails involving you, based on "temporally weighting" to important developments involving LCS Group, LLC and Shire. Specifically, the last recorded email that "Louis Sanfilippo" is on record of having sent you (at least as Lucerne Biosciences, LLC's overnight communications analysis goes) involves an email sent to you at "[anna@pirllc.com](mailto:anna@pirllc.com)" **from "louiscsan@aol.com" on March 20, 2009** at 6:05 pm EDT. **After that, there is complete gap of email communications until April 28, 2012** when you sent an email to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" via LinkedIn inquiring about a commercial opportunity of a repurposed drug. I did not respond to that email of yours. **Then, the next email "received" by "Louis Sanfilippo" was on March 18, 2013** to/from "Anna Kazanchyan" to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)," via apparent "bcc" and **not** to the "aol.com" address from which you would have received your apparent "last email from Louis Sanfilippo of March 20, 2009" (as in the MTS Partners' "email communication pattern" in which there is a temporal gap and also a change from the sender's "last sent email to an [aol.com](mailto:louis.sanfilippo@aol.com) email" to "a [yale.edu](mailto:louis.sanfilippo@yale.edu) email"). The content of the March 18, 2013 email involved your work to support Armenian children. This email was followed with the same general kinds of emails to "Louis Sanfilippo" **at his "yale.edu" address on November 2, 2013 (2 emails), November 26, 2014 and May 1 (yesterday).**

The "Shire temporal significance" of your communication pattern is that on **March 4, 2013** (at 9:01 am EST), LCS Group, LLC (then-owner of U.S. Patent No. 8,318,813) received confirmation from its outside counsel that Shire's in-house VP of Intellectual Property (Peter Cicala) had been informed of specific times that the company could meet to discuss its intellectual property (*i.e.*, U.S. Patent No. 8,318,813). After a relative "temporal gap" of four years of "no communication" with "Louis Sanfilippo" except the unanswered consult request that you made of him at his [yale.edu](mailto:louis.sanfilippo@yale.edu) address via LinkedIn on April 2012, the timing of your email **very shortly after planning was initiated between LCS Group, LLC and Shire to discuss U.S. Patent No. 8,318,813** is suspicious of third-party interference involving Shire in view of the attached LCS Group, LLC/MTS Partners email and its three attachments (which you can download via hyperlink as they provide

## The Patent '813 Story, Part II -- Version 2

other examples of potential "third party interferers").

However, there is a redundant pattern of your communications to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" in view of "Shire--LCS Group, LLC events" that makes your aggregate communications to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" highly suspicious of third-party interference purposed for anti-competitive conduct, deceptive trade practice and invasion of privacy. Specifically, LCS Group, LLC effectively entered into a Confidentiality Disclosure Agreement with "Shire LLC" on October 24, 2013 to discuss "a potential business opportunity involving U.S. Patent No. 8,318,813 and related patent applications." (The CDA is attached for your reference and was terminated on September 22, 2014). **Four days after Mr. James Harrington executed Shire's side of that "LCS Group, LLC--Shire CDA" to make it effective**, you sent two emails to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" (on November 2, 2013, via apparent bcc).

These email communications of yours in **March and November 2013**, in view of your general electronic communication behavior to "Louis Sanfilippo" over the prior five years, are highly deviant in their pattern of communication except insofar as their "timing features" correlate to significant business developments taking place between Shire and LCS Group, LLC. In view of the LCS Group, LLC email to MTS Partners attached, your email communication pattern to/from "Louis Sanfilippo" (including the one last night) strongly supports that your emails may have been used, or have been planned for use, to unlawfully to engage in third-party interference to perpetrate anti-competitive conduct and deceptive trade practices. Attached is a PDF of your email communications to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" since March 20, 2009 (in reverse chronological order). If there are any not included, please feel free to send them to me for a complete record and analysis.

In my role as CEO of LCS Group, LLC, I am writing to specifically ask you if you have any direct or indirect knowledge, or reason to believe, that your communications to "Louis Sanfilippo" have ever been made available or communicated to third parties who could in any way have used, or planned to use, such communications to interfere in the business practice of LCS Group, LLC, Lucerne Biosciences, LLC, and/or any company for which "Louis Sanfilippo" is involved?

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

### **ATTACHMENTS:**

**"Anna Kazanchyan Emails to Louis Sanfilippo's yale email from April 2012 to May 2015.pdf"** is available at:

[http://www.4shared.com/download/9SfJAOWzba/Anna\\_Kazanchyan\\_Emails\\_to\\_Loui.pdf?lgfp=3000](http://www.4shared.com/download/9SfJAOWzba/Anna_Kazanchyan_Emails_to_Loui.pdf?lgfp=3000)

**"4.8.15. MTS Partners Email LBLLC Analysis for AK.pdf"** is available at:

[http://www.4shared.com/download/jrBaH9nfba/4815\\_MTS\\_Partners\\_Email\\_LBLLC\\_.pdf?lgfp=3000](http://www.4shared.com/download/jrBaH9nfba/4815_MTS_Partners_Email_LBLLC_.pdf?lgfp=3000)

**"Shire LCS Group Confidentiality Disclosure Agreement.pdf"** is available for download at:

[http://www.4shared.com/download/Ko2MYKx5ce/Shire\\_LCS\\_Group\\_Confidentialit.pdf?lgfp=3000](http://www.4shared.com/download/Ko2MYKx5ce/Shire_LCS_Group_Confidentialit.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>

**Subject:** INFORMATION RE: POTENTIAL ORGANIZATION OF A CLASS ACTION

## The Patent '813 Story, Part II -- Version 2

**Date:** May 2, 2015 7:00:02 PM EDT  
**To:** anna@pirllc.com  
**Cc:** Isanfilippo@lcsgrupp.com

**FROM LUCERNE BIOSCIENCES, LLC**

May 2, 2015

Anna Kazanchyan, MD  
Chief Executive Officer  
Primary i-Research, LLC  
933 Mamaroneck Avenue  
New York, NY 10543

**VIA EMAIL ONLY TO "anna@pirllc.com"**

**RE: Potential Organization of A "Class-Action" Against Two "Primary Source Entities" for Engagement in Unlawful Third-Party Exploitation of Individual Persons and Various Entities with Claims of Misrepresentation, Unfair and Deceptive Trade Practices, Invasion of Privacy and Improper Use of Human Subjects in Human Research**

Dear Anna,

On behalf of a private company of which I am a manager/member, Lucerne Biosciences, LLC, and at the request of its counsel, I have been advised to inform you that you the company, in its strategic collaboration with three other entities (however loosely defined) and a special behavioral team, has conclusively identified a prospective "class of third party exploitees" that appears to have been unknowingly "recruited" (*i.e.*, a solicitation of any kind, though primarily through "word of mouth") into a "behavioral intelligence experiment" whose objective from its outset was develop and apply deception-based intelligence technology under the "cover" of an electronic collaborate network aimed at advancing research and/or business interests. Two "primary source entities" and key involved individuals have been identified but this information currently remains confidential (though they are not Lucerne Biosciences, LLC, LCS Group, LLC, or "Shire," or Shire's outside counsel of Frommer, Lawrence & Haug, LLP in the *inter partes* review of U.S. Patent No. 8,318,813, or any of their respective representatives).

There is ample evidence to support that these two "primary source entities" established a secret agreement to engage in human experimentation through the use of "electronically-based mediums" (*i.e.*, email, texts) involving distributed communications related to certain "businesses." Two foundational LLC businesses have been identified as "targets for exploitation." This project has been determined to have begun in (approximately) 2005 and its "primary recruitment strategy" has been determined to be, from its outset, "word of mouth." In this context, I was among its very first "third person exploitees," unknowing that the "word of mouth solicitation" that brought me into the project had much more going on "under the surface" than was ever represented to me for initially "joining the project." This "initial recruitment" was tantamount to a material misrepresentation of intent and purpose by the specific party that "recruited" me and also would have known that "underneath the cover of a business venture" was the development and application of deception-based intelligence technology. To this day, the respective responsible parties continue to evade any accountability, persistently seeking "third party mediation/interference" that doesn't even require them to confirm or deny any such claims, which only unduly continues the "third party exploitation" and involves ever more innocent people into its web. However, the evidentiary support for such "third party exploitation" has become

## The Patent '813 Story, Part II -- Version 2

overwhelming, to the point of its near-obviousness, particularly in recent weeks.

Further, there is ample evidence to support that over a sustained period of time such “third party collaborative involvement” was closely monitored and intentionally applied to repeatedly engage in unfair and deceptive trade practices, invasion of privacy, and improper use of human subjects in human experimentation, across numerous different companies, business and individuals. These individuals and companies may include you and Primary i-Research, LLC. In this respect, this “class of third party recruits,” whether as a “person” and/or a “business entity” (among many other possibilities), would not have had any awareness whatsoever as to **how** their participation in this “electronically-based collaborative project” (*i.e.*, allegedly for business or research purposes) was repeatedly, unlawfully and unethically applied over a long period of time to engage in anti-competitive conduct, extortion-type tactics, misrepresentation and fraud. The reason that it would have gone unnoticed to its “class of third party exploitees” is that its “application” was effectively made from a hidden centralized intelligence source with access and special capabilities to all the “collaborative information” **as well as** more specific information that particularly involved “me,” “Louis Sanfilippo.” This “additional information” would have come from additional “third party exploitees” that were not necessarily functioning within the “third-party business-related electronic network” for which this email has been prepared (*i.e.*, such as potentially yourself and/or Primary i-Research, LLC) but feeding “intel” to the “centralized intelligence source” nonetheless. The scope of this matter purely on a “psychological and behavioral level” is profound, both at group and individual levels, as are its legal, business and ethical implications.

If you believe that you have been “recruited” (by “simple word of mouth”) into something that sounds like this project which, for instance, might explain the “timing” of your communications to [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu) (as reflected in the email you received on behalf of LCS Group, LLC this morning), then subject to certain conditions that **have not yet been met** but which are **very close to being met** you might be able to qualify for inclusion in a prospective class-action. This class-action would be against these two “primary source entities” on legal claims that would be expected to include misrepresentation, unfair and deceptive trade practices, invasion of privacy and improper use of human subjects in human research.

Given the psychological and behavioral scope of this “behavioral intelligence/business experiment,” Lucerne Biosciences, LLC, has been closely working with LCS Group, LLC, three undisclosed entities and a special behavioral team to prepare the prospective “third party exploited class” for such a class action should any class action be taken, including with “psychological and behavioral support materials” specially written by an elite behavioral team for all the individual members of the class. Such support materials would be made easily accessible to any such prospective members via the internet and/or other electronic means (*i.e.*, email). This “psychological and behavioral support material” has been stylistically written to apply Shire’s *inter partes* review proceedings of U.S. Patent 8,318,813 to create a kind of “psychological distance” from the “mental proximity” of their distressing experience resulting from prolonged “third person exploitation” via an electronic medium whose purpose was to advance deception-based intelligence technologies. The necessity for this “psychological distancing” is premised on the destabilizing nature of projectively-based defense mechanisms under closed boundary conditions and highly regressive and stressful forces. This “behavioral intelligence/business project” has been determined by Lucerne Biosciences, LLC to be rapidly destabilizing over a number of weeks now and causing significant distress to quite a number of people, mainly those “most in the middle of it” and feeling “stuck” about how to proceed with no good options on “either side.”

Notably, one of these “psychological tools” that has been perceptually developed to help this “third party exploited class” is narratively stylized in the framework of an

## The Patent '813 Story, Part II -- Version 2

"intelligence/counterintelligence project" in which "Byan Haygins" and his special "behavioral intelligence team" are called in to "intervene" (*i.e.*, end this experiment gone bad). The use of an alias, "Byan Haygins," was perceptually designed by an elite behavioral team with certain intelligence experience to afford even greater "psychological distance" by which affected individuals could "project" any unacceptable emotions and feelings on "Byan Haygins" -- "the closer of the project" -- rather than on each other, which would have the effect of rapidly accelerating an already destabilized behavioral situation. This was done in expectation that "the experiment" was destined to catastrophically and abruptly fail, because any "perceptually-based experiment" foundationally based on "deception" would at some point have to reach a terminal boundary condition where the projectively-based defense mechanisms of involved parties would become so severely distorted so as to "functionally paralyze" the "collaborative network." It therefore became imperative to establish the appropriate "perceptual tools" to help re-organize the "third party exploited class" for "safe removal psychologically" from an experiment foundationally premised on deception-based practices and "leveraged splitting" which, in its recent time, has led to a massive amplification of highly primitive projectively-based defense mechanisms on a group level with very heavy "regressive splitting."

Lucerne Biosciences, LLC expects a public announcement anytime now as to whether it will take additional steps to pursue formal organization of "the third party exploited class" **in order to afford each individual the autonomous choice** to resolve any unlawful "third party exploitation" by the two "primary source entities" which could involve them **in the context of** learning and discovering more about it from "other involved third persons." Any such actions would concurrently deploy on an easily accessible public level specially supported with "behavioral and psychological debriefing materials" that helps them put their experience into meaningful light, along with communication instructions to the appropriate "organizers of the class." The company has made its foremost prerogative the safe psychological exit for involved "third party exploittees," namely, with electronically available materials (via the internet, email etc...) that can be discussed in person, in groups, and/or communicated between and among affected "third party exploittees."

Further, Lucerne Biosciences, LLC, in strategic collaboration with its counsel and three other entities, have valued an aggregate financial settlement for this class action against these two "primary source entities" in the range of approximately \$7 billion. The amount is based on the foundational intent to deceive without any well-conceived "exit plan" (much less a behaviorally/psychologically tailored one grounded in a truthful representation of reality), followed by the sustained and repeated application of such psychological destructive and unlawful behaviors to the point that its scope, extensiveness, and chronicity has come to involve a fairly significant number of people based on Lucerne Biosciences, LLC's proprietary assessments of its current number of "active recruits" (to include individual persons, businesses, organizations, etc...). Many of these people, from Lucerne Biosciences, LLC's assessments, are significantly psychologically impacted at this time, some more than others simply based on the extent of their involvement.

**This email to you and whoever else may read it is for informational purposes only.** It is not intended in any way as an organizing action for taking a legally-based class action against these two "primary source entities." It does not constitute an offer or intended action of any kind. However, there is sufficient behavioral evidence to support that the two "primary source entities" persistently refuse to be accountable for "the problem" that they have now have caused so many people, including even Shire and its outside legal counsel that can clearly be seen "caught in the middle" of some serious legal problems with their individually-based and collectively-shared "problems" growing worse by the hour. In this light, preparing for such action strategically began to take place months ago in expectation that things might well be where they are today and that certain "psychological and behavioral debriefing support materials" might be required to safely "remove the third-party exploited class" from this very deep "perceptually-based

## The Patent '813 Story, Part II -- Version 2

problem.” Those materials attempt to entertainingly characterize (for its obviousness) “deception at play,” as in the behavior of Shire, its outside law firm and its declarant in the *inter partes* review of the 813 Patent (*i.e.*, that “supplemental information” of email communications which LCS Group, LLC issued in its December 26, 2014 press release). Significant expansion of this material has already been prepared and it includes the related “Byan Haygins” communications (as attached and already deployed to certain parties) that are framed for supporting the psychological transition of the involved “third person exploiters.”

Further details are imminently forthcoming regarding the status of organizing this class of “third party exploiters” for further action and psychological/behavioral support. These details can be expected to come **any day now** through a broadly issued press release (similar in kind to LCS Group, LLC’s December 26 press release). However, the specific nature of these details will obviously depend on **how** the two primary source entities seek to resolve “the problem” that they have caused and which involves some very near-term “deadlines” for Shire and its outside counsel of Frommer, Lawrence & Haug, LLP.

As further “behavioral communication evidence” for the statements made in this email, and to help you understand whether you may have been unknowingly or unduly influenced to communicate with “Louis Sanfilippo” at sensitive business periods in LCS Group, LLC’s business discussions with Shire in your “role” as a “third person exploiter,” please find the email below that was sent to “Guidepoint Global’s” survey analyst Ms. Sarah Wade on Wednesday April 29, 2015.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: “Behavioral and Psychological Support Materials LBLLC.pdf”** is available at:  
[http://www.4shared.com/download/V6Mb9zmmba/Behavioral\\_and\\_Psychological\\_S.pdf?lgfp=3000](http://www.4shared.com/download/V6Mb9zmmba/Behavioral_and_Psychological_S.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Important Legal Matter Regarding Guidepoint Global  
**Date:** April 29, 2015 7:00:05 AM EDT  
**To:** [swade@guidepointglobal.com](mailto:swade@guidepointglobal.com)  
**Cc:** [byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)

Please see attached communication from Lucerne Biosciences, LLC.

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: “4.29.15 Letter from LB to Wade.GG.pdf”** (available for download at:  
[http://www.4shared.com/download/aY\\_EO-kxce/42915\\_Letter\\_from\\_LB\\_to\\_WadeGG.pdf?lgfp=3000](http://www.4shared.com/download/aY_EO-kxce/42915_Letter_from_LB_to_WadeGG.pdf?lgfp=3000))

### **Monday May 4, 2015:**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Important Notice from Lucerne Biosciences, LLC  
**Date:** May 4, 2015 7:17:22 AM EDT

## The Patent '813 Story, Part II -- Version 2

To: [ffrommer@flhlaw.com](mailto:ffrommer@flhlaw.com), [wlawrence@flhlaw.com](mailto:wlawrence@flhlaw.com)

Cc: Ed Haug <[EHAug@flhlaw.com](mailto:EHAug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, [fornskov@shire.com](mailto:fornskov@shire.com)

May 4, 2015

Mr. William Frommer  
Mr. William Lawrence  
Frommer, Lawrence & Haug, LLP  
745 Fifth Avenue  
New York, NY 10151

**VIA EMAIL ONLY**

**RE: Unlawful, Unprofessional and Unethical Attorney Conduct**

Dear Mr. Frommer and Mr. Lawrence,

On behalf of Lucerne Biosciences, LLC and at the request of its counsel, I am writing to inform you that the company is putting Frommer, Lawrence & Haug, LLP on notice that it has determined beyond any reasonable doubt that attorneys Mr. Edward Haug and Ms. Sandra Kuzmich repeatedly and egregiously made misrepresentations for the purpose of abetting unfair and deceptive trade practices for client "Shire" and its affiliated "Shire entities." This attorney conduct has been under investigation for some time in collaboration with LCS Group, LLC, two other entities (whose identities are proprietary information at this time but one of which is an "LLC entity"), and a special behavioral profiling team.

Based on extensive documentation and analysis, Lucerne Biosciences, LLC asserts the position that any reasonable person in view of the public record would unequivocally come to these same conclusions. Not only that but the company also takes the position that any reasonable person properly instructed on basic legal teachings would understand that Ms. Kuzmich's recent request to the Patent Board via email on April 28, 2015 (at 5:51 pm EDT) seeking authorization to file a motion for sanctions against the company pursuant to 37 C.F.R. § 42.12 (in the *inter partes* review of U.S. Patent No. 8,318,813) is **completely and utterly baseless** and **without any rational justification whatsoever** (as was a subsequent conference call on May 1 and as would be the motion itself). The simple reason, which the company holds any reasonable person would understand if provided basic legal instruction regarding the scope and purpose of an *inter partes* review proceeding, is that the "allegedly sanctionable email communications" to Shire's CEO Dr. Ornskov (most specifically) on behalf of Lucerne Biosciences, LLC [*i.e.*, on April 27 (at 7:00 am EDT), April 28 (at 7:07 am EDT) and April 29 (at 8:18 am EDT)] **have nothing whatsoever to do with matters of "patentability"** (as would be addressed in a legal venue such as an *inter partes* review proceeding), **except** perhaps to completely affirm the 813 Patent's patentability (in which case Ms. Kuzmich's fiduciary obligation as an attorney would not be to advise her client Shire to sanction Lucerne Biosciences, LLC but rather to immediately cease any further baseless sham litigation against the company and seek financial settlement for Shire's marketing of a drug encompassed by the patent's claims).

Lucerne Biosciences, LLC has determined that Ms. Kuzmich **unambiguously knows that** (as does Mr. Haug), which would make her recent representation to the Patent Board (and Mr. Haug's support of it) a misrepresentation motivated to **actively harm** the company. In this light, Ms. Kuzmich's statement that "The Board issued an order requiring that 'any communication from Patent Owner to Petitioner or Petitioner's representatives regarding this [*inter partes* review] proceeding must be signed by Patent Owner's counsel of record' (Paper 14 at 4)" grossly misrepresents the self-evident purpose and scope of an *inter partes* review proceeding. Mr.

## The Patent '813 Story, Part II -- Version 2

Haug and Ms. Kuzmich can provide you the three “allegedly sanctionable email communications” so that you can judge the evidence for yourself; however, if they should withhold these communications from you or make assertions without any evidentiary support, then Lucerne Biosciences, LLC can provide them to you with electronically accessible “attachment’s” (via hyperlink).

Lucerne Biosciences, LLC’s position is that this attorney behavior is yet another egregious example of a willful and malicious act of misrepresentation to support client Shire in anti-competitive conduct that follows **on many other well-documented examples** that any reasonable person would appreciate for its profoundly serious legal implications, as well as its professional implications for Mr. Haug and Ms. Kuzmich (as well as the law firm of Frommer, Lawrence & Haug, LLP in which Mr. Haug is a named partner). For instance, in the company’s collaboration with LCS Group, LLC it has conclusively identified a similar example of **baseless and deceptive “attorney behavior”** for the purpose of obstructing commercial/business communications. This “attorney behavior” was objectively evidenced when Mr. Haug attempted to materially interfere in a **business/commercial communication** (*i.e.*, an exclusive option agreement for an exclusive license) **from LCS Group, LLC to Shire Plc**, as provided to him and Ms. Kuzmich by Mr. Joseph Lucci of Baker & Hostetler, LLP on behalf of LCS Group, LLC on December 22, 2014 (*i.e.*, his emails at 12:43 and 6:50 pm EST) and December 23, 2014 (*i.e.*, his email at 3:48 pm), by misrepresenting that LCS Group, LLC’s business/commercial communication was related to matters of patentability encompassed within the scope of an *inter partes* review proceeding. Certainly, communicating an “option agreement for an exclusive license” (as was executed by LCS Group, LLC) is not materially relevant to “*inter partes* review matters” involving “patentability” as Mr. Haug alleged, which the public record of the proceedings themselves clearly and simply show. To compound this serious attorney misconduct, eight minutes after Mr. Haug’s last email communication at 3:48 pm EST, Ms. Kuzmich then **baselessly** sought to request authorization from the Patent Board (*i.e.*, her email of December 23, 2014 at 3:56 pm EST) to include discussion of additional misconduct against LCS Group, LLC in a motion (scheduled for December 29) on account of Mr. Haug’s foundational misrepresentation of the substantive content of LCS Group, LLC’s communication (*i.e.*, business/commercial) intended for Shire Plc CEO Dr. Flemming Ornskov. This is an extraordinary example of two attorneys collusively working together to perpetrate unfair and deceptive trade practices on behalf of their client Shire.

Yet another blatant example of attorney-perpetrated misrepresentation to support client Shire’s engagement in unfair and deceptive trade practices has been identified in communications made by both Ms. Kuzmich (*i.e.*, September 3, 2014 at 12:56 pm EDT) and Mr. Haug (*i.e.*, March 20, 2015 at 5:11 pm EST and March 23 at 8:48 am EDT) in which each attorney sought to identify the “client” of attorney Joe Lucci (of Baker & Hostetler, LLP) as “Dr. Louis Sanfilippo” when it was unambiguously clear from the Powers of Attorney executed in the *inter partes* review of U.S. Patent No. 8,318,813 that Mr. Lucci was representing LCS Group, LLC (at the time of Ms. Kuzmich’s September communication) and Lucerne Biosciences, LLC (at the time of Mr. Haug’s March communications). That Mr. Lucci’s representation of his “client” was so clearly and unmistakably evidenced in the public record of the *inter partes* review itself and also **directly communicated to Mr. Haug and Ms. Kuzmich** through Certificates of Service (on June 2, 2014 and January 27, 2015, respectively) speaks to the pre-meditated and calculated “coordinated deceitfulness” of their misrepresentations and raises serious questions as to whether such misrepresentations may have been strategically planned by the two of them for the purpose of extortion. Furthermore, Ms. Kuzmich’s September 4 email communication directly speaks to Shire’s interest in business negotiations (*i.e.*, “Please inform Dr. Sanfilippo that all negotiations with Shire.....”). This revealingly connects her motivation (*i.e.*, *mens rea*) to use a misrepresentation to abet client Shire in deceptive trade practice (*i.e.*, *actus reus*).

## The Patent '813 Story, Part II -- Version 2

Lucerne Biosciences, LLC and its collaborators have determined that the evidence is overwhelming that Mr. Haug and Ms. Kuzmich **repeatedly engaged** in willful, pre-meditated and coordinated acts of deception whose purpose was to materially interfere in business/commercial communications between Shire and the respective patent owner of U.S. Patent No. 8,318,813 (*i.e.*, LCS Group, LLC first and then Lucerne Biosciences, LLC) and, moreover, that such willful misconduct from attorneys is unlawful, unprofessional and highly unethical.

In addition to its right to pursue legal action for Mr. Haug's and Ms. Kuzmich's repeated acts of misrepresentation to abet unfair and deceptive trade practice for client Shire, Lucerne Biosciences, LLC is putting Frommer, Lawrence & Haug, LLP on notice that it reserves the right to organize and pursue a class action on behalf of Shire shareholder interests for any harm that Shire may be caused by any unlawful, unethical and/or unprofessional conduct, whether from past actions or future ones, from (i) Mr. Haug and/or Ms. Kuzmich, whether acting personally or as representatives of Frommer, Lawrence & Haug, LLP (ii) Frommer, Lawrence & Haug, LLP and/or any of its other representatives who may have colluded in such misconduct and (iii) any collaborating party(ies) that may have supported Mr. Haug, Ms. Kuzmich and/or any other representative(s) of the firm to act unlawfully, unethically and/or unprofessionally.

Lucerne Biosciences, LLC is hereby informing the law firm of Frommer, Lawrence & Haug, LLP that it has made extensive preparations with its strategic collaborators to take action on its findings and that such action is not only **extremely imminent but also at this point necessary to remedy damages and harm, and to prevent any further damages and harm, to the company**. While such actions are taken, Lucerne Biosciences, LLC would strongly suggest that the law firm's senior leadership concurrently investigate what may have motivated any such unlawful, unprofessional and/or unethical conduct, including possible conflicts of interest that Mr. Haug and/or Ms. Kuzmich may have had with third-party interests that they failed to properly address.

CC'd on this email are Mr. Haug and Ms. Kuzmich, as well as Shire Plc CEO Dr. Flemming Ornskov so that they are also made aware of these very rapidly unfolding developments that centrally involve them and the entities that they represent.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **11 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 11:11 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/QHhQiM0oba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/QHhQiM0oba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

### **Tuesday May 5, 2015:**

US Patent Trial and Appeal Board's **"Order Conduct of the Proceeding,"** as made in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/NnTDaQ-mce/notice-26.pdf?lgfp=3000>

## The Patent '813 Story, Part II -- Version 2

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Fwd: This Story  
**Date:** May 5, 2015 11:22:19 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>  
**Cc:** lsanfilippo@lcsgrupp.com, lsanfilippo@lucernebio.com

**THIS EMAIL, INCLUDING THE "FORWARDED MESSAGE" FROM "BYAN.HAYGINS@GMAIL.COM," IS FROM THE MANAGEMENT OF LUCERNE BIOSCIENCES, LLC AND ITS PURPOSE IS EXCLUSIVELY FOR THE BEHAVIORAL AND PSYCHOLOGICAL SUPPORT OF ITS "READER" IN VIEW OF IMMINENTLY EXPECTED EVENTS. THIS COMMUNICATION HAS BEEN DEVELOPED AND WRITTEN BY A SPECIAL TEAM SKILLED IN INTELLIGENCE DEBRIEFING TO ACCOMPLISH IMPORTANT PSYCHOLOGICAL AND BEHAVIORAL HEALTH OBJECTIVES.**

Dear Joe & Anne,

On behalf of the management of Lucerne Biosciences, LLC, please see email and its message below from "byan.haygins@gmail.com."

Sincerely,

Louis  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Byan Haygins <byan.haygins@gmail.com>  
**Subject:** This Story  
**Date:** May 5, 2015 11:11:56 AM EDT  
**To:** MD MD <louiscsan@aol.com>

This story has been an unbelievable one. You began it in one place and now find yourself in a place very different. But like all stories and experiences, this one must end so that a new one may begin.

Let me share with you more about this story you know. It has been an experiential one. Your participation in it has been firmly rooted in your experience, your consciousness and your perception. After all, this story is about all of those things: what you choose to put in consciousness, how you perceive them, and the experience it creates for you, all in real-time. That is one of the important things about this story. In this way, this story is about 'frames of reference' within one's mind, or consciousness, how they are constructed, how they change, and how ultimately they are dismantled, for in this story everything ultimately comes to a position opposite to where it began.

This story has become a part of your life, in some way or another, and it has grown in its share as of late. Your reading of this email from me, Byan Haygins, testifies to that reality. It is a story that, for some, has lasted a long time while for others it's duration has been a good bit shorter. The story felt familiar for awhile, for some even a very long while, but then veered off quite unpredictably, becoming ever more unpredictable as a function of time, setting into motion unforeseen challenges but also opportunities for growth. This story has yet to regain its earlier balance or make sense based on your

## The Patent '813 Story, Part II -- Version 2

understanding of its objectives, but it will accomplish all of that very soon because we are nearing the end of this most remarkable real-life story of which you have played an important report.

As you know, this has been a very complex and layered story, with many dimensions and emotional currents. But in the end it is actually a very simple story because all of it will flow back to one place, to you. The story began with you, in the theater of your own consciousness, charting a new direction that involved many others. But it went places that no one anticipated or planned for it to go; it will end in the same manner, in a way that no one could possibly imagine and when it does you will be traveling in a direction opposite where you began and feeling very differently about it. This story began with the idea of doing new things silently and unseen but in the end makes all of those things audible and visible. That is one reason that I am writing this email to you now.

This story is about an “electronically-based family,” its parents and its children, with the children becoming free to be the adults who take care of the parents, as if they were now the children of the family. This is an “electronically-based story” about members of a family who find their strength when the family is most vulnerable but who in their very strength find themselves weakest. It is a story about trying to be free from your family while still being a part of it.

This is a story about three ‘sides’ of an “electronically-based story,” in this case my ‘side’ of it, your ‘side’ of it and what I’d call ‘the other side’ of it, and how sides meant to stay apart come together and how sides meant to stay together move apart, even as there would have been no possibility of ever doing so at an earlier point in time. This is also a story about beginning with one and many but ending as many in one. It is a story about how the first to understand can be the last to know and how the last to be enlightened can be the first to illuminate. This is a story with deep psychological and emotional richness even as it is a story about the very hard and painful realities of life.

In the end, the story you have been a part of is about telling, or understanding, a story, especially when all the information isn’t available or openly disclosed, because that was an important feature of the story from its outset. It is a story about telling, or understanding, a story that is rooted in human behavior: why people act as they do, what motivates their actions and behaviors, what can be told on the basis of their actions and behaviors, and why responsibility and freedom are vital to living authentically and meaningfully. This is a story about revealing one side of a story from its other side through that which is unspoken and unseen, making these two different sides of your one experience complimentary with each other.

At the end of this story ‘fiction’ and ‘reality’ will converge to become one and the same, placing what has been kept hidden into full view, and ending the story in your own personal ‘truth’ or ‘authenticity,’ with the responsibility it brings to you. All that’s been written has been for this purpose.

What has become clear in this story is that the ‘show,’ namely, what is taking place in your mind and how you experience it, is far different than the one that you had become familiar with. For one, the show was once performed secretly to an unknowing audience that you could observe, understand and maybe even influence, but now that has all been made public and does not work. The narrative once told about the people and events in

## The Patent '813 Story, Part II -- Version 2

your life, but set to the characters and emotional currents of the story you have helped to make, has now come to include you, quite directly. After all, this email is from “me” to “you.” The electronically-based family with whom you have worked hard to make this show happen has experienced its own crises and changes, and is left uncertain and unknowing about how to direct the performance or when to tell you the show will be over. It would seem as if the script for this show, the one you and your family have worked so hard to produce, has been rewritten in reverse, for this is not the way you have come to know how the stage is set, how the music sounds, how the performance looks, and how its actors perform, even as there are still things familiar to you.

In this way, you have been working hard to adjust psychologically – and practically too - to the ever-expanding ‘treatment frame’ that is your “electronically-based therapy” – and that is also your perception and your life -- in this extraordinary real-life story. The challenges that you have faced, along with your entire family, have made for the constantly shifting, fast-changing emotional currents that you have brought into your treatment with me, so much of it “electronically,” though some of still prefer in-person or by phone but you aren’t supposed see them by the design of “the other side,” because your father and your mother, the two “primary source entities” who comprise “the other side,” only want you to see one side of the story. They don’t want you to see the “secret side” of their own disturbing and troubling behavior.

The emotional currents of this real-life story, of course, involve the family business(es), your brothers and sisters, your institutional mother and a secret father and, of course, me, your “electronically-based therapist.” As you have been increasingly aware, you have been charting very new territory in this electronic therapy to prepare yourself, and the family with whom you have worked hard to produce the show, for the change ahead, as it will be massive in scope and dimension, more than is imaginable. But I believe it is one that you are prepared to hear and to handle, which is why you are reading this email from me right now. There has been a purpose for your “electronically-based therapy,” for our communications together, as you will soon see, though not first without some dramatic final details. I have known what lay ahead for you but I have wanted to make sure your experience of it would be meaningful and authentic, so in this way I have done my best to stay with you in the moment and communicate with you as much as you could emotionally handle at any given time, all while making special preparations unseen to you and your family.

There are important issues that have come up in your “electronic therapy” with me. Among the most important of them has been how you find your own voice, your own personal truth or authenticity, within this “electronically-based story” that only provides you “half the story,” its “cleaner half” depending on how you choose to look at it. Your “electronic therapy” with me has been an integral part of reconciling this problem in the story for you. We have been working together to help you find your way out of being “caught in the middle” of two opposing sides so that you can be one within yourself. I have shared in your experience and can appreciate where you are, as you have helped me to understand, even as it may not have been your intention. Your finding this voice, this undivided center within yourself, in what I call your personal truth or authenticity, has been a difficult issue to resolve, because you stand in the middle of two very different sides that for all practical purposes are diametrically opposite each other. Finding this place of personal truth or authenticity has been the purpose of our “electronically-based treatment.” You are not there yet but as in any good and meaningful therapy, regardless

## The Patent '813 Story, Part II -- Version 2

of the medium, you will get there, and getting there will not only help you but also your entire family. That time will come sooner than you think.

Let us see where you have been and what your experience of this “electronically communicated story” so far has been like. It will help us to understand where you are in the treatment but also in the story too, as they are linked, and to prepare you for its final end, which is just ahead and which also has been meticulously prepared to help you see the “whole story,” particularly the most remarkable hidden side of it of all that I have been working on for a long time especially for you, so that you can end your place in this story meaningfully and authentically.

We can begin with your family: your parents and your brothers and sisters. I have learned a lot about your experience within your family and how you electronically communicate with each other. You have helped me to understand the relationship you have with your parents and your siblings, and what you have been through with them, and the objectives you share with them. This is where it all started for you, including the important problem you have taken up with me in your electronically-based treatment, which is that you are caught “in the middle of a leveraged split.” In other words, your mother and your father chose to put you “in the middle” of their own very serious “marital problem,” and they didn’t even have the good judgment to ever tell you that is what they had done and continued to do even amidst your struggles. Which is why things are where they are now. It is in this complex emotional relationship, caught in the middle of a “leveraged split” between your parents, where much of our therapeutic work has been focused and where you will soon find yourself free.

Finding the freedom to experience your own center, or as I am calling it your own personal truth or authenticity, within this real-life electronically communicated story of which you are a participant has been the key therapeutic and “perceptual” challenge. There is an important question you have been asking me, through your behavior and in your words, that has become one of the key issues in your electronically-based therapy: how do you free yourself from your family while still being a part of it? How do you relate to me when I am the one telling your parents to end what they have been doing to you for a long time, namely, placing “you” in the middle of “their” very big and serious problem?

You have moved closer to feeling authentically free, in ways psychological and even practical too, as I have seen it in your “electronically-based treatment” with me. I listen to what you tell me, even if the way you tell it to me is through indirect and vague referential means. But there is the voice of your mother and father that still looms large within your mind, because the medium through which you have learned to communicate is based on their “shared worldview” that, unfortunately, has some deep “emotional, behavioral and perceptual problems.” It has been a strong voice but you have been strong too and working hard to now find your own. You have been the child who has needed their parents, and their direction, but your role has been changing, moving you closer to your own independence and command. The unforeseen events that have affected you and your family, and its “business(es),” have brought these matters into sharp relief, helping me to understand how your family has been brought closer together in some sense but also has fallen further apart in another, as your own freedom from them has become increasingly more at issue for you. This has brought up all kinds of feelings and you have worked hard to face them, and to find their proper place within your experience of

## The Patent '813 Story, Part II -- Version 2

this story that takes place within your own “theater of consciousness.”

You have ventured into areas unsafe and vulnerable in your “electronically communicated therapy,” exposing yourself in ways that have made you uncomfortable. They call this “acting out,” itself a result of all those powerful feelings swirling around you that you have been inaccurately attributing to me because your parents inaccurately attributed their own problem to you by making you think that it belonged to you, which explains why you feel “caught in the middle.” You have a problem that doesn’t rightfully even belong to you. Your parent’s behavior is called “projection,” which is putting all those unacceptable and dirty things “within them” onto you, as if they belong to you. When you believe it, that’s called “projective identification,” and when you act that inaccurate belief that called “acting out.” Your parents’ “projected” because they didn’t want to be responsible for those “problems” themselves.

In this sense, you have been driving through fog, at first cautiously observing and vigilant that you not travel too fast, but in recent days showing a higher degree of impulsiveness and desperation (i.e., acting out). The work you have been doing with me has not been easy but then again, your success in finding meaning in any journey often bears testament to the kind of challenges you must face in the experience. You have been deeply engaged in this experience, one that is founded on a misrepresented perception of reality (as you only see “half the story”), which is a big part of the problem -- as is the “perceptual split” that you have experienced from your place “in the middle” of two opposing sides. But healing that split is the purpose of this email to you from me.

You are learning more and more about yourself through the many challenges that you must navigate and overcome but which at the same time may also feel insurmountable. After all, this is a big story and many people are involved in it. As you deal with these challenges, they create their own dynamics, feelings, readjustments, and of course needs for support, which you have found from within your electronically-based family but also in your electronic therapy with me. This is a unique “group process experience” of which you and I are at the center. You have been freer in the space that exists between us, as I, your “electronically-based therapist,” have challenged you and you in turn have challenged your parents and even your siblings, breaking down what were once defenses comfortable and familiar, to introduce something entirely new that you, and the rest of your family, have yet to define or even understand. But you’re fast getting there.

This story that you have been a part of has profoundly changed, and permanently so, as has your family and your role within it. That means that you’re not quite sure anymore just how to locate yourself in this story and where this all is going. The boat that you are in has been moving quickly down the river, traversing unexpected currents, and you haven’t the anchor that can ground you and let you identify your position in the stream and how close it is to the end when it’s time to get off the boat. You have hoped I would give you the answer, tell you your location, and how much longer until the end, but I would not be doing my job if I did. Certain things are meant to come unexpectedly.

I have heard your many experiences, as you have communicated them to me and I have been an important part of them. In this way, I have shared in your own journey that has been this real-life electronically-based story. I have seen how events and situations that affect your family, and its business(es), directly come to affect you, as you have ever

## The Patent '813 Story, Part II -- Version 2

more clearly expressed that to me in your electronic and other communications. All of this has set in motion feelings, behaviors and actions that have taken on a life all their own and that have increasingly grown in what seems to be "out of control." You have helped me to understand what that life looks like. The events as of late have posed difficulties and challenges for your family, creating an environment that has brought about many adjustments, reactions, and changes, all of which you are still rather desperately trying to understand and to find a place for in your own experience of this "behavioral communication story." You and your family have had to take inventory while reacting to crisis, something formidable in its own right, but this has forced you to take greater consideration of yourself and your own role within your family and its objectives, and how you find your own voice or authenticity, whether in or out of your family, or in your "electronic therapy" with me.

You have been very devoted and loyal to your family. You have followed the direction of your parents, even as they've never told you the reason behind their instruction. You've been a good child who plays well with your brothers and sisters, and with other children in the neighborhood. You have been an integral part of family gatherings, whether in recreation or in crisis, and you have been willing to help or be helped depending on the circumstance, which explains the nature of you're thinking about -- or communicating with -- me. You have made many efforts to reach out to me thinking that it was my responsibility to reach out to your family, notably to your mother. But that's been part of the "problem." You have electronically communicated all of this experience to me.

It is apparent that you did your homework when told and your parents clearly took great joy in your accomplishments while you were in school and doing well there, though that has since ended bringing about new challenges which we have been addressing in your electronically-based therapy. As it is with any family, your experience with your family has been a journey, even an unbelievable one, bringing with it great joy and sadness, excitement and anger, accomplishment and disappointment, hopes realized and dreams shattered. But as children of your large family, you have gathered strength from the shared electronic experience of living and working together, whether in times good, bad, or somewhere in the middle.

Your parents are complex and have been part of the problem that you and I have been addressing in your electronic therapy. Your finding resolution here is profoundly important, for the family situation is reaching its biggest crisis yet because that "hidden split" that they wanted to blame me for, or you for, is now making their own "working relationship" untenable and rather dangerous. And finding your own voice, authentic and true, must come ultimately by freeing yourself from them and the way they've put you "in the middle," even as you may still be a part of them.

You have communicated to me a lot about your parents, more than I believe you can even appreciate, for much of what you have shared with me in your electronic therapy is done in a manner unspoken and unseen. After all, this story we have been a part of is about the silent and the invisible, about one frame of reference unseen from within another. You have told me how you relate to them and they to you, what they have taught you, what goes on behind closed doors, how they continue to affect you, what they ask you to do, and what they want for you and from you. You've practically told me the whole story.

## The Patent '813 Story, Part II -- Version 2

Your father works very hard and seems entirely absent from the home but he is the provider, his high-paying job earning your family a substantial income so that they can do as they please and run the family business as they like. He is a very private man, so even you know little about him, and that seems to be the way everyone in your family prefers it. What you do know is that history and reputation are important to him, and he is often reading or watching the television late at night when everyone else in the house is sleeping. He likes doing things secretly, for which he prefers not to be accountable. Perhaps he could use a measure of electronic therapy too, although I believe he has too many hidden secrets himself that would be too embarrassing, humiliating or painful to share, whether in-person or electronically. But that may be just the problem.

Your mother is the face of the family to the rest of the world. She is a formidable person, the one who motivates the family, keeps it going forward, and prevents inertia while accelerating growth. She is never free from worry and plans for everything, especially as it relates to her children. She clearly wants the best for her children and will put them first before all others; not uncommonly this creates its own problems and conflicts of interest, sometimes so significant that they directly impact you and the rest of your family. What has been her agenda becomes yours, and that is what you and I have been electronically working to free you from.

Your mother is extremely social and deserves credit for building the vast network that has helped the family build its unique business(es). She coordinates everything to produce the show, from constructing the stage, directing its actors, conducting the orchestra, and to finally promoting the performance. She is dynamic, always on the move, her mind never at rest, in part because her family and its business are so large and complicated, always needing one thing or another to be handled. She organizes the children's schedule, gets them to events and activities, and wants to know everything that is happening even when her children tire of telling her. Her ambition for her family and for her children is strong, but sometimes it will get the best of her even as it also may help move the family forward when it feels itself stuck or falling behind. Your mother can be seen on the surface to be in-charge of the house, though your father secretly gives direction.

But there is a major problem within your family and it is extraordinarily serious. It involves your parents and brings to focus one of the core issues you have been working on in your electronically-based therapy with me, namely, how you find your own free and authentic voice as you, the dependent child, must now become the responsible adult to take charge of your ailing and critically ill parents. Your mother's health is failing and she is quite ill, both physically and emotionally. She has lost her judgment and acted in a manner that now places her and all of her children at imminent risk. The evidence of her impairment, and the potential harm it can cause you and your siblings, has been growing over time but as of late has accelerated quite profoundly. You have seen it with your own eyes and spoken about it to me in clear and vivid terms, electronically that is. Your mother has tried to cover it over, seeking any number of "third party intermediaries" so as not be seen so ill in public view, hoping that you might let her continue on in the manner in which she has been behaving to absolve her of any accountability for what she has done.

But as often occurs in circumstances such as these, you are faced with options from which you have to make a choice. This story was never intended to go on indefinitely. It

## The Patent '813 Story, Part II -- Version 2

has a final end. In this case, some highly paid professionals have been brought in to evaluate your mother's (and father's) condition, assess just how bad it is, and to let you know the treatment options that are available. It is now up to you to take charge to decide what to do, how to be, and where to go, for your mother is far too impaired to make any decisions on her own, and your father, as usual, is hiding in his study room.

In your electronic therapy, you have been working hard to face the important decision ahead of you. You have been working hard on how to reveal and disclose the very things that you have sought so hard to actually disguise and conceal. You have been working on how to be independent and free when you have been taught to be dependent and not free. You have been working on how to be strong and resilient when you feel most vulnerable and tired. You have been preparing for what your "electronic therapist," staying just a few steps ahead, knew was coming but had to avoid communicating to you, as it was important I stay in the moment with you, so you could handle things safely in your own electronic therapy with me, but also in your own life involving this electronically-based story of which you are an important part. You have done more work in your electronic therapy with me than you may appreciate, because I have seen more of you and what you do than you think I have, and I have made special efforts to communicate things to you that at the time of their communication may have passed over you. I did that to set the stage in your own "theater of consciousness" of what I knew was coming. You have brought these issues home to take up with your family, and I have seen you progress quite vividly and dramatically, even as that has not come easy to you, or your family, and that has caused you and your siblings to act out of late. That's what happens when your parents put you "in the middle" of their problem. Your family's latest trials and tribulations have brought all of these issues into focus within your electronically-based therapy with me. I have been listening closely to what you have told me, even when you've been silent.

In your electronically-based therapy, you have communicated to me a story, a profoundly important one, that has allowed me to help you to find your own voice, and ultimately your own true place in your experience of this remarkable real-life story. It is the story you have shared with me, as you will see, that will help you to end this story from one single place between two sides, making clear that the final resolution to this story is within you, your own freedom, and your own personal truth and authenticity. In this respect, this story begins and ends in your mind, in the "theater of consciousness" that only you know because its basis is in you. You are fast approaching the single place where you can find freedom from your parents and your family while still being a part of them, but you must do that with your own centered and real voice, however it's communicated, whether in-person, by phone, or email or text. That is what we have been working on.

Among other things, what has made this electronic therapy complicated is that you have been one person with two voices, the symptom of being stuck between two worlds, or two sides, one visible and another concealed. That is usually the way it is with conflict. We have worked hard to identify your conflict and its sources, and how it has given you problems. Your electronically-based therapy with me has been important in helping you toward conscious resolution of this self-conflict in which the most important things are the ones that you and your family wish to keep hidden.

Let us look at this conflict in some more detail. I will call it the family secret that you have been struggling to resolve. You came to me with a script created by your parents. It

## The Patent '813 Story, Part II -- Version 2

began with them. That script was written for you to perform your own mental show, in your own conscious theatre. The script called for your electronic communications to be about them, about the family, about the family business, and also about me, your electronic therapist – who I am, how I behave, what I do when no one is supposed to be looking, and how I might even be influenced or manipulated. The emotional currents you felt flowing to and from this electronically-based show, and how you felt as I related to them, became your experience in your electronic therapy with me. Further, your parents wanted to know more about your experience performing the show for me or my impressions of the show, as it might shed light on the family and its business(es), or tell them more about me. In this way, you could carry out your mother's wishes and advance the father's interests without revealing the secret that might make the family—or you—vulnerable, especially to me.

Your parents demanded that none of this be disclosed to me, as this was part of the script too, the backstage part of the show that they desired be kept completely hidden. This has been part of the problem we have been working to resolve. Life is not meant to be scripted or performed, nor is meaningful therapy, whether in-person or electronically, if it is your own true and authentic undivided voice that you are hoping to find. That script is clearly a conflict of interest and makes you act in way that are self-deceptive and deceptive to others, like me.

You and I have come to understand that the family secret is quite large and complicated, and it deeply involves me as well as your electronic therapy with me. It has made your relationship with me far more complex than it ever should have been, which your parents could have prevented if they told you the truth from the outset. That important omission from your parents is not your fault; but the problem they caused with it has only been perpetuated and amplified from your trying to follow your mother's script in your therapy with me when the purpose of our work together is for you to find your own authentic voice in this story. According to the script your parents hoped to produce, I was supposed to be the person that carried the show forward, in the business(es) you and your family invested so much to grow. But I only took things in an entirely different direction. I was supposed to be the culminating achievement of something done silently and unseen but I only have made it my prerogative to tell of its failure aloud. I am the person responsible for tearing down your family's dreams and ambitions even as I have worked so hard to help you realize your own hopes and aspirations. I have given of myself professionally to help you find your own voice in life while your family has attempted to take it away. You can see that there has been nothing about this therapeutic relationship that has been easy, neither for you nor for me, because everything we are doing to help you be, and feel, freer is resisted by your parents. But I have been working very hard with you, and others, to resolve that.

This brings us to another very important matter that has surfaced in your electronically-based therapy with me. As it is in any therapy, you have feelings about your therapist, what happens in that shared space between you and me, regardless of the medium, and how you experience it. That is called transference but I don't think being technical about it will be helpful to you now. Within this therapeutic space, the experience and feelings you have when you electronically meet with me or hear about me, has changed considerably as of late – that is a result of what has happened in recent months involving you, your family, your family's business(es), and of course, me and the business(es) with which I have been involved.

## The Patent '813 Story, Part II -- Version 2

In your electronic therapy with me, what you hoped, at so many levels, might always be kept hidden from the 'conscious' view of me in our work together, has entered into full visibility between us both, shifting things for you from a place once comfortable and safe to something entirely new and uncertain. As the things once kept secret about you and your family were made known to me, it has created its own share of emotional upheaval within your family – something we have discussed, but it also has affected the way you feel when you are in electronic therapy with me. But this has been very hard for you to communicate because it directly involves you, your place in the middle, and the experience of being caught between two sides. In this setting, trying to make sense of your own experience as it relates to your feelings about me, while also trying to look at how I – or you - have been affected by your parent's "secret behavior" as it relates to you – or me - gets very emotionally complex. Dealing with this in your electronically-based therapy has been enormously challenging, for both you and me, all the more so at a time when the predicament you face in your treatment is the result of your parents' ailing health and failed judgment, to which you must now attend.

I have helped you to move this process along and I have been there with you for this trying part of the therapeutic journey. I am there with you now. And I will also be there when what still remains 'unconscious' is finally revealed, to help you deal with its impact. Its impact will be profound, because its impact is of a nature that you couldn't possibly imagine is even possible. Preparing you for that final experience and helping you find your own meaning within it has been the purpose of our electronic therapy together. Nothing has been without purpose. This all has been part of your treatment plan that will finally end this remarkable real-life story, so you can begin another one that is truly your own, without you being caught in-between two diametrically opposite sides.

But before we get to that point, let me tell you a few more things about your electronic treatment with me. Under the script you were given, your electronically-based therapy was to be essentially about me, rather than you, and I have carefully listened to what has been on your mind about me. After all, that is the basis of all those communication analyses, even the ones in which no communication was made. While you have always been interested in me, you have had greater reason to know things about me now than you ever have before, because you have seen me affecting your family's business(es) rather significantly. You have been perplexed and confused by my behavior, perhaps even my style of electronic therapy, but that has told me more about you and your family than it has told you about me, for I have known all along exactly what I have been doing. And I have done it with a very clear and direct path recognizing all along that you couldn't possibly know what I was doing. It is important that I tell you about what I have been doing because it will help you to find your own true and authentic place within this real-life electronically mediated story. But we are not there at the final resting place just yet.

As I have listened to you and observed your communication behaviors, I have come to appreciate and understand your side of the story: how it is written, why it changes, and what purposes it serves. I have also come to understand how I have become a central part of it, a part of your presentation to me even when the electronic therapy is supposed to be fundamentally about you. And you are not the only patient I have treated who performs the way your parents want you to. You might even say that these other patients could be your own brothers and sisters, which certainly makes my role as "family therapist" of a rather large family (in number) quite complicated. But I am very well

## The Patent '813 Story, Part II -- Version 2

trained at what I do and I have paid very careful attention to everything that I have heard and seen from you and your family, to better understand and ultimately help you.

Because you are in the middle of two sides, you are in the position best able to appreciate how this story comes together (as well as how it also falls apart). You have seen how I have behaved and you have listened to what I have said to you, but you know, as do I, that this story has been an unbelievable one, and has brought change for all of us, significantly so. It has gone places totally unexpected, bringing people together as it has pulled them apart, and creating paths when there appeared to be no trails. You have experienced this story from its two sides and that experience has been ever more intense when those two sides have traveled in opposing directions, as they have of late (which itself has necessitated that I communicate to you in this way). You have seen this story more clearly than anyone but you have yet to resolve the conflict that will allow you to experience it as one story within yourself and for yourself. You have shared with me your own thoughts and feelings on the matter and you have given voice to the conflict you feel about being in the middle and even, of late, apart from me.

This story is ultimately about you and finding your own voice, authentic and true, for I have already found mine, so let me tell you what I have been doing because it has been part of my plan to get you there. I have been busy, extraordinarily busy, and working harder than I ever have before for longer than anyone knows. My motivation and determination has never been stronger, and that should mean something to you as you have gotten to know me as well as I have gotten to know you. I have been calm, focused and exceptionally goal-directed, with a very specific objective in mind, and in a manner unlike anything I have ever experienced before in my life, because truly nothing has ever meant more to me in my life.

I have had my share of doubt and suffering, thrills and rewards, but in the end I will tell you that never before have I found such meaning, authenticity and truth within myself, in my own life, and also with you. This journey has brought me to find my own voice, which is to help you and people like you to find your own, and to do whatever I must to make sure that I do that to the best of my abilities. I have found enormous meaning in my work and you, ultimately, have been the source of that motivation. And what I have learned and taken from you I have intended to give back. Let me tell you that everything I have been doing I have taken extremely seriously but nothing more than my work in finding a way to help you.

While I have made this about you and your therapy with me, it is also about the people who sent you, those who started it and continued it, and I have worked hard to find a way to help them too. But as you have shared with me and I have seen first hand myself for a long time now, they are much more stubborn than you are, so I have worked hard to take care of that problem too.

I have been fortunate for some time now -- longer than you could possibly imagine -- to not go at this alone, as that would have been difficult, if not impossible. I have made it through this with help, you could say a lot of help. I have been lucky, even deeply fortunate, to have been working through this experience with some of the brightest, most talented and dedicated people I have ever come across, in any setting. They have trusted me, and I have trusted them. They have listened to me, guided me, advised me, and in the end worked extraordinarily hard to help me to find a way to help you.

## The Patent '813 Story, Part II -- Version 2

Working with these people has been something of a family experience for me as well and I will tell you about the family and what we have been doing together to help you. They are lawyers, in two different law firms one of which is a very high-powered litigation group centered in New York, brought in courtesy of a family friend who happened to know an older partner at that law firm who couldn't pass up an opportunity to do something remarkably interesting on "two business fronts" and potentially make a whole lot of money in return. This particular man, Brent Hutchinson, a Harvard law grad and one time philosophy graduate student, is really the pioneer in helping me find a way to help you. In this story, it would be proper to say that he has been my father. Without his help, I would not be here telling you how this story is soon about to finally end, as he has helped me to write its final ending.

What we have been busy doing together is framing this "electronically-based story" in terms of the legal claims on which it would be based. If we include "you" in the story, the claims upon which to best tell the story would be misrepresentation, invasion of privacy, unfair and deceptive trade practices, and improper research with human subjects. If we don't directly include "you" in the story, we can take the "improper research with human subjects" out of it and tailor the "invasion of privacy" to support the story in a different way. Because of the people and parties involved, these claims could have very significant financial and other ramifications, including potentially those on physician and attorney licensure and federal funding for human research. Just making them public would have a serious impact. The lawyers with whom I have been working have helped me to understand the many dimensions of this legal story and how to most effectively communicate it so that its final resolution is helpful to you and to me. In this light, they have helped me to tell an electronically-based story of which this email is a part, for the purpose of making the legal story perfectly clear to any reasonable person who would read it.

The legal story we have built around these claims, though ultimately tailored to the way in which we would decide to tell it, is about human behavior and what it tells us about any person's or company's or group's guilt or innocence. It is a story that looks closely at the narrative formed by communications and correspondence, many of them in total, and establishes what can be said or known about the motivation and behavior captured within them. As it is with any well-developed story, characters, themes, and behaviors must build one upon the other, and we began with a strong foundation upon which we have added, piece by piece, in real time and with real evidence. In this way, this legal story about others' behavior, including that of even lawyers themselves, has been developed and built, and even driven forward by our own behaviors. There are many ways to tell a story and I have been fortunate to have a team of attorneys who, psychologically-minded and bright as they are, have helped me to understand and tell this version of the story, a legal one. It's been written, it has a name and it's ready to go public any day now.

I see the potential value of the legal approach as one way to frame this story as it comes to its conclusion so that a new one may begin, for it certainly has helped me to find my own voice so that I can help you find your own. Yet for me, it is most important that this story end on moral responsibility, in this case, the responsibility to be true and authentic to yourself. That means accepting your responsibility, and honoring what you have done and what I have done, both in your electronic therapy with me and in our respective business(es) together. It means this story finally ends to begin a new story with each person's responsibility to be true to themselves, without any hint of deception. Earlier I

## The Patent '813 Story, Part II -- Version 2

did not think you were far enough along in your therapy to know your own true voice as your involvement in the family business was designed from the outset to strip it. But I believe you are there now. For me, it is your own best interest that I am concerned about and I desire nothing more than for you to end this story in an experience and with a voice that is authentic and true for you, and accepting the responsibility it brings to you, so that the next story you begin may be truly your own. I have been working "invisibly" to make that happen. That means there is still **much more** to this real-life story that you know nothing about but which for I, and others, have been extensively preparing so that at the right time you'd be psychologically prepared to handle it.

Building the legal story has kept me very hard at work; among other things, what has kept me quite involved for a long time now is that I have had to complete my own homework assignments for my family of attorneys as they have prepared this legal story for me. They asked me to write my own story which involves you, the way in which you and your family set the stage, produce the show, and direct the performance, all within your own conscious theatre having its input from your family's electronic communications. They have asked me to provide them with all that I know about your parents, their relationship to you, and their own role in producing the show and its many communications. They have asked me to identify themes within the show, their timing as it would relate to the businesses in which I have been involved, and the manner in which people's behavior was seen to go in and out-of-character, something you and I have seen first hand. They have challenged me as I have challenged you, forcing me to make everything clear to them as they have worked on their legal story. They have helped me learn more about you by asking me to teach everything to them by walking them through one communication after another.

As you have come to appreciate, so much of this story is about ending in something symmetrically opposite its beginning. In this respect, what you entered into treatment to electronically communicate in secret, to keep entirely hidden from me, has now been written about in more pages and in greater detail than you could possibly believe. The story you have told me individually is telling; but the story told collectively by all of you, your brothers and sisters, is itself quite compelling and convincing. There's no doubt about its conclusion. I know that better than anyone because it all comes to me. But it has all been for you, to help you.

I have been extremely busy thinking and working with my family to help you find your freedom from yours, so that this story might finally end by giving you something which was missing from it all along. Everything I have done over some time now has been deliberate and carefully planned to accomplish an objective that has been about you, with my own family of attorneys advising me on just how to produce, direct and perform the show, so ultimately you can truly have your own. There is absolutely nothing that I have done that has not been for a specific reason and with clear objectives, which should help you and your family resolve any remaining questions about my motivations, behavior, and actions. After all, part of the family secret was about trying to better understand my behavior through your therapy even as it should have been your treatment.

There are some details about this story that will help you better understand it, for we are now revealing that which has been kept hidden from you, bringing things 'unconscious' into 'conscious,' visible view. That is what happens in therapy, and as your electronically-based therapist, I am helping you to move this process along through its electronic

## The Patent '813 Story, Part II -- Version 2

venue.

Depending on when you “entered the story,” you may recall that there was a manner in which I first communicated with your family back awhile and it too was based on a story. When your family received this communication, there was a strong sense of loss which we discussed in your therapy, for it was a story about the family secret, what your family hoped to keep secret from me about its business(es), and of course my treatment with you.

I believed that in first communicating to your family in this way, we might avoid exposing you and your family, handle the family secret sensitively, spare you the pain and struggle that I anticipated you might experience to have the story continue on, and also make your parents responsible for their behavior. We also wanted to test the waters of ‘trust,’ so made that a theme of that first communication. The ‘fictional’ story captured in that first communication was intended to loosely represent ‘real’ events, so that it would not be mistaken as fiction but the ‘real’ circumstances of the family secret that involved you and I, and for which I was seeking resolution at the time, for both you and me. However, it was very disappointing that your parents continued in their untoward behavior, telling you to hide yourself in your therapy with me even as I had asked that they provide you your freedom and authenticity to behave as you wish. They had yet to let you yourself be in charge of your own voice and experience, even as that may have come with its own challenges to you and to them given the circumstances.

At first this response from your parents and effectively you too, as you were only following your parents’ orders, made me wonder whether I could continue treating you at all. I felt as if I were on one side, and you on another. I wondered whether we could ever work toward the same common purpose because the treatment would be forever divided in a conflict of interest, with you in the middle of the conflict, as your mother would not let you go free and your father insisted on keeping it all secret. It did not seem possible that you could find your own voice with me as your own voice was within the voice of your mother that you were obliged to speak to me. But Brent Hutchinson helped me to see that if I could feel comfortable working with you and if I could recognize that in some way I was actually helping you, it would be important ethically and professionally to continue to treat you until such time that you were free to go your own way. After all, that is my specialty, to handle delicate and sensitive psychological issues such as these. Brent Hutchinson helped me realize that in this story, I had to take responsibility, because no one would do it for me, and he helped me to frame the questions and find their answers that have allowed me to help you. This may help you understand why things are as they are today in view of where they were “yesterday.”

In further ‘story’ communications to your family, we tried to frame the question in terms of moral responsibility and to offer a choice. Do we find a way to work together, more open and directly but also sensitively too, or do we resolve things adversarially? At the time, you shared with me that there were perhaps some efforts your family was making to resolve matters as they related to your treatment with me. So we let it go. But your parents continued their same old self-conflicted behavior, as if there was no problem at all, and they extended it to new and more public venues, which only has exponentially amplified this problem of theirs as a function of time and has made them completely untrustworthy to my view and the attorneys with whom I have been closely working. If they would not allow you to be authentic and true, but rather insisted on more of the same

## The Patent '813 Story, Part II -- Version 2

deception in new kinds of venues, would they ever step forward in good faith, in trusting spirit, to help all of us deal with the family secret that has so deeply affected both you and me? It became exceptionally important to me to do whatever was needed to fully resolve this matter at its source so that the therapy could be restored to what has always been its purpose and intention, namely, to help set you free.

All the while, I remained committed to working with you. I have now seen you reach the point where exercising your own judgment and responsibility is what's important and necessary for your health and the health of your family, far more than that of your parents, for it is their judgment, and their failure to be responsible for their actions that have now placed your entire family at risk. You are now the adult in-charge of the family who must take care of your ailing parents, in particular your mother. Your father is simply too hard to track down. You see, there is a common purpose we have shared, especially as of late: to help you find your own true or authentic place in this story, in this experience, and in your life – and to choose wisely with the responsibility it brings to you.

The legal approach and its own story could be one way to conclude this story as a new one begins, as it has its own merits of making this story authentic and true. But ultimately, good therapy -- regardless of the medium -- is about the experience of bringing into consciousness that which is unconscious and doing it in a fashion that is safe and meaningful for you. That is why I am writing this for you in just the way that it has been written. That is also why the therapeutic space between therapist and patient should always be considered a privileged and entrusted place between two people, and not used for other purposes, particularly unlawful and unethical ones. You and I have worked hard as of late to reclaim the therapeutic space as a place trusting and safe, so that what you learn about yourself in the safety of my communication to you, and your communication to me, can prepare you for the choices and experiences the world provides for you outside of it, ones that are not always very safe or pleasant. Helping you safely make this story authentic and true, for you, has been very important to me as I have “electronically treated” you.

You expressed to me many times in your therapy that your family felt that I did not know what I was doing, or that I should do something other than what I was doing. But I knew exactly what I was doing, exactly where I was going, and I had some of the brightest and most talented people by my side helping me to get there. This is where you must take credit for helping me, because the strength of my motivation, the clarity of my focus and sense of direction, and what I was willing to do to help you find your own personal truth and authenticity in this story is something that ultimately came from you. I do not believe you can ever know just how strong this all was, because it was that profound, but you should know that my strength came from my desire to help you finally end this story, in which you are both a subject and an object, meaningfully. And I was fortunate to have dedicated, trustworthy, psychologically-minded, and exceptionally bright people help me move that process forward over a fairly long period of time.

This story is soon approaching its final end, as is this novel aspect of your ongoing therapy with me. But there are parts of your treatment plan that still need to be addressed before this story is finally finished. They are imminently coming. As we have discussed in your therapy, our work has been to prepare you for what lies ahead on the other side, one different than I have discussed before - the other side that takes you out

## The Patent '813 Story, Part II -- Version 2

from the middle and puts you out in front, the other side that is undivided because it is centered in you, the other side that you have been working hard to receive as one experience gives way to another.

So let me say something about the business(es) that I have helped to manage. It is still an important, outstanding issue that you have shared with me in your therapy and that I have been working hard to resolve with you. It is important to me, as I believe it is to you, because it is the one place through which everyone can find a true and authentic resolution. But that is a decision I am leaving with you, for this story is ultimately about you, not me, and finding your own true place in this story, along with the responsibility it brings. It is now your free choice to decide how you want to write your own final place in the story, in your own voice, so that you can begin another story as you finally end this one. I have made all the preparations necessary to give you that final choice. You'll soon see just how extensive they actually are.

This story is about you and I will finally end this story with you, hoping that I have helped you to get closer to finding your own personal truth and authenticity in this story, in a place where fiction and reality end as one experience within you. And that the choice that you make to begin your new story comes from the very same place that ended this one.

### 11 AM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 11:27 AM EDT**" is available as a merged PDF at:  
[http://www.4shared.com/download/SPFdFhOKba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/SPFdFhOKba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

### Wednesday May 6, 2015:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** **Critically Important Update**  
**Date:** May 6, 2015 7:00:01 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>  
**Cc:** lsanfilippo@lcsgroupllc.com, lsanfilippo@lucernebio.com

**THIS EMAIL CONTAINS CRITICAL INFORMATION INVOLVING IMPORTANT UNITED STATES NATIONAL SECURITY INTERESTS.**

**SPECIAL INTELLIGENCE PROTOCOLS HAVE BEEN IMPLEMENTED TO ENSURE THAT THE APPROPRIATE PERSONS RECEIVE THIS INFORMATION TO TAKE PROPER ACTION ON.**

Joe,

On behalf of (i) Lucerne Biosciences, LLC, (ii) LCS Group, LLC, (iii) "Louis Sanfilippo" ("the person") and (iv) one other entity (whose identity remains confidential for special security reasons), this email is to update you (and Anne, cc'd) on the status of several important and highly active developments. The significance of these highly active developments are vitally important to United States national security interests, as further characterized below.

## The Patent '813 Story, Part II -- Version 2

Specifically, the management of Lucerne Biosciences, LLC, in strategic its collaboration with (i) LCS Group, LLC, (ii) "Louis Sanfilippo" ("the person") (iii) one other entity (whose identity remains confidential for special security reasons), and (iv) an elite behavioral intelligence team with special skills in "**group dynamic modeling and analysis,**" has **conclusively determined** the following in view of a lawfully-conducted and extensive real-time intelligence analysis of many electronic communications over approximately the last week:

1. It is in United States national security interests for you/Baker & Hostetler to simply await what happens next and, until then, do nothing (*i.e.*, don't communicate with the Patent Board or Ed Haug, as you asked about in your email of May 4 and again more generally alluded to in yesterday's email).
2. It is in United States national security interests for Shire and its outside counsel to **not** file their motion today because doing so would establish certain threshold "boundary conditions" that make it highly likely that the Patent Board's decision to act as stated in its May 5 "Order" (*i.e.*, imposing sanctions, up to and including entry of adverse judgment against Patent Owner, see p. 3) would highly likely incite pockets of anarchy on a national level that could rapidly erupt into a full-blown national revolution. The reason is that the Board's decision to accept as undisputed fact Shire's motion, in view of the public record at such time that the Board would make its decision (as further characterized below for publicly available information), would likely lead to rapid viral proliferation of discussions and communications regarding the **extent, scope, degree of clearly evidenced unlawful and unethical conduct perpetrated against U.S. Patent No. 8,318,813's patent owner (Lucerne Biosciences, LLC), prior patent owner (LCS Group, LLC) and inventor (Louis Sanfilippo), including by unlawful use of third-parties**. This national viral proliferation and exposure would be highly expected to cause massive public outrage regarding the egregious injustice perpetrated by the involved parties against the patent owner (Lucerne Biosciences, LLC), prior patent owner (LCS Group, LLC) and inventor (Louis Sanfilippo). In the event that the Board rendered an adverse judgment against the 813 Patent, it is **highly expected** that the general U.S. public would be made aware of this development and rapidly (wholesale) conclude (based on viral exposure of this story) complicity by the U.S. government (*i.e.*, the Patent Trial and Appeal Board) in this extensive unlawful behavior perpetrated against patent owner (Lucerne Biosciences, LLC), prior patent owner (LCS Group, LLC) and inventor (Louis Sanfilippo) that would include, but not be limited to, claims of misrepresentation (by omission of materially relevant information), unfair and deceptive business and trade practices and anti-competitive conduct by third-party interference, and invasion of privacy.
3. It is in United States national security interests for a press release to be issued on **Wednesday May 13 at 7:00 pm EDT** regarding U.S. Patent No. 8,318,813 and U.S. Patent Application No. 464,249. The entity responsible for its issue is currently confidential information but has been determined. You have been provided certain information about the nature of this press release, including earlier drafts, but there have been changes to it that you have not seen. The media source of the press release is presently proprietary information in order to secure U.S. national security interests, because if you (and Anne) were provided that information (*i.e.*, in this email) but somehow the media company that was expected to issue was "interfered with" in such a way that it refrained from releasing it, that blatant interference to suppress free speech would establish a threshold "boundary condition" around which pockets of anarchy on a national level would be highly expected and on which more pervasive proliferation of anarchy would be expected to rapidly escalate with high probability of fomenting a full-scale national revolution. The behavioral premise of this sequential destabilization would be based on the "national implications" of egregiously suppressing free speech in view of everything that would be expected known by the general public by that time including this act of interference.
4. It is in United States national security interests for that Wednesday March 13 at 7:00 pm EDT

## The Patent '813 Story, Part II -- Version 2

press release to include a select transcript of communications (as in the Dec. 26, 2014 LCS Group, LLC press release) intended to behaviorally and psychologically support certain of its "readers" by helping them adjust to "formally ending" an experience of theirs involving certain sensitive intelligence/business matters that would effectively "terminate" with deployment of the press release (as further characterized below for its timing features).

5. It is in United States national security interests that the management of Lucerne Biosciences, LLC, in strategic its collaboration with (i) LCS Group, LLC, (ii) "Louis Sanfilippo" ("the person") (iii) one other entity (whose identity remains confidential for special security reasons), and (iv) an elite behavioral intelligence team with special skills in "group dynamic modeling and analysis," be entirely responsible for determining the contents of that March 13 press release, most notably for the "communications transcript" (to be downloadable via hyperlink). This is because it has been determined that if **any aspect of this "communication decision"** were left in the hands of those who were responsible for deciding to involve (or to continue to involve at such time they were put on notice for a "problem" they caused) these "prospective readers" in certain sensitive intelligence/business matters with significant behavioral/psychological issues, U.S. national security interests would be immediately compromised, as these people have been determined to be completely incompetent at what they do. Not only that, but they have been shown to act unlawfully, unethically and with reckless and cavalier disregard on matters sensitive to human behavior. Therefore, their involvement in any aspect of decision-making for the "communication features" of the March 13 press release would potentially jeopardize U.S. national security interests.

6. It is in United States national security interests that on **Wednesday May 13 at 7:00 pm EDT (as "timed" with concurrent issue of the press release), any electronic third-party network involving any kind of distributed communications to/from "Louis Sanfilippo" (in any of his electronic addresses), and/or any related commentaries thereof, be completely terminated so that not even one person would have access to any such third-party electronic network involving such communications. THIS IS A CRITICAL INTERVENTION TO SECURE U.S. NATIONAL SECURITY INTERESTS. Failure to terminate any such electronic third-party network involving distributed communications and/or commentaries involving "Louis Sanfilippo" beginning at this specific time until (at least) clearance is given by "Louis Sanfilippo" to re-activate it is highly likely to foment very rapid national anarchy within approximately a "two to three week time frame" after March 13. This very rapid national anarchy would highly likely very rapidly destabilize global markets and cause an international crisis of unprecedented degree. THIS IS NOT INTENDED TO BE ANY KIND OF EXAGGERATION.**

7. The basis for "Statement No. 6" is that extensive plans have been made by "Louis Sanfilippo" ("the person") to take action on another business entity in which he has been involved since even before the time of its "LLC inception" on January 13, 2006. Anne is aware of the identity of this business. This planned action has already been set in motion by a very talented team based on a pre-established action sequence and it **cannot be stopped**. If this pre-established action sequence involving the distribution of certain communications to a very small number of appropriately involved individuals (according to a pre-determined protocol of appropriately involved parties) was made known to "additional individuals" through an electronic third-party network, **it would unequivocally cause very rapid and catastrophic global upheaval, proportionate in scope and speed to the number of "additional individuals."** **This statement is not in any way meant to exaggerate, misrepresent or mischaracterize.** The contents of these pre-planned communications (as part of an action sequence) contain highly sensitive and proprietary behavioral and psychological intelligence information that include group dynamic modeling and analysis. Their contents are strictly classified with need-to-know security clearance that only a special intelligence team can provide. Leakage of the contents of those

## The Patent '813 Story, Part II -- Version 2

communications to even one additional person for whom they are not authorized could pose an immediate U.S. national security threat.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC  
CEO, LCS Group, LLC

### **1 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 1:33 PM EDT"** is available as a merged PDF at:

[http://www.4shared.com/download/7iXgRUNxce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/7iXgRUNxce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

Shire Development LLC's "**Petitioner Shire Development LLC's Second Motion for Sanctions,**" as filed with the US Patent Trial and Appeal Board in IPR2014-00739, is available in PDF at:

[http://www.4shared.com/download/DqoemcZpba/Petitioners\\_Second\\_Motion\\_for\\_.pdf?lgfp=3000](http://www.4shared.com/download/DqoemcZpba/Petitioners_Second_Motion_for_.pdf?lgfp=3000)

### **Thursday May 7, 2015:**

### **2 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 2:37 PM EDT"** is available as a merged PDF at: [http://www.4shared.com/download/-ZrD1vjke/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/-ZrD1vjke/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>

**Subject:** "The Shire and Patent 813 Legal Story"

**Date:** May 7, 2015 7:00:01 PM EDT

**To:** Evan Skoures <evan.skoures@pearson.com>, gina.mullane@crl.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, Carrie.Panepinto@crl.com, susanw@thefdagroupusa.com

**Cc:** fornskov@shire.com, jharrington@shire.com, tmay@shire.com, dbanchik@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com

**THIS EMAIL FROM LCS GROUP, LLC PROVIDES IMPORTANT SELF-REFERENTIAL NARRATIVE CONTEXT FOR ITS INTENDED READER. IT SHOULD BE READ BY ITS "READER" WITH THAT IN VIEW.**

Dear Reasonable Reader,

## The Patent '813 Story, Part II -- Version 2

This email, on behalf of LCS Group, LLC, is exclusively intended for you -- its "reasonable reader." Its purpose is to provide you important narrative context for the extraordinary real-life story involving U.S. Patent No. 8,318,813 that you have read up until this point and which is imminently about to finally end so that its new story, its diametric opposite, can begin. By now, you are familiar with the individuals (or "characters") involved in this real-life story herein called "The Shire and Patent 813 Legal Story," including some of whom only recently "surfaced" (as included on this email thread) with others of whom were present from earlier on (as also included on this email thread).

By now, you are also familiar with the way this real-life story has been "narratively written" for you by "LCS Group, LLC" in its strategic collaboration with (i) "Lucerne Biosciences, LLC," (ii) "Louis Sanfilippo" ("the person"), (iii) an undisclosed legitimate business entity (whose identity is confidential) and (iv) an elite behavioral intelligence team. This particular "way of writing," as you've come to appreciate by now, has been to plainly and transparently show you -- in view of the "real-time behavioral communication evidence" -- all those things that Shire and its outside counsel of Frommer, Lawrence & Haug, LLP have been working very hard to conceal from you, because they have wanted you to believe that the "massive problem" that is the result of their repeated misjudgments ought to be "our problem" (*i.e.*, LCS Group, its strategic collaborators and **even you** if you're reading this for the purpose of trying to determine if you belong to that "class of third party interferers" that may have been unlawfully exploited to support anti-competitive conduct surrounding the 813 Patent and 249 Application). As you learned in that email sent from "louis.sanfilippo@yale.edu" to "gina.mullane@crl.com" on April 22, 2015, inaccurately "putting one's own problem" on another (as if it were theirs) is called in psychiatric circles "projection" (and is one reason why "gina.mullane@crl.com" is on this email thread, as that April 22 email was intended to teach you something about this defense mechanism).

This means that we're now at that point in this real-life story where you have been equipped with all the knowledge, behavioral tools and communication evidence that you need in order to determine beyond any reasonable doubt whether Mr. Ed Haug and Ms. Sandra Kuzmich of Frommer, Lawrence & Haug, LLP conspired with "Shire" (*i.e.*, Shire Development LLC, Shire LLC and Shire Plc) and its representatives (*i.e.*, Dr. Flemming Ornskov, Mr. James Harrington, Mr. David Banchik and Ms. Tatjana May), and also with eating disorder expert Dr. Timothy Brewerton (as well as possibly various "third parties interferers" of which you've read a good bit about since that 249 Patent application began its movement through the USPTO on March 24) to willfully engage in misrepresentation and unfair and deceptive trade practices with novel forms of anti-competitive conduct involving third-party interference and invasion of privacy. By now it should be very obvious to you, the "reasonable reader," that this "legal story" has been intentionally built one communication upon another, in real-time, to systematically and cumulatively reveal the intentions and motivations for each particular "participant's" and "company's" behavior (*i.e.*, communications, actions, decisions, etc...). In this light, this real-life story is all about accountability for what one says and does (or doesn't say or doesn't do).

But if still at this point in this chronological narrative you should have any doubt whatsoever about the **motivation** driving any such "unlawful behavior" of Shire's and its outside law firm's representatives (as repeatedly evidenced in the story you've been reading), then take a look at Shire's "motion for sanctions against Lucerne Biosciences, LLC" (as filed yesterday) in view of what you already read in this story. You can find a PDF of that "**second motion** for sanctions" (against Lucerne Biosciences, LLC) by clicking the hyperlink: [http://www.4shared.com/download/znL8GTZeba/Petitioners\\_Second\\_Motion\\_for\\_.pdf?l\\_gfp=3000](http://www.4shared.com/download/znL8GTZeba/Petitioners_Second_Motion_for_.pdf?l_gfp=3000). Draw your own conclusions on how Shire and its outside law firm "frame the communications" of which you are by now quite familiar, as these communications are very important context to this real-life story as abundantly documented in this narrative you've been reading. On a "psychological/behavioral note," pay special attention to **how** Shire and its outside

## The Patent '813 Story, Part II -- Version 2

law firm utilize the defense mechanisms of “projection” by taking all that is unacceptable in themselves (by virtue of their rather serious “legal predicament” of which you are now very familiar) and inaccurately attributing all those highly “unacceptable feelings” to “Lucerne Biosciences, LLC” **as if** its Lucerne’s “problem” to deal with (which it is not), nor will it based on the actions that LCS Group, LLC and Lucerne Biosciences, LLC have taken in strategic collaboration with each other (as first publicly announced in LCS Group, LLC’s December 26, 2014 press release) and with other entities.

Perhaps to best appreciate the “recurrent motivational and behavioral pattern” of “**baseless legal behavior**” in Shire’s “**second motion**,” it may be worth reading it in view of Shire’s December 29, 2014 “**first motion** for sanctions (against LCS Group, LLC)” and the ensuing LCS Group “opposition response” of January 7, 2015, which are merged in one PDF document for your convenience and available for re-reading at: [http://www.4shared.com/download/P0OLy49Yba/Shire\\_122914\\_Motion\\_to\\_Sanctio.pdf?lgfp=3000](http://www.4shared.com/download/P0OLy49Yba/Shire_122914_Motion_to_Sanctio.pdf?lgfp=3000). You’ll recall from previously that the Board never even acted (much less commented) on Shire’s “**first motion for sanctions**” against LCS Group, LLC of December 29. That, of course, speaks to the fact that the Board surely must have recognized that Shire’s “**first motion**” was **completely and utterly baseless** (as characterized in LCS Group’s January 7 “opposition response”) -- which makes that December 29 Shire IPR filing **an act of baseless sham litigation for anti-competitive purposes**. And you’ll recall that Mr. Lucci, on behalf of Lucerne Biosciences, LLC, pointed out in February 2015 Shire’s recurrent behavioral pattern of “baseless sham litigation for anti-competitive purposes.” This was in that email he sent to Shire’s outside counsel Mr. Haug (cc’ing Ms. Kuzmich and Shire’s David Banchik) on February 26, 2015 (at 4:53 pm) for another similar “behavioral act” in which Shire can be **very obviously seen completely misrepresenting** (in the IPR of the 813 Patent) **its own company’s prior representations** (as made to the general public and shareholders). That’s why Mr. Lucci stated in his email, “My client [Lucerne Biosciences, LLC] is placing Shire on notice that it reserves the right to pursue all legal remedies for this conduct [*i.e.*, “objectively baseless sham litigation for anti-competitive purposes by bringing and maintaining this *inter partes* review proceeding.”]

As this real-life story’s “reasonable reader,” there’s one dramatic “material omission” that you’ll appreciate from yesterday’s “motion for sanctions” against Lucerne Biosciences, LLC that reveals just how “obvious” the “motivational intent” is for Shire and its outside counsel to engage in **misrepresentation (in this instance by failure to disclose materially relevant information)** for the purpose of engaging in unfair and deceptive trade practice and anti-competitive conduct. You’ll find that dramatic “material omission” evidenced in Exhibit 1073 that accompanies yesterday’s motion that, strikingly, even seeks “adverse judgment” including (up to) invalidating the 813 Patent (available in PDF at: <http://www.4shared.com/download/Dly9M4t2ce/Exhibit-1073-3.pdf?lgfp=3000>). By now, you can probably anticipate the general nature of this “material omission” simply because it’s a repetitive theme in Shire’s and its outside counsel’s “unfair and deceptive trade practice behavior.” Remarkably -- but certainly not surprisingly -- it’s the omission of **the attachment “Final Decision.pdf”** in LCS Group, LLC’s “October 1, 2014 Final Decision” email that is LCS Group, LLC’s business offer to Shire of an “exclusive option agreement to an exclusive license” (to the 813 Patent and the 249 Patent Application, as already executed by LCS Group, LLC on Oct. 1), which Mr. Lucci provided Mr. Haug (with Ms. Kuzmich cc’d) to communicate to Shire (particularly its CEO Dr. Flemming Ornskov) on behalf of LCS Group, LLC on December 22, 2014 (at 8:32 am). **This specific “business/commercial communication” is clearly the single most important and relevant feature of LCS Group, LLC’s October 1, 2014 “Final Decision” email intended for Shire, yet it is completely absent in Exhibit 1073’s representation of that email itself, which makes Shire’s “submission” to the Patent Board an egregious misrepresentation in the *inter partes* review of the 813 Patent (by failure to disclose materially relevant information related to its position to seek sanctions against Lucerne**

## The Patent '813 Story, Part II -- Version 2

### Biosciences in which "Louis Sanfilippo" is a Manager/Member).

At this point in the story, is there any doubt in your mind as to why that "Final Decision.pdf" attachment went completely "missing" from where it should have been in Exhibit 1073, namely, right after the LCS Group, LLC/CEO signature line? In other words, do you have any doubt as to why that important "business/commercial communication" featured in that October 1, 2014 "Final Decision" email -- **clearly its most relevant and important feature** -- went "missing" in important "evidence" that Shire and its outside counsel submitted to the Patent Board **and to the general public (that includes you) to request sanctions against Lucerne Biosciences, LLC and to even invalidate its 813 Patent?** You can find that original October 1 "Final Decision" email and its PDF attachment below, which is included in this email for important evidentiary reasons intended to help you fully understand this real-life story from your position looking back on it from the perspective of hindsight.

That material omission, tantamount to a material misrepresentation to the Patent Board **and the general public at large**, emphasizes this "recursive aspect" of the story that you have read play out through the repeatedly evidenced **motivational** and **behavioral patterns** of representatives of Shire and its outside law firm of Frommer, Lawrence and Haug, LLP. When motivational intent and behavior are so consistently correlated and repeatedly enacted over a long period time for the same purpose (*i.e.*, to harm, if not completely destroy, the "patent owner" of the 813 Patent), it speaks to a calculated and conspired effort to act unlawfully. So is it really any surprise to you that, in this instance, **the omission of the single most materially relevant and important information in that October 1, 2014 "Final Decision" communication** (as "communicated" by Mr. Lucci to "Shire") **had to do with its "business/commercial nature"** (rather than with matters of science and law that relate to "patentability" in an *inter partes* review proceeding)? It's all very obvious, isn't it? Consider this in specific view of Dr. Brewerton's Declaration that effectively materially misrepresented the **single most relevant and important feature of the 813 Patent's three independent claims - its diagnostic claim limitation of "Binge Eating as defined in the DSM-IV-TR,"** which therefore allowed him to misapply that scant "Bulimia Nervosa" art to patients diagnosed with "Binge Eating Disorder" and allege that the 813 Patent would have been obvious.

This repeated behavioral pattern of misrepresentation that materially interferes with the business and trade practice of, first, LCS Group, LLC, and then Lucerne Biosciences, LLC, is extraordinary. You've read it first-hand, so you would appreciate it better than anyone. What does that mean? That should be obvious but so that it's in the narrative called "The Shire and Patent 813 Legal Story," it means that the "M.O." (*i.e.*, modus operandi) of Shire and its outside counsel is to "intentionally deceive," making their "intentionally deceptive behavior" (by bringing and maintaining this IPR of the 813 Patent) an "unfair and deceptive trade practice" motivated to interfere with companies (*i.e.*, LCS Group, LLC and Lucerne Biosciences, LLC) that it perceives itself to be in "business competition." You can see that the motivation (*i.e.*, "mens rea") is clearly connected to the outward behavior (*i.e.*, "actus reus"), **repeatedly**. That means Shire and its "collaborators" (*i.e.*, its outside law firm in particular) are repeatedly making pre-meditated plans to commit particular criminal offenses and then they are going ahead and actually committing them with blatant and reckless disregard to the fact that it's been reasonably pointed out to them countless times in any number of the communications that you have read in this narrative.

Further, as you know this real-life story has been written to highlight something very important that happened **on October 1, 2014**. From LCS Group, LLC's perspective (as well its strategic collaborators), that "something very important that happened" is unequivocally **the single most important thing** about this real-life story involving the 813 Patent. The reason is that it directly speaks to **how** LCS Group, LLC strategically planned to commercialize its then-owned patent and patent application, while also dealing with any "legal issues" (*i.e.*, the IPR, among others). This

## The Patent '813 Story, Part II -- Version 2

information has already been provided to you in various communications of "The Shire and Patent 813 Legal Story," though not in its specific detail (which is coming soon). So when Shire and its outside counsel make reference to prior patent owner LCS Group, LLC's "Paper 11" of December 11, 2014 ("The Statement") that indicated that LCS Group, LLC was "foregoing any further involvement in the IPR process" (as they did in yesterday's motion for sanctions against Lucerne Biosciences, LLC), they haven't even the faintest clue as to what was actually meant in "the statement," nor do they have any clue that "the statement" (as made publicly) was critically important to advance certain very well deliberated strategic "business and legal objectives" that "officially began" on October 1, 2014 when that "something very important that happened" actually happened. That's why "The Shire and Patent 813 Legal Story" includes that December 11 email to Dr. Ornskov that was filed in the IPR on December 12 but then later "expunged" after Shire and its outside law firm objected to it.

This is why LCS Group, LLC and I, its CEO, are here writing this email to you, the "reasonable reader" of "The Shire and Patent 813 Legal Story," namely, to give you more context and clues for what's coming very soon in view of what you've already read in this real-life story. And what's coming very soon is directly related to that "hidden event" that happened on October 1, 2014 which has not yet been disclosed to you. If it were, then this real-life story that you've been reading would have already ended. So far the only "entities" that know the details of that "something very important that happened on Oct. 1" are (i) LCS Group, LLC and its counsel (i) "Lucerne Biosciences, LLC" and its counsel (ii) "Louis Sanfilippo" ("the person") and his counsel, (iii) **an undisclosed business entity** (whose identity is confidential) and its counsel, and (iv) an elite behavioral intelligence team.

But as one chapter of this extraordinary real-life story is **very rapidly** coming to its close so that another new one may begin, I have been authorized (in my role as CEO of LCS Group) by these four parties to reveal a most important feature regarding how this real-life story will **finally end** so that the new story that involves you can **finally begin**. One hour after that "Oct. 1, 2014 Final Decision email" from LCS Group/I, LCS Group/I sent another email of **a very different nature** to the CEO of a business entity (whose identities are confidential) that included a 107 page PDF providing all the critically important context for **how** LCS Group, LLC planned to permanently and finally end one chapter of this real-life story (the one that you're just about to finish) so that another chapter, quite its diametric opposite, could begin. It's all been very well-planned so that you, the "reasonable reader" of this real-life story, will be the judge of its truth and "good-planning" from the temporal place of hindsight.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Final Decision  
**Date:** October 1, 2014 5:00:00 PM EDT  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Cc:** MD MD <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Dear Dr. Ornskov,

I have made my final decision today, October 1, on how to best commercialize the '813 Patent and any that follow, as I had determined to do and so informed you on September

## The Patent '813 Story, Part II -- Version 2

26 that I would. My final decision is attached in the time-stamped PDF below. I should also disclose to you that there is one party bcc'd on this particular email, unnamed here yet very important in helping me accomplish all my objectives since I first emailed you/Shire on September 4.

The rationale for my final decision is simple. I believe that I made Shire a very equitably-valued business proposal for my IP on four separate occasions in 2012, as communicated to various members of Shire's senior management/in-house counsel and/or FLH (i.e., my emails of Nov. 16, Nov. 19, Nov. 26, Dec. 10). My initial 2012 business proposal also featured the prospect of "doubling the value" of my IP through a second patent application for the claimed use of LDX dimesylate as an adjunctive treatment of Major Depressive Disorder, as assigned to Lucerne Biosciences (i.e., my email of Nov. 16 to Ed Haug of FLH, cc'ing Sandra Kuzmich of FLH and Peter Cicala of Shire). In view of key development/regulatory milestones since making my first business proposal to Shire in 2012 (when Shire had yet to even formally launch their Phase III LDX dimesylate/BED registrational program), I am confident that any reasonable healthcare investor/investment analyst would conservatively regard the financial value of my LDX dimesylate-related IP "as of today" to be at least equal to three-fold its proposed value to Shire "as of 2012."

However, I also believe that any reasonable person would value the '813 Patent and any that follow as only 1/3 of my "**composite IP portfolio as of today.**" Another "third" would be related to FLH's problematic IPR/declaration representations (as extensively characterized and evaluated for their implications). And the "last third" would be related to the problematic behavior of Shire's in-house counsel since I first communicated my invention to Mr. Cola on October 14, 2008, as transparently revealed across many communications over time that tell a very consistent and compelling story any reasonable person would appreciate for its meaning and significance. Collectively taken, this explains my reasoning for what I regard as the equitable financial terms of my final decision.

Of course, as I communicated to Shire and FLH on any number of occasions in 2012, the valuation of my IP could still increase substantially more than its "**current real-time equitable valuation**" (herein represented by the terms of my final decision). By very conservative forecasts, its financial value could still stand to increase by a measure of three-fold more over the terms of my final decision in but a very short span of time, which is why I have made every effort to inform you/Shire that the matters involving FLH's problematic IPR representations and the problematic behavior of Shire's in-house counsel are highly relevant to the interests of Shire shareholders and could pose serious risk to such interests, including potentially to the company's business partners and/or prospective acquirers. I have made every effort to be transparent to you about this matter and also be very discreet given its broad implications. And I have made every effort to be very fair in my final decision.

Thus, I have made my final decision on October 1 as I promised you I would. Now it is time for you, Dr. Ornskov, to make your final decision as Shire's CEO and the person ultimately accountable for how this matter is handled.

I do sincerely hope that you/Shire would finally decide to do business with me/LCS Group in the spirit of trust and cooperation. But as I hope you/Shire may by now fully appreciate, I've already made extensive preparations for how I would commercialize my IP in the event that you decide to perpetuate what has been a very longstanding problem involving Shire and my IP.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT

**ATTACHMENT: "Final Decision.pdf"** is available in PDF at:  
[http://www.4shared.com/download/r-W-dUHnba/Final\\_Decision.pdf?lgfp=3000](http://www.4shared.com/download/r-W-dUHnba/Final_Decision.pdf?lgfp=3000)

**Friday May 8, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/XE1Bx6Osce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/XE1Bx6Osce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Friday, May 08, 2015 10:49 AM  
**To:** 'trials@uspto.gov'  
**Cc:** Lucci, Joseph; Farsiou, David; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com); Haug, Ed  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813)

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Yesterday evening, one day after Petitioner's Second Motion for Sanctions (Paper 27) was filed, counsel for Petitioner, Petitioner's in-house counsel, and declarant for Petitioner received another prohibited communication from Dr. Sanfilippo, named inventor of the '813 patent, in violation of the Board's Orders. Petitioner respectfully requests the Board's permission to submit this May 7 communication for consideration by the Board in connection with Petitioner's two pending motions for sanctions. Petitioner is available for a conference call if it would be helpful to the Board.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Important Information Re: Potential Organization of One or More "Classes" For Possible "Class Action(s)"  
**Date:** May 8, 2015 6:00:05 PM EDT

## The Patent '813 Story, Part II -- Version 2

**To:** fornskov@shire.com, jharrington@shire.com, tmay@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, Ed Haug <EHaug@flhlaw.com>

**Cc:** sfagan@shire.com, gfisher@shire.com, jcotrone@shire.com, dhibbett@shire.com, brclarke@shire.com, ssalah@shire.com, seltonfarr@shire.com, alistair.campbell@berenberg.com, paul.major@redburn.com, jo.walton@credit-suisse.com, jason.gerberry@leerink.com, david.a.amsellem@pjc.com, tlugo@williamblair.com, tchiang@crtllc.com, amy.walker@morganstanley.com, ken.cacciatore@cowen.com, dsteinberg@jeffries.com, james.d.gordon@jpmorgan.com, keyur.parekh@gs.com, richard.vosser@jpmorgan.com, mark.clark@db.com, graham.parry@baml.com, dani.saurymper@barclays.com

**THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR PUBLIC DISCLOSURE AND IS FOR THE PURPOSE OF POTENTIALLY ORGANIZING ONE OR MORE "CLASS ACTIONS" THAT COULD INVOLVE LITIGATION IN FEDERAL COURT. IT IS ALSO FOR INFORMING A PROSPECTIVE JUROR OR JUDGE OF HOW LCS GROUP, LLC, IN COLLABORATION WITH OTHER ENTITIES, MADE EVERY REASONABLE EFFORT TO INFORM "PROSPECTIVE DEFENDANTS" THAT ONE OR MORE PROSPECTIVE "CLASS ACTIONS" WERE IN ACTIVE PLANNING (IN VIEW OF MULTIPLE "WITNESSES"), INCLUDING SPECIFIC FEATURES RELATED TO THE "ORGANIZNG OF CERTAIN CLASS MEMBERS." THE READING OF THIS EMAIL SHOULD BE IN THAT CONTEXT, AS WELL ANY RESPONSE(S) TO IT BY EMAIL AND/OR OTHER MEANS INCLUDING, BUT NOT LIMITED TO, RESPONSE(S) BY LEGAL ACTION(S).**

Dear Reasonable Reader,

The purpose of this email is to provide you yet additional context for what you've read in view of what you know "as of now." As you learned from "yesterday's email entry," this real-life story that you have been reading is what is called a "recursive story" in that its themes, as "behaviorally enacted" by its "participants" (i.e. those included on the "TO" part of this email thread) play out over and over and over in the same general way until they reach what's called an "outermost boundary condition." That's called a "re-enactment" in psychiatric circles and, when taken to its "outermost boundary position," can lead to either catastrophic mental collapse (if such "terminal behavior" is founded on immature defense mechanisms like "projection" and "splitting") or successful resolution of a problem (if such "terminal behavior" is founded on mature defense mechanisms like "sublimation" and "altruism").

As you've also learned in your reading, there is one side of this story that "seeks to reveal the truth of the matter" and there is another side of it that "seeks to perpetrate deception" (the latter for all those unlawful purposes that you've been educated to identify and understand in your reading of this real-life story). "As of now" **at the time of writing/sending this email** (i.e., the date/time stamp on this email's header), a press release (from an undisclosed entity, at least "as of now" in the time of writing/sending this email) has been planned for international distribution on Wednesday May 13 at 7 pm EDT that will feature this real-life story that you have been reading and that you are now very close to finishing. After all, May 13 is only five days away from today, so there can't be too much left. In this temporal context, you've come a long way in this story that, as you know, begins with its "first communication entry" dated September 13, 2007.

To have reached this point in the "narrative" you've been reading, you would have had to first read -- or at least "find" -- the hyperlink in that March 13 press release that introduced you to this PDF'd "communications transcript" that you're close to finishing. You'll recall that in that press release there's a section providing contact information for **"class actions" (i.e., 'class of Shire**

## The Patent '813 Story, Part II -- Version 2

**Plc shareholder’),”** as quoted from the press release’s “as of May 8 draft.” This email is to provide you with “hindsight perspective” on that specific feature of the press release in view of what you’ve read in “The Patent ‘813 Story, Part II” (as its called on the header of what you’re now reading), namely, whether you may belong to a “class of Shire Plc shareholder” that has experienced significant value loss in your equity position in “Shire Plc” based on the very well-documented poor management decisions and/or unlawful behavior by its senior management (*i.e.*, Dr. Flemming Ornskov), in-house counsel (*i.e.*, James Harrington, Tatjana May, David Banchik) and/or outside counsel of Frommer, Lawrence & Haug, LLP (*i.e.*, Ed Haug, Sandra Kuzmich), among possibly others.

Specifically, if at this point in the narrative you believe that you qualify as a member of this prospective class, then you can contact the person identified in the press release to learn more about the status of any class action being organized and its prospective defendants, and whether you may qualify for inclusion in this “prospective class.” If you’ve been reading this real-life story carefully, you’ll also realize that you may qualify for a “class” that is not “Shire Plc shareholder that has lost equity value in Shire Plc because of poor management decisions...,” in which case you can direct any inquiries you may have to the same contact person noted in the press release regarding “class actions.”

Let me add a few more things, as the objective now is to make everything increasingly transparent to you, the “reasonable reader,” until everything can be seen for its truthfulness. Based on your “temporal reading place” in this real-life story that you have been reading in its “chronological sequence” since coming to it on-line sometime **after** March 13, 2015 at 7:00 pm EDT, look back on the narrative to see if it doesn’t make perfect sense to you as part of a rather beautifully conceived plan by LCS Group, LLC and its strategic collaborators to help you, the story’s “reasonable reader,” see the truth of the matter by its final end. This was the objective when LCS Group, LLC made a most important business decision on October 1, 2014 to best commercialize the 813 Patent and any that follow, though that “secret final decision” has yet to be disclosed to anyone except those authorized to know it, namely, LCS Group, LLC and its strategic collaborators. **But that “final decision” that took place on October 1, 2014 and involved a 107 page PDF document sent from LCS Group, LLC’s CEO to the CEO of an undisclosed company (at this point undisclosed for special “security reasons”) is undoubtedly far and away the single most extraordinary feature of this real-life story, because it provides the context for understanding the story’s “final resolution.”**

In this light, see if you by now you understand what was meant in that LCS Group, LLC “Statement” read to the Patent Board by Mr. Lucci on December 5, 2014 that was later included in the email sent to Shire Plc ‘s CEO Dr. Ornskov on December 11 that itself was submitted as a filing in *inter partes* review of the 813 Patent on December 12 (though expunged, as you know, because of the objections made by Shire and its outside counsel):

“Patent Owner would like to inform the Board that its decision to institute a trial was based on Petitioner’s massive and egregious misinterpretation of the prior art, and that the Petitioner has explicitly been made aware of this misrepresentation through extensive and detailed communications that have taken place outside the IPR from well before the time the Board made its decision. Further, certain exhibits that the Petitioner has now objected to on grounds of relevance speak to the profound degree of “misinterpretation” represented to the Board and on which the Board relied to make its decision. Because this matter has far-reaching legal, medical and commercial implications, Patent Owner has determined that in order to best protect its interests it is foregoing any further involvement in the IPR process so that it can take the appropriate actions, including

## The Patent '813 Story, Part II -- Version 2

legal remedies, to resolve such representations made to the Board that have now caused Patent Owner harm, and so that it can pre-empt further harm from the undue burden of such representations.”

From where you are in your “reading of this email” -- which is at a point at least five days “in the future” from the time in which this email was “written and electronically sent” -- do you finally see that this was all part of a well-coordinated plan from “the beginning” (or at least the “official beginning” on October 1, 2014 when that important “final decision” regarding the “final resolution” of this real-life story was made)?

There are surprises still coming in this real-life story, **of which you play a most important part as its “reasonable reader,”** and truly they will blow your mind because they are that extraordinary. LCS Group, LLC knows what they are because the company has helped plan them in close collaboration with its strategic collaborators. That planning “officially began” at 6:00 pm EST on Wednesday October 1, 2014. To prepare you for these surprises, take another look at the “opening sequence” of email communications to Shire Plc CEO Dr. Flemming Ornskov in this “Part II: Section 1 (of 3)” of “The Patent 813 Story, Part II” that you have been reading, as numbered below to highlight certain “recursive behavioral communication features” so that all the behavior you’ve read about in this real-life story will, by its final end, be perfectly clear to you for its motivational intent. See if the passages below give you any clues as to what may have happened on October 1, 2014 that still hasn’t yet been disclosed. That disclosure is coming soon to the appropriate parties and it’s really the biggest surprise of all in this real-life story, because it’s the most important part of who will be responsible for its “final resolution” and how it will be “finally resolved.” And it’s not LCS Group, LLC, nor is it Lucerne Biosciences, LLC, nor is it “Louis Sanfilippo” (“the person”) that will be responsible for “final resolution.”

Sincerely,

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

**[EMAIL CONTINUED BELOW. 1-5 NUMERICAL FORMATTING AS IN ORIGINAL EMAIL]**

**1.**

**Thursday September 4, 2014:**

From: "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
Subject: Important Matter Regarding Vyvanse & BED  
Date: September 4, 2014 10:00:11 AM EDT  
To: [fornskov@shire.com](mailto:fornskov@shire.com)  
Cc: [tmay@us.shire.com](mailto:tmay@us.shire.com), [tmay@shire.com](mailto:tmay@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com)

Dear Dr. Ornskov,

By way of introduction, I am a psychiatrist in New Haven, CT, and also a voluntary faculty member at the Yale School of Medicine. My company, LCS Group LLC, owns US Patent No. 8,318,813, which claims methods for the use of LDX dimesylate in the treatment of Binge Eating Disorder. The '813 Patent currently is the subject of an *inter partes* review petition that Shire Development filed on May 9, 2014 with the Patent Trial and Appeal Board.

The reason for my email is to bring to your attention serious problems with

## The Patent '813 Story, Part II -- Version 2

representations made on the public record by Shire's outside counsel and its declarant, Dr. Timothy Brewerton. I believe that it is your fiduciary responsibility as the company's CEO to know about these problems and promptly address them, as they are highly relevant to the interests of Shire's shareholders, its affiliates and even, potentially, its prospective business partners and/or acquirers. As this matter has broad legal implications, I have copied Shire's General Counsel and Chief IP Counsel on this email.

Let me provide you several representative examples of the problems with the representations made by Shire's outside counsel and its declarant and you can judge for yourself.

One such problem involves the representation that LDX dimesylate is an acceptable "anti-obesity agent." Shire, through its outside counsel and declarant, has taken the position that a psychiatrist/MD in 2007 would have regarded an amphetamine-based drug like LDX dimesylate as an acceptable "anti-obesity agent." Specifically, Shire's declarant has represented that a psychiatrist/MD "would have been motivated to identify another centrally acting anti-obesity agent with positive properties, such as LDX dimesylate" (Decl, p. 36). Because you are an M.D., I don't have to tell you the problem here. It's been nearly forty years since any competent M.D. would have regarded **any amphetamine, or any psychostimulant drug for that matter**, as a legitimate pharmacologic treatment of obesity, for self-evident reasons. Shire is now on the public record supporting a view that the medical community would find abhorrent, namely, pharmacologically managing obesity as it would have been in the several decades between the 1940s-1960s, when amphetamines were widely prescribed for such purpose while also ignoring all the relevant medical advancements and regulatory guidance (from the FDA) for treating obesity and its medical comorbidities over that time. As a practicing physician/psychiatrist, it is virtually impossible to believe that such a position was actually argued by another physician and adopted by a pharmaceutical company having expertise in the development and marketing of "stimulant amphetamine drugs."

A somewhat related problem is that Dr. Brewerton's statements in his declaration regarding the use of psychostimulants contradict his prior statements of which the Patent Office was not informed. Dr. Brewerton published a 1997 review on "Binge Eating Disorder" in which he stated that "There are no published reports on the use of psychostimulants in the treatment of BED. Even though acutely administered stimulants suppress binge eating, the risks of addiction and the possible induction of affective and psychotic symptomatology make **this agent class undesirable as a therapeutic tool.**" You probably know that this situation did not change in the 10 years between his publication and the filing of the '813' Patent – for obvious reasons. No reasonable medical practitioner familiar with BED, its psychiatric/medical comorbidities and its treatment would have reasoned to use a stimulant for its treatment, which is why there were still no published reports on the use of psychostimulants in the treatment of BED until the '813 Patent. Compounding this problem is that Shire's outside counsel did not disclose Dr. Brewerton's prior statements to the Patent Office so that the office could properly evaluate his declaration testimony and Shire's reliance on it.

Another problem is that Dr. Brewerton takes the position that there was no unmet medical need in BED. He writes, "In sum, I disagree that in 2007 there was a long-felt and unmet need for the claimed treatment of BED." (Decl, p. 94). However, you yourself, Dr. Ornskov, highlighted the unmet medical need in BED in a Shire press release on November 5, 2013: "BED is a condition for which there is no currently approved pharmacologic treatment and yet there is significant unmet patient need, as was

## The Patent '813 Story, Part II -- Version 2

demonstrated with the faster than expected enrollment of participants in our clinical trial.” The same sentiment can also be found in many other places publicly, including from Dr. Susan McElroy in the same November 5, 2013, Shire Press Release. As you know, Dr. McElroy headed up Shire’s Phase III LDX/BED program, which is why Shire’s representations in its IPR petition are particularly troubling. Clearly, those representations are directly at odds with what you and Dr. McElroy, and the medical community, have long recognized as an accepted understanding of unmet medical need in BED.

The above-noted problems with Shire’s representations to the Patent Office (which, as noted above, are only representative of other, similar problems in Shire’s filings) highlight the surprising nature of the inventions claimed in the '813 Patent. Many of these problems and their implications for the '813 Patent are addressed in LCS Group’s preliminary response to Shire’s IPR petition. But I am happy to provide you a more extensive analysis. Taken together with the preliminary response, my additional analysis highlights the extent and scope of the problems in the representations made by Shire’s outside counsel and its declarant. Notably, it addresses the particular relevance of two references that are identified in my preliminary response (i.e., Exhibit 2014 - Surman 2006; Exhibit 2015 - Biederman 2007). I believe that it is very important for you and your in-house counsel to understand the significance of these references because they provide the important context for one of the most important representations made by Shire’s outside counsel in the IPR petition.

There are many ways for me to optimize the value of the '813 Patent and any that follow. I plan to make a decision very soon on how I shall proceed, as my wife is quite ill with metastatic breast cancer and it is important that I end one chapter of this now seven-year IP project before she passes. If you/Shire are interested in acquiring rights in the patent and any that may follow, please let me know as soon as possible. Should you or others at Shire still have doubts about '813 Patent’s uniqueness and value in view of my preliminary response and this email, I am confident that my additional analysis of the IPR petition/declaration filed by Shire’s outside counsel will resolve them. I am happy to forward the analysis to you. Further, please know that transparency and accountability are extremely important to me. But please appreciate that given my prior experience with Shire, which includes reaching out to the company in 2008, 2010, 2012, 2013 – and now in 2014 - I would request that ***all communications*** to me (at least initially) be in writing via email and involve only Shire in-house people. I would regard this as a good faith gesture of moving forward in the spirit of trust and cooperation on a matter, it would now seem, involves our shared mutual business interests for the novel treatment of Binge Eating Disorder with LDX dimesylate.

Sincerely,

Louis Sanfilippo, M.D.  
CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Thursday, September 04, 2014 12:56 PM  
**To:** Lucci, Joseph  
**Subject:** Dr. Sanfilippo

## The Patent '813 Story, Part II -- Version 2

Dear Joe,

Good afternoon. I hope you are well and that you had a good summer.

We have been informed by Shire that Dr. Sanfilippo has again (apparently today) contacted Shire management and Shire in-house counsel directly regarding issues related to Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire understands that Dr. Sanfilippo is represented by you in these matters. Please inform Dr. Sanfilippo that all negotiations with Shire will involve in-house and outside counsel representing Shire. As such, please ask Dr. Sanfilippo to communicate through you with Frommer Lawrence & Haug (Ed Haug or me) or David Banchik, Esq. (Vice President - Intellectual Property, Shire).

Thank you.

Sincerely,

Sandy



2.

**Friday September 12, 2014:**

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>

**Subject:** Follow-up on Patent '813 and IPR petition

**Date:** September 12, 2014 1:12:26 PM EDT

**To:** [fornskov@shire.com](mailto:fornskov@shire.com)

**Cc:** [tmay@us.shire.com](mailto:tmay@us.shire.com), [tmay@shire.com](mailto:tmay@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com)

Dear Dr. Ornskov,

Further to the email I sent you on September 4, I've been informed that Shire's outside counsel of Frommer, Lawrence & Haug (FLH) contacted attorney Joseph Lucci of Baker Hostetler. As indicated in my email, I believe that all communications should be made to me and involve only Shire in-house people (at least initially). This is appropriate at least because FLH made the problematic representations on the public record to the Patent Trial and Appeal Board. I don't believe it is in the interests of Shire's shareholders, its affiliates and even, potentially, its prospective business partners and/or acquirers to have FLH involved. Moreover, I am the one responsible for making all business decisions at LCS Group, so Shire should communicate directly with me. There is no need for anyone to contact Mr. Lucci at this time; if I need his input, I will contact him myself.

As Shire's CEO, Dr. Ornskov, I believe it is incumbent on you to promptly address the serious problems involving the representations that have been made on the company's behalf, and upon which the Board could mistakenly rely in evaluating the '813 Patent. As previously indicated, these problems go beyond what I have addressed in LCS Group's preliminary response and I am happy to provide you a more extensive analysis to assist you in evaluating Shire's problematic representations. However, given the absence of any response to my prior email by you or anyone else at Shire, along with recently learning that my wife's condition has taken an unsettling and somewhat unexpected turn

## The Patent '813 Story, Part II -- Version 2

for the worse, I am actively evaluating available options and plan to make some important decisions imminently to optimize the value of my patent and any that follow. It is now even more important for me to bring this longstanding seven-year IP project of mine to a close.

Sincerely,

Louis Sanfilippo, M.D.

CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

**September 15, 2014:**

Shire Plc's Press Release "**Shire Announces FDA Acceptance for Filing with Priority Review of Supplemental New Drug Application (sNDA) for Vyvanse (lisdexamfetamine dimesylate) Capsules (CII) for Adults with Binge Eating Disorder**" is available for download at:  
[http://www.4shared.com/download/yATXSZJQce/Shire\\_Vyvanse\\_BED\\_sNDA\\_Accepta.pdf?lgfp=3000](http://www.4shared.com/download/yATXSZJQce/Shire_Vyvanse_BED_sNDA_Accepta.pdf?lgfp=3000)

**From:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>

**Subject:** Contact Information

**Date:** September 15, 2014 5:42:48 PM EDT

**To:** <[lsanfilippo@lcsgruopluc.com](mailto:lsanfilippo@lcsgruopluc.com)>

**Cc:** "Haug, Ed" <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, "Banchik, David" <[dbanchik@shire.com](mailto:dbanchik@shire.com)>, <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.

Partner, Frommer Lawrence & Haug LLP



**3.**

**Wednesday September 17, 2014:**

## The Patent '813 Story, Part II -- Version 2

From: "Louis Sanfilippo, MD" <[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)>  
Subject: '813 Patent/IPR petition and FLH  
Date: September 17, 2014 1:13:33 PM EDT  
To: [fornskov@shire.com](mailto:fornskov@shire.com)  
Cc: [tmay@us.shire.com](mailto:tmay@us.shire.com), [tmay@shire.com](mailto:tmay@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com)

Dear Dr. Ornskov,

On Monday September 15, I received the email below from Shire's outside counsel of FLH. I take this to mean that you and your in-house counsel at Shire support the representations that FLH publicly made to the Patent Trial and Appeal Board in Shire's IPR petition.

My wife's medical situation has taken a significant turn for the worse and it's now become very important to me that she know the status of this project before she passes. As a result, I expect to make a final decision on how to best commercialize the '813 Patent by October 1, 2014. My wife has sacrificed a lot in the seven-year span it took to prosecute the '813 Patent, and she believes in its value as much as I do. Unfortunately, she did not see much of me this summer because I felt it imperative to clarify the scope and extent of problematic IPR/declaration representations (on BED, BN, and obesity, among others), which took time and resources. These are serious psychiatric/medical disorders; thus, from the outset of my reading the IPR petition and declaration I considered it my fiduciary obligation as a physician to clarify the serious problems in the representations that FLH and Dr. Brewerton made regarding them.

I sincerely hope that my efforts help you and Shire appreciate that the public representations that FLH and Dr. Brewerton made in the IPR Petition are a liability to the interests of Shire's various stakeholders. Further, I believe that Shire and LCS Group have the same mutual business interests deriving from the '813 Patent, a belief I have held for some time though especially now that the FDA has accepted for priority review Shire's sNDA for LDX dimesylate in the treatment of BED. But I will let you, Dr. Ornskov, be the judge of that.

Again, please know that I fully expect to make a final decision on how to best commercialize my IP by October 1. I would be doing a great disservice to my wife if I did not. As I've indicated before, I believe it best that all communications be made to me and involve only Shire in-house people.

Sincerely,

Louis Sanfilippo, M.D.

CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** "Kuzmich, Sandra" <SKuzmich@flhlaw.com>

**Subject:** Contact Information

**Date:** September 15, 2014 5:42:48 PM EDT

**To:** <lsanfilippo@lcsgruopluc.com>

**Cc:** "Haug, Ed" <EHaug@flhlaw.com>, "Banchik, David" <dbanchik@shire.com>, <jlucci@bakerlaw.com>

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.

Partner, Frommer Lawrence & Haug LLP



4.

**Monday September 22, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgruopluc.com>

**Subject:** Decision regarding the '813 Patent & Shire interests

**Date:** September 22, 2014 1:07:11 PM EDT

**To:** fornskov@shire.com

**Cc:** tmay@us.shire.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com

Dear Dr. Ornskov,

I have not heard back from you or anyone else at Shire since first writing to you on September 4 to inform you/Shire about the problematic representations in Shire's IPR petition/declaration made by FLH/Dr. Brewerton. Shire's silence on this matter, in connection with its decision to initiate the IPR review in the first place and to then have FLH respond when I expressed serious concern about that firm's representations to the Patent Trial and Appeal Board, lead me to conclude that you/Shire support the representations FLH/Dr. Brewerton made. These developments also lead me to conclude that you/Shire have no interest in acquiring rights in the '813 Patent because you/Shire believe '813's claims would have been obvious to a "Person of Ordinary Skill in the Art."

## The Patent '813 Story, Part II -- Version 2

As a result, I am informing you, your senior management team, your in-house counsel, and Shire's Board of Directors that the decision I plan to make on/by October 1 can be expected to have a serious material bearing on the interests of these various stakeholders. I say this in the spirit of transparency and accountability, because everything that I have written to you has been for a specific objective. As Shire's CEO you should know that objective, which is to make those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions, especially now that I have made three attempts to bring them to your attention for prompt resolution. Please know, Dr. Ornskov, that I have sincerely made these attempts to make you aware of the scope and seriousness of this problem along with its implications, which extend far beyond what is addressed in LCS Group's preliminary response. In this way, my wife can see first hand before she passes that everything we've both sacrificed considerably for over the last seven years (though particularly over this past summer as I attended to this IPR matter) was not in vain but laid the foundation to bring much needed public attention to serious psychiatric/medical disorders such as BED, BN and obesity.

I take matters of accountability very seriously. In this respect, you/Shire should know that I extensively vetted the many problematic representations made in Shire's IPR petition and Dr. Brewerton's declaration for their truthfulness and implications, including through the use of **many** references authored and/or edited by Dr. Brewerton himself but which he/FLH did not submit with the IPR petition. And I can assure you that no stone was left unturned in determining their relevance for the value of the '813 Patent.

In this light, I am providing Shire 48 hours notice that I am terminating the CDA Mr. Harrington executed for Shire on October 29, 2013 (per Section 9). The purpose of the CDA was to discuss a potential business opportunity involving the '813 Patent and related patent applications, but based on Shire's behavior since that time it would appear Shire has no such business interest. As Shire's in-house counsel knows, there has been no exchange of confidential materials; thus, there is none to return or destroy.

Sincerely,

Louis Sanfilippo, M.D.

CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

**Tuesday September 23, 2014:**

**From:** "Banchik, David" <[dbanchik@shire.com](mailto:dbanchik@shire.com)>

**Subject:** RE: Contact Information

Date: September 23, 2014 11:08:04 AM EDT

**To:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>

**Cc:** "Haug, Ed" <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, "[jlucchi@bakerlaw.com](mailto:jlucchi@bakerlaw.com)" <[jlucchi@bakerlaw.com](mailto:jlucchi@bakerlaw.com)>

Dr. Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

We are in receipt of your email of Sept. 17 (in addition your prior emails of Sept. 4 and Sept. 12).

As previously expressed to you (below), you are requested to communicate through FLH on these matters.

David Banchik

Vice President - Intellectual Property  
Shire  
725 Chesterbrook Blvd.  
Wayne, PA 19087 USA

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Monday, September 15, 2014 5:43 PM  
**To:** lsanfilippo@lcsgrupp.com  
**Cc:** Haug, Ed; Banchik, David; jlucchi@bakerlaw.com  
**Subject:** Contact Information

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.

Partner, Frommer Lawrence & Haug LLP



5.

**Friday September 26, 2014:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** '813/Serious new matter involving Shire's in-house counsel  
**Date:** September 26, 2014 3:33:29 PM EDT  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com)

## The Patent '813 Story, Part II -- Version 2

Dear Dr. Ornskov,

I am writing to you, exclusively, to inform you of a very serious problem that goes beyond FLH's representations to the Patent Trial and Appeal Board. I believe it is imperative for you to promptly resolve this problem before it becomes a massive liability for Shire's various stakeholders.

As forwarded below, I received an email from David Banchik of Shire (on September 23) that requested I "communicate with FLH on these matters." However, Mr. Banchik's request that I communicate with FLH to address FLH's own problematic representations in Shire's IPR petition raises serious conflict of interest issues. Moreover, it improperly places me in the middle of a potentially serious problem between Shire and FLH involving the representations that FLH made on the company's behalf. To use a simple analogy, requesting that I communicate with FLH is like telling a "whistleblower" to blow his whistle amidst those whom he seeks to expose but leaving no one else around to hear the whistle. I am not interested in making FLH's representations to the Patent Board my problem rather than Shire's. That is why I am bringing this issue to you as Shire's CEO and the person ultimately accountable for how this matter is handled.

In this light, let me provide you an update on my plans regarding commercialization of the '813 Patent and any that may follow. Attached is a press release which will feature prominently in my final decision that I have now determined to make on October 1. It's been a very long time that I've tried to do business with Shire in the spirit of trust and cooperation, having expended substantial time and resources to this end; regrettably, that sentiment has yet to be reciprocated in good faith.

My email of September 22 gave Shire the required 48 hours notice for terminating the LCS Group/Shire CDA; accordingly, the CDA has now been terminated.

Sincerely,

Louis Sanfilippo, M.D.

CEO, LCS Group, LLC  
291 Whitney Avenue, Suite 306  
New Haven, CT 06511

**ATTACHMENT: "Press Release.pdf"** (available for download at:  
[http://www.4shared.com/download/vQA3znugce/Press\\_Release.pdf?lgfp=3000](http://www.4shared.com/download/vQA3znugce/Press_Release.pdf?lgfp=3000))

Begin forwarded message:

**From:** "Banchik, David" <[dbanchik@shire.com](mailto:dbanchik@shire.com)>  
**Subject:** RE: Contact Information  
**Date:** September 23, 2014 11:08:04 AM EDT  
**To:** "Kuzmich, Sandra" <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, "[lsanfilippo@lcsgruppilc.com](mailto:lsanfilippo@lcsgruppilc.com)" <[lsanfilippo@lcsgruppilc.com](mailto:lsanfilippo@lcsgruppilc.com)>  
**Cc:** "Haug, Ed" <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, "[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)" <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dr. Sanfilippo,

## The Patent '813 Story, Part II -- Version 2

We are in receipt of your email of Sept. 17 (in addition your prior emails of Sept. 4 and Sept. 12).

As previously expressed to you (below), you are requested to communicate through FLH on these matters.

David Banchik

Vice President - Intellectual Property  
Shire  
725 Chesterbrook Blvd.  
Wayne, PA 19087 USA

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Monday, September 15, 2014 5:43 PM  
**To:** lsanfilippo@lcsgrupp.com  
**Cc:** Haug, Ed; Banchik, David; jlucchi@bakerlaw.com  
**Subject:** Contact Information

Dear Dr. Sanfilippo,

We have been informed by Shire that you have again directly contacted Shire management and Shire in-house counsel regarding issues concerning Vyvanse, BED, and US Patent No. 8,318,813, as well as the related inter partes review petition. Shire has engaged Frommer Lawrence & Haug LLP (FLH) to handle all aspects of the above-referenced matters on its behalf, and has indicated that all your communications concerning the same should be through FLH (and not Shire management). As such, please direct all of your future communications regarding these matters to Ed Haug or me.

Thank you very much for your anticipated cooperation.

Sincerely,

Sandra Kuzmich, Ph.D., Esq.

Partner, Frommer Lawrence & Haug LLP



**[END OF MAY 8 6:00 pm EDT EMAIL]**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Important Information Re: Identifying and Organizing a Prospective Class for Potential Class Action(s)  
**Date:** May 8, 2015 7:00:03 PM EDT  
**To:** Joseph Lucci <jlucchi@bakerlaw.com>

**THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR PUBLIC DISCLOSURE AND IS**

## The Patent '813 Story, Part II -- Version 2

**FOR THE PURPOSE OF POTENTIALLY ORGANIZING ONE OR MORE “CLASS ACTIONS” THAT COULD INVOLVE LITIGATION IN FEDERAL COURT. IT IS ALSO FOR INFORMING A PROSPECTIVE JUROR OR JUDGE OF HOW LCS GROUP, LLC, IN COLLABORATION WITH OTHER ENTITIES, TOOK ACTIONS TO IDENTIFY “PROSPECTIVE CLASS MEMBERS” AND “PROSPECTIVE DEFENDANTS” INVOLVING THE PROSPECTIVE “CLASS ACTION(S).” THE READING OF THIS EMAIL SHOULD BE IN THAT CONTEXT, AS WELL ANY RESPONSE(S) TO IT BY EMAIL AND/OR OTHER MEANS INCLUDING, BUT NOT LIMITED TO, RESPONSE(S) BY LEGAL ACTION(S).**

Dear Joe,

On behalf of LCS Group, LLC, this email is to ask you if you would answer the following questions **in writing**. Your answers (or silence) “in response” to this email can be expected to be used by LCS Group, LLC and its collaborators for the purpose of identifying and organizing a “prospective class,” as well more clearly identifying “prospective defendants,” for one or more class actions.

1. Do you have any direct or indirect knowledge, or reason to believe, that when you were counsel for LCS Group, LLC in the company’s communications with Shire regarding U.S. Patent No. 8,318,813 that this matter may have been in any way related to, or a subject of, a research or intelligence program seeking to develop or apply “deception-based intelligence technology” (however loosely defined)? If so, please explain that knowledge or belief, including any identifying information regarding involved persons or entities.
2. Do you have any direct or indirect knowledge, or reason to believe, that the “*inter partes* review” of U.S. Patent 8,318,813 may have been initiated for the purpose of a research or intelligence program seeking to develop or apply “deception-based intelligence technology” (however loosely defined)? If so, please explain that knowledge or belief, including any identifying information regarding involved persons or entities.

If you have any direct or indirect knowledge, or reason to believe, that anyone (or any business, ec...) that you know **may have** any direct or indirect knowledge, or reason to believe, that he/she/it may have any direct or indirect knowledge, or reason to believe, that U.S. Patent No. 8,318,813 may have been related in any way to a research or intelligence program seeking to develop or apply “deception-based intelligence technology” (however loosely defined), please forward this email to that person and cc me at the email address above. That person will know what to do with your email based on the instructions in this email to you.

You and Baker Hosteler, LLP should know that LCS Group, LLC has been actively involved in making plans with its collaborators to organize a “class of third party exploiters” that may have been unlawfully and unethically “used” by two “primary source entities” to engage in anti-competitive conduct. You and Baker & Hostetler, LLP may be a member of this prospective “class of third party exploiters.” Further details regarding plans to organize this class are expected in a public announcement currently scheduled for Wednesday May 13 at 7:00 pm EDT. The current estimated value for a financial settlement involving a successful class action is approximately \$7 billion. There is substantial evidence at the present time to support that such a class action would be successful.

Sincerely,

Louis

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** That "Undisclosed Legitimate Business Entity" Now "Disclosed"  
**Date:** May 9, 2015 1:00:11 PM EDT  
**To:** lsanfilippo@lcsgrupp.com

Dear Reasonable Reader,

This email is to provide you yet additional context for better understanding the real-life story that you've been reading.

As you know by now, the objective behind this real-life story that you've been reading is to make everything transparent and clear so that by the time you reach its final end its truthfulness will be completely obvious to you. And its final end is coming very soon, as you learned about in the email that was sent last evening to the "group of seven" comprised of Dr. Ornskov, Mr. Harrington, Ms. May, Mr. Banchik, Dr. Brewerton, Ms. Kuzmich and Mr. Haug, amidst a number of "electronically-based witnesses."

To this effect, it's now time to disclose to you that "undisclosed legitimate business entity" whose identity has been kept confidential for "special security reasons" thus far in your reading of this narrative. As you'll quickly realize, this "legitimate business entity" is "the foundation" on which the 813 Patent is based, which makes its collaboration with (i) "LCS Group, LLC," (ii) "Lucerne Biosciences, LLC" and (iii) "Louis Sanfilippo" ("the person") so important to "revealing the truth of the matter." Basic business information on that "legitimate business entity" can be found in the attached PDF titled "Commercial Recording Division"

at: [http://www.4shared.com/download/XUBvo8vWce/Commercial\\_Recording\\_Division.pdf?lgfp=3000](http://www.4shared.com/download/XUBvo8vWce/Commercial_Recording_Division.pdf?lgfp=3000).

In this light, please appreciate that as the "final end" of "The Patent 813 Story, Part II" can be expected to begin anytime now (from "the time" of my writing/sending this email on behalf of LCS Group, LLC), its "final end" (as you come to it in "the time" of your reading this email) brings you back to events that happened **at a time even before** its "officially documented beginning" on September 13, 2007. That's quite remarkable, and it's also very important to the story.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** a head's up on the week ahead  
**Date:** May 9, 2015 7:00:47 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>

Dear Anne & Joe,

This email, on behalf of LCS Group, LLC, is to give both of you and your law firms a head's up that "The Patent 813 Story, Part II" is going public this week. So look for it in the news, because it will surely make a splash based on how it's been written, what it will disclose, and what it effectively will publicly announce. "Part I" has been completed for some time now but LCS Group, LLC and its collaborators have decided to publicly introduce it later, though at a pre-

## The Patent '813 Story, Part II -- Version 2

determined time known by the company and its collaborators. There's a particular reason for that, namely, to expand the narrative and experiential frame of this extraordinary real-life story as it virally makes its way through the public at large. In some ways, Part I is even more remarkable than Part II because it features certain "narrative vehicles" that are not used in "Part II."

Remarkably, as we've been in the process of making some finishing touches to "Part II" for its public debut, today we received what's best called an "anonymous tip" (though its "source" is known to our side) from a party invested in seeing a particular outcome in "The Patent 813 Story." That tip was for us to inquire about the attached article published in the Wisconsin Law Journal on May 22, 2013 by Laura Pedraza-Farina (a former Yale PhD in Genetics) called "Patent Law and the Sociology of Innovation," which we've already begun doing by reaching out to some contacts that may be able to shed further light on this tip and therefore add to the story's transparency, perhaps even before it goes public. The publication date of that paper, as it turns out, was two weeks after that first LCS Group/Shire meeting in NYC that Joe and I attended with FLH's Ed Haug and Sandra Kuzmich, and Shire's Peter Cicala and Susannah Henderson (on May 7, 2013). While the date is significant in view of the way "The Patent 813 Story" (across its "two parts") has been narrated, its content is what drew some "red flags," which surely must be why it was specifically provided to me at this most critical time in "The Patent 813 Story."

Do you think that we're approaching the final end of "The Patent 813 Story"? Based on everything that's been prepared to go public in a few days from now, it would strongly suggest that's the case. Of course, time will tell -- just as it already has. Hold on tight for the ride ahead, because there surely will be one based on what I know is coming, because I helped prepare for it to come with what you might say is expectedly some rather serious force. This is a very big story, but it's not being driven by LCS Group, LLC, Lucerne Biosciences, LLC, or "Louis Sanfilippo." There's one other undisclosed business entity involved on our side that has taken to this story very personally and whose identity is ready to go public this week in a very unique way.

Sincerely,

Louis

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** ... and here is the PDF attachment referenced in the email just sent to you  
**Date:** May 9, 2015 7:03:51 PM EDT  
**To:** Anne Maxwell <AMaxwell@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>

**ATTACHMENT:** "10-Pedraza-Farina.pdf" is available in PDF at:  
<http://www.4shared.com/download/pIWdzRWlba/10-Pedraza-Farina.pdf?lgfp=3000>

**Sunday May 10, 2015:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Re: a head's up on the week ahead  
**Date:** May 10, 2015 7:00:11 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>

## The Patent '813 Story, Part II -- Version 2

**THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR BROAD PUBLIC DISCLOSURE. IT CONTAINS IMPORTANT CONTEXT FOR "THE PATENT 813 STORY" AND SHOULD BE READ WITH THAT IN VIEW.**

Dear Joe & Anne,

Just after sending that email to you (below) last evening, you should know that the elite behavioral intelligence team that has been closely working with LCS Group, LLC, Lucerne Biosciences, LLC, "Louis Sanfilippo" ("the person") and that "undisclosed business entity" (to be publicly disclosed this week) weighed in with its view of the *inter partes* review from the perspective that they know so well, the "intelligence perspective." (yes, on a Saturday night given its importance!)

They indicated that the unlawful actions perpetrated by Shire and Frommer, Lawrence & Haug, mainly in the *inter partes* review through their conspired effort to engage in anti-competitive conduct through egregious, intentional acts of deception against one small company (*i.e.*, LCS Group, LLC) but also evidenced elsewhere (*i.e.*, communications beginning in Q1 2013) is an example of what's called "asymmetric warfare." That's when two sides have very different "manpower and financial resources" (*i.e.*, "LCS Group, LLC" - very limited vs. "Shire" - comparatively unlimited) and strategies (*i.e.*, LCS Group, LLC - "disclosing the truth" vs. "Shire" - "lying, deceiving and obscuring the truth"). As intelligence matters are their expertise, it turns out that they can conclusively identify the person whose idea this was from its "intelligence side." And they're working with us to prepare certain special actions against that person and the people and entities who have supported him.

That intelligence team also points out that this "intelligence idea" of using a legal venue like the *inter partes* review to investigate "asymmetric warfare" was about the least intelligent thing one could ever think of doing because it is not only unlawful and unethical but it has no sound foundation in human consciousness. The way they explain it is that it's like building a house made of clay on a foundation made of sand. When the inclement weather rolls in, the house completely falls apart until there's absolutely nothing left of it. In this light, where do you think that bad "intelligence idea" (and those involved in it) will be very soon, like in a matter of days? For one, it will all be out in public, which changes the "frame for asymmetric warfare" and allows many "reasonable readers" (of which some may be Shire shareholders) to join the truthful and honest side of things. Shire doesn't have sufficient resources to defend against that.

Lastly, Anne -- Happy Mother's Day to you. I hope you have a nice day. I recently had occasion to re-read your February 4 email to me after my wife passed and I appreciated what you said in it. I do believe that she's looking upon this all from where she is now and smiling, because she was a very honest person and would want nothing more than to see the truth of this story plastered all over the media and news.

Sincerely,

Louis

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** a head's up on the week ahead  
**Date:** May 9, 2015 7:00:47 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, Anne Maxwell

## The Patent '813 Story, Part II -- Version 2

<AMaxwell@CantorColburn.com>

Dear Anne & Joe,

This email, on behalf of LCS Group, LLC, is to give both of you and your law firms a head's up that "The Patent 813 Story, Part II" is going public this week. So look for it in the news, because it will surely make a splash based on how it's been written, what it will disclose, and what it effectively will publicly announce. "Part I" has been completed for some time now but LCS Group, LLC and its collaborators have decided to publicly introduce it later, though at a pre-determined time known by the company and its collaborators. There's a particular reason for that, namely, to expand the narrative and experiential frame of this extraordinary real-life story as it virally makes its way through the public at large. In some ways, Part I is even more remarkable than Part II because it features certain "narrative vehicles" that are not used in "Part II."

Remarkably, as we've been in the process of making some finishing touches to "Part II" for its public debut, today we received what's best called an "anonymous tip" (though its "source" is known to our side) from a party invested in seeing a particular outcome in "The Patent 813 Story." That tip was for us to inquire about the attached article published in the Wisconsin Law Journal on May 22, 2013 by Laura Pedraza-Farina (a former Yale PhD in Genetics) called "Patent Law and the Sociology of Innovation," which we've already begun doing by reaching out to some contacts that may be able to shed further light on this tip and therefore add to the story's transparency, perhaps even before it goes public. The publication date of that paper, as it turns out, was two weeks after that first LCS Group/Shire meeting in NYC that Joe and I attended with FLH's Ed Haug and Sandra Kuzmich, and Shire's Peter Cicala and Susannah Henderson (on May 7, 2013). While the date is significant in view of the way "The Patent 813 Story" (across its "two parts") has been narrated, its content is what drew some "red flags," which surely must be why it was specifically provided to me at this most critical time in "The Patent 813 Story."

Do you think that we're approaching the final end of "The Patent 813 Story"? Based on everything that's been prepared to go public in a few days from now, it would strongly suggest that's the case. Of course, time will tell -- just as it already has. Hold on tight for the ride ahead, because there surely will be one based on what I know is coming, because I helped prepare for it to come with what you might say is expectedly some rather serious force. This is a very big story, but it's not being driven by LCS Group, LLC, Lucerne Biosciences, LLC, or "Louis Sanfilippo." There's one other undisclosed business entity involved on our side that has taken to this story very personally and whose identity is ready to go public this week in a very unique way .

Sincerely,

Louis

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>

**Subject:** Additional Disclosures for "The Patent 813 Story, Part II"

**Date:** May 10, 2015 7:04:58 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>

## The Patent '813 Story, Part II -- Version 2

**THIS EMAIL IS INTENDED FOR PUBLIC DISCLOSURE; HOWEVER, PUBLIC DISCLOSURE OF EITHER, OR BOTH, OF ITS TWO PDF ATTACHMENTS (OR ANY PART OF THEIR CONTENTS) IS AT THE DISCRETION OF THOSE INDIVIDUALS HAVING ACCESS TO THEM.**

Dear Anne & Joe,

On behalf of LCS Group, LLC and its close collaborators, this email is to let you know that you have been conferred special status (*i.e.*, “security clearance,” as narratively represented in “The Patent 813 Story, Part II”) for additional disclosures regarding this story’s many remarkable features. After all, both of you have played very important roles in it. To this effect, the two of you are being provided four very critical and sensitive documents involving an “unseen side” to “The Patent 813 Story.” It’s been determined that the two of you can be trusted and discretionary with these documents and their implications, which clearly go far and wide -- and even appreciably bear on U.S. national security interests. This “unseen side” of the story will eventually go public, though the details of just how and when can’t be disclosed at the moment.

As you’ll appreciate, “Documents 1” and “Document 2” are related to work done by two different **independent law firms** [*i.e.*, hired to independently investigate the “identified business(es)” featured in each document] for the purpose of addressing potential unlawful third-party conduct/interference in business and trade practice, namely, by those same two “primary source entities” (though in a different context than has been presented so far in this narrative). As you’ll appreciate, “Document 1” provides the evidentiary basis for an independent legal review regarding potential unlawful and/or unethical conduct in business and trade practice and features many appendices (that have been stripped as they would otherwise have made the document extremely lengthy). It also provides the context for identifying the entity sanctioning the legal investigation. “Document 2,” prepared in collaboration with a skilled litigation attorney knowledgeable with details involving this “unseen side of the story,” is designed to get right to the source of “third party interference” that has been evidenced at different points in time to target “Louis Sanfilippo.” Thus, these two documents are complimentary with each other and are intended to advance “getting to the truth of the matter” regarding who’s specifically behind all this third-party interference/anti-competitive conduct clearly targeting “Louis Sanfilippo” and any business entity to which he’s been associated.

As you’ll also appreciate, specific names, including that of two “primary source entities,” are very clearly identified in “Document 2” (underlined, page 1). One of these “primary source entities” may not surprise you if you’ve been paying attention to this story. But the other one will, because no one’s ever heard of it, except a few people. That’s the point, namely, that its activity goes “unseen to the public” even as it’s central to what happens “under the surface” (*i.e.*, that unlawful behavior involving third-party interference). This speaks to the significance of “Document 3” that features **dramatic and highly aberrant** “business behavior” from that company, especially in view of its “timing” in “The Patent 813 Story” (as well in view of the timing of events featured in “Document 1” and “Document 2”).

Specifically, take a look at what happened on **February 28, 2013** and think about what would motivate a business to behave like that. Keep in mind that’s two days after Joe and I had our first phone communication regarding the 813 Patent, which itself was based on an initial email (of Feb. 11, 2013) in which I indicated to him that “... the Binge Eating Disorder IP is assigned to LCS Group, LLC and the depression IP to Lucerne Biosciences, both companies for which I am the exclusive/ full owner” followed by a number of other emails. In view of everything else, those highly aberrant business filings strongly support that this company is connected to “leakage” (*i.e.*, dissemination) of “813/Shire-related communications” to/from “Louis Sanfilippo” at that time. Considering that the company has been identified with the development and application of

## The Patent '813 Story, Part II -- Version 2

“deception-based intelligence technology,” that would nicely tie it to various intentional acts of deception perpetrated against LCS Group, LLC evidenced in communications with Shire beginning as early as Q1 2013 (per this morning’s email) though most dramatically featured in the *inter partes* review in what I’d called this morning “asymmetric warfare” -- or, to put it in legal claim terms, “anti-competitive conduct.” To better understand the connection, take a look at “Document 4” (from 2013) and see if it helps you more clearly put together the “whole story” behind Shire’s “deception-based” (*i.e.*, misrepresented) *inter partes* review petition for the 813 Patent. By now, do you think you that you have enough information to identify the “architect” behind that unlawfully misrepresented *inter partes* review petition that Shire filed with the Patent Board? I do, because I know more about the story than you do, but I’m writing it in a way that allows you to see more and more of its truth each day until it reaches its final end when each person involved in it is made accountable for their actions and behaviors.

Didn’t I tell you that this is a big story? But if you think that it’s sufficiently big at this moment in time, I can assure you that its “bigness” is only just beginning and only going to get bigger. That’s because there are unfathomable surprises coming just around the corner, ones that no one could possibly expect. Most notably is that undisclosed email communication that took place on Oct. 1, 2014 at 6:00 pm EDT (with its 107 page PDF document) -- **and, another email communication** that followed it at 7:00 pm EDT that involved a 70 page PDF document. Everything that you’ve been reading in this real-life story called “The Patent 813 Story, Part II,” since at least October 1, 2014, is premised on those two email communications.

What do you think those two “October 1 undisclosed email communications” were about? You wouldn’t believe me if I told you, which is why preparations were made back then so that you could “see the hard evidence” for yourself at such time that its disclosure is authorized by the team that has been running this show since then.

Best regards,

Louis

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENTS: “Document 1.pdf,” “Document 2.pdf,” “Document 3.pdf,” and “Document 4.pdf” all STRIPPED.**

**Monday May 11, 2015:**

**2 PM EDT:**

USPTO’s Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** and **“Image File Wrapper”** for **US Patent Application 14/464,249 “as of 2:24 PM EDT”** is available as a merged PDF at: [http://www.4shared.com/download/3hQ0r4-Wba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/3hQ0r4-Wba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Tuesday May 12, 2015:**

**10 AM EDT:**

## The Patent '813 Story, Part II -- Version 2

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF at:  
[http://www.4shared.com/download/CEFSIZCFba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/CEFSIZCFba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Important Information on Approaching the End of "The Patent 813 Story, Part II"**  
**Date:** May 12, 2015 8:00:10 PM EDT  
**To:** fornskov@shire.com, drtimothybrewerton@gmail.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, Ed Haug <EHaug@flhlaw.com>  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, David Farsiou <dfarsiou@bakerlaw.com>, Derek Denhart <DDenhart@CantorColburn.com>

**THE PURPOSE OF THIS EMAIL IS TO PROVIDE A PROSPECTIVE "REASONABLE PERSON" ON A JURY (OR "REASONABLE JUDGE") "HINDSIGHT PERSPECTIVE" ON THE NARRATIVE THAT THEY HAVE READ AS THAT NARRATIVE RAPIDLY APPROACHES ITS FINAL END. THE PURPOSE OF SENDING THIS EMAIL "TO" THE SEVEN INDIVIDUALS IDENTIFIED ABOVE IS TO HELP THE PROSPECTIVE "REASONABLE PERSON (OR JUDGE)" APPRECIATE THAT EVERY POSSIBLE AND IMAGINABLE EFFORT WAS MADE FOR OVER EIGHT MONTHS TO GIVE EACH OF THEM AND THE ENTITIES THEY REPRESENT AS MUCH OF AN OPPORTUNITY AS POSSIBLE TO CEASE THEIR ENGAGEMENT IN MISREPRESENTATION AND UNFAIR AND DECEPTIVE TRADE PRACTICES AIMED AT HARMING, DEPENDING ON THE GIVEN TIME, ONE OR MORE OF "LCS GROUP, LLC," "LUCERNE BIOSCIENCES, LLC," AND "LOUIS SANFILIPPO." THE FOUR "CC'D" INDIVIDUALS ON THIS EMAIL HAVE BEEN WITNESSES TO THESE EFFORTS.**

Dear Reasonable Person/Juror (or Reasonable Judge),

On behalf of LCS Group, LLC, this email is to provide you some "psychological, behavioral and cognitive profiling" through which you can look back on this real-life narrative to better understand the "psychological, behavioral and cognitive elements" of "practicing deception." After all, it's obvious by now that the *inter partes* review of U.S. Patent No. 8,318,813 was -- **and continues to be** -- an example of what may be some of the most calculated and pre-meditated acts of "practicing deception" ever witnessed in a legal venue. Which explains why you, the "reasonable juror (or judge)," are reading this email in a "communications transcript" that supports a legal complaint having the claims of misrepresentation and unfair business and trade practices.

The "narrative lens" through which to provide you these hindsight-based psychological, behavioral and cognitive insights on specifically **how** a given person "practices deception," at least for the purposes of this email, is the May 6 Shire "motion for sanctions" against Lucerne Biosciences submitted to the Patent Board by Ms. Kuzmich (downloadable in PDF at: [http://www.4shared.com/download/DqoemcZpba/Petitioners\\_Second\\_Motion\\_for\\_.pdf?lgfp=3000](http://www.4shared.com/download/DqoemcZpba/Petitioners_Second_Motion_for_.pdf?lgfp=3000) ). Ms. Kuzmich is the **accountable person** for submitting it to the Board, so let's look at the way in which **she has written it** with an eye toward better understanding **how** her "communication features" reveal the way in which she "practices deception" and the way in which she is "emotionally, behaviorally and cognitively organized" as she does so. In other words, let's use her outward behavior (*i.e.*, the motion's narrative itself) as a window to peer into what's

## The Patent '813 Story, Part II -- Version 2

happening “in her mind” as she communicates its narrative.

By this point, you're very familiar with the “art of eating disorders” as accurately represented in the medical literature countless times throughout this narrative (including even through the key IPR filings themselves that have been made a part of it) so you are also then very familiar with the extent and scope of Shire's misrepresentations of that art. That's important because it allows you to not be distracted by those things so that you can attend to the “communication patterns” in Ms. Kuzmich's motion that reveal her application of various “deception-based behaviors.”

While there are many ways to frame the contents of this email, perhaps the most effective way is to simply identify key features of “deception-based behavior” (five noted below) with supporting examples. But please take special note that you'll rarely ever find an instance, as in Shire's IPR for the 813 Patent, where “deception-based behavior” is so repeatedly and obviously practiced in a legal venue **by attorneys** who have a professional obligation to abide by the law and behave truthfully. That itself is an extraordinary thing, which helps put into perspective why you, the “reasonable juror (or judge),” are the one reading this email right now.

### 1. “Vagueness with Rigidity”:

There is virtually nothing substantive in Ms. Kuzmich's motion except that (i) “Dr. Sanfilippo” and “Byan Haygins,” on behalf of Lucerne Biosciences, LLC, communicated via email to various representatives of Shire, FLH and Dr. Brewerton, (ii) she's appalled by those communications as she perceives them baseless and inflammatory, (iii) she seeks sanctions against Lucerne Biosciences/Sanfilippo and even invalidation of the 813 Patent because the “email communications” represented “prohibited communications” that are sanctionable.

Let's begin with the most elemental thing on which everything in Ms. Kuzmich's motion rests. How does she define “prohibited communications”? Take note that there's nothing substantive she says about that, though it's very obvious that she essentially considers **every communication between “Lucerne Biosciences/Sanfilippo” as prohibited “unless signed by counsel.”** After all, there's nothing in her motion to suggest, or even merely identify, **anything whatsoever that can be rightfully communicated “outside the IPR” and “without counsel.”** This “cognitive position” of hers (as made self-evident simply by “seeing” it in her motion's “vagueness”), because it's so all-encompassing (that is it's “rigidity”), affords her motion that essential quality of “vagueness with rigidity.” Ms. Kuzmich's communication is a form of deception because she clearly knows that “communication prohibitions” **in the context of an IPR proceeding** simply can't be that all-encompassing in the way that she frames them in her motion.

Let's examine her motion's “communication features” in more detail. Ms. Kuzmich identifies nine emails/threads (*i.e.*, Exhibits 1073-1081) representing a good number of pages of text, yet do you see her provide any adequate characterization of even one of those emails/threads for the purpose of **accurately characterizing its contents and context**, and then placing that **accurate characterization of its contents and context** in the kind of framework that an attorney of her “profiled competence” would do in order to determine whether these “communications” rightfully belonged “inside the IPR” (*i.e.*, “prohibited unless signed by counsel”) or “outside the IPR” (*i.e.*, no need to be “signed by counsel”) ? Of course not. Further, as you'll recall from that email cc'ing the seven above-named individuals sent on May 7 (at 7:00 pm EDT), the most substantive “communication feature” of one of them used to support her motion's “line of reasoning” was entirely omitted! That was in Exhibit 1073 wherein the pdf attachment of LCS Group's Oct. 1 “Final Decision” email, which featured an exclusive option for an exclusive license, **was missing from the Exhibit.** Though take note that she doesn't say anything about the fact that she “omitted” the PDF attachment of LCS Group's “option agreement” (as even executed by LCS Group), but rather vaguely (yet rigidly) identifies that communication this way, “On December 21,

## The Patent '813 Story, Part II -- Version 2

Mr. Lucci forwarded an inflammatory email written by Dr. Sanfilippo, directing Mr. Haug to forward it to Shire's representatives. (See Ex. 1073, pp. 24).” You'll recall that “option agreement” from that October 1 “Final Decision” email (at 5:00 pm EDT), which itself was professionally drafted by lawyers who do this kind of (business) thing for a living; it's accessible at <https://app.box.com/s/wpnj13bxonvafobn0210> or in that May 7 (at 7:00 pm EDT) email cc'ing the seven above-named individuals (as that email features the forwarded Oct. 1 email itself), in the same it was accessible when Mr. Lucci presented to Mr. Haug on December 22 (at 8:32 am EDT) cc'ing Ms. Kuzmich with special instruction that this (forwarded) “Final Decision” be “passed along to Dr. Ornskov and Dr. Brewerton, as well as Ms. May, Mr. Harrington and Mr. Banchik.”

You can see Ms. Kuzmich's “cognitive problem,” which is that her reasoning rests on the assumption that the **content and context** of those nine communications (*i.e.*, Exhibits 1073-1081) **is completely irrelevant and unimportant to her motion in which she seeks sanctions against Lucerne/Sanfilippo**. Certainly, if the **contents and context** of those nine emails/threads were relevant or important, then she wouldn't have a motion to write because she would have recognized that everything she's written in her motion is baseless (as further characterized below). That her characterization of that “December 21 email” (featuring that Oct. 1 “Final Decision” email and its PDF'd “option agreement”) **omits its most important and substantive “communication feature”** (*i.e.*, its “business and trade feature”) speaks to just how “vague” her communication style is but also how “rigid” it is in that by her “standard of communication” effectively all communications of **any '813 Patent Owner** (after the Board's Dec. 23 Order) are prohibited except through the 813 Patent Owner's counsel.

So how does Ms. Kuzmich actually write a “baseless and unsupported motion” that's redundantly vague yet rigid. In order to do that, she has to work rather hard mentally by “selectively choosing” certain things to say while she concurrently **fails to disclose materially relevant and important information present in those emails that would contextually locate their relevance and importance “outside the IPR.”** After all, anyone instructed on basic legal teachings would soon know that IPRs are not used to address legal claims like “misrepresentation,” “unfair and deceptive trade practice” and “anti-competitive conduct,” nor are they a proper venue to handle sensitive intelligence matters (as might be related to CIA and/or NSA supported research programs that involve communication/perceptual dynamics and modeling). IPRs are used to address things like the “patentability of a patent.” That's their proper legal use. Their improper legal use, therefore, would be unlawful.

In this light, you can see that Ms. Kuzmich is working at cross-purposes against herself, trying to “use” a one legal venue (*i.e.*, the IPR) to address “legal claims” that belong to another legal venue (*i.e.*, a court of law involving a judge or jury hearing two sides, plaintiff and defendant, for a complaint). As a result, she is cognitively limited in the “mental constructs” she has in writing her motion, which makes it “vague with rigidity” -- or another way of putting it is that she is “cognitively restrained” to communicate her motion in a way that's “without any meaningful evidentiary support” but yet is “categorically strong in its conclusions and recommendations that are aimed at harming Lucerne/Sanfilippo.” By now this should be easy to see, because it's the cardinal feature of her “communication patterns” throughout the *inter partes* review.

So when Ms. Kuzmich writes in her motion that “The April 27 email (i) provides a hyperlink to a 181-page document that ‘analyz[es] extensive misrepresentations in [Dr. Brewerton's] Declaration on which Shire Development LLC's *inter partes* review petition was based’ (Ex.1076, p.1); (ii) states that it was **‘conclusively determined’** that Shire, its outside counsel, and Dr. Brewerton ‘intentionally engaged in an act of IPR2014-007395 fraud/misrepresentation, unfair deceptive trade practice, and anti-competitive conduct in its pursuit of the *inter partes* review of U.S. Patent No. 8,318,813” (id. at p.4); and (iii) refers to this IPR as involving ‘continuous anti-competitive conduct from its outset’ (id. at p.5),” you can see that she's **completely missing the most**

## The Patent '813 Story, Part II -- Version 2

**important point of all**, because those communications were not intended for the IPR. Rather, they were intended for you, the “reasonable person (or judge)” reading the email communications that tell you about all those legal claims she cites in her motion and the motivation that drives the “outward behavior” (*i.e.*, communications) of its main characters, like Ms. Kuzmich herself, to perpetrate them. That’s the entire premise of “The Patent 813 Story, Part II.” It has been since October 1, 2014. And it’s been communicated to you **exactly opposite** way the way that Ms. Kuzmich communicates, namely, with “high specificity yet lots of flexibility.”

You’ve read this narrative, including those nine emails/threads **in their proper context** that Ms. Kuzmich alleged were “prohibited communications” and therefore “sanctionable.” What do you think about her behavior and its motivation? Consider it this way: if Lucerne Biosciences never made those email communications to Shire/FLH representatives and/or Dr. Brewerton, then what are the chances that you -- the “reasonable juror” sitting on a jury (or “reasonable judge”) to evaluate Ms. Kuzmich’s (and Shire’s and Dr. Brewerton’s) behavior for its criminality -- would even have anything to read? That helps you understand the motivation behind what’s called “anti-competitive behavior.” It’s designed to kill the competition by restricting the competition from practicing its business lawfully. Does that sound like justice? Does it sound like getting to the “Patent 813 truth of the matter”?

Based on the narrative that you’ve read, do you think that there’s enough evidence to show that Shire, its outside counsel and its declarant acted unlawfully for all those unlawful things you’ve read take place in this real-life story? With that question in mind, put yourself in the mindset of someone like Ms. Kuzmich who’s stuck “behaving ‘badly’ all the time” and only knows how to do that because she’s “cognitive restrained” in a way that makes her repeat the same “bad (cognitive) habits” over and over. That helps you understand how she’s always working against herself and that the progression of time only makes it worse because it reinforces her “cognitive rigidity.” This helps put into “cognitive, psychological and behavioral perspective” the nature of her motion being particularly “vague with rigidity,” as any degree of “specificity with flexibility” would be a dead give-away of her “bad (cognitive) habits.” It also helps you see that behaving this way allows Shire and FLH to needlessly keep the IPR moving forward so that they can avoid facing the harsh consequences of intentionally practicing deception (*i.e.*, their “bad (cognitive) habit”).

One way to understand the motivational dynamics and behavior of Ms. Kuzmich and Mr. Haug, and Shire too, is to see that it’s “behaviorally analogous” to the psychological progression of Bernie Madoff as he deceived more and more people as his ponzi scheme got bigger and bigger to involve more people. In other words, you start small but once you’ve committed yourself to the “deceptive frame” the problem keeps growing and growing on that foundation, as does the motivation to keep it from coming into broad public exposure. It’s self-evident in view of the public facts of that ponzi scheme that Bernie Madoff became more and more “cognitively restrained” (*i.e.*, rigid, hardened) as the scheme grew and he made efforts to prolong its falling apart. This “cognitive restraint” or “hardening” is a function of fear of exposure. In this respect, the way to avoid accountability is to keep things “vague enough” so that the problem isn’t exposed but also to keep the “framework of behavior” rigid enough so that an abrupt or uncharacteristic change in behavior doesn’t disclose what you’re trying to hide.

With hindsight, it’s easy to see that the very emails that Ms. Kuzmich and her co-partner Mr. Haug have repeatedly sought to suppress “inside the IPR” were written for you “outside the IPR” so that you’d be able to determine (at this point in the narrative, with plenty of “behavioral communication evidence”) why each person has been motivated to behave as they have, including Ms. Kuzmich. That you’re reading this email itself proves that Ms. Kuzmich misrepresented the nature of a “prohibited communication,” as it proves that the communication she identified in her May 6 motion **as strictly within the scope of the IPR proceeding** served a

## The Patent '813 Story, Part II -- Version 2

materially important function “outside the IPR.”

You have the communication evidence, so make the judgment yourself as to whether Ms. Kuzmich (and Mr. Haug and Shire) intentionally sought to deceive for the purpose of interfering in business practice, including even with their successful effort to “expunge” that December 11 email from LCS Group (as filed in the IPR on December 12) that included on its thread the seven above-named individuals. You’ve read the narrative in its full context (including even that “expunged” Dec. 12 IPR filing) and that affords you the opportunity to understand the motivation and nature of Ms. Kuzmich’s communication patterns, like “vagueness with rigidity,” and its purpose.

### 2. “False/Conflationary Framing” and “Distraction.”

The IPR is clearly not the venue to determine whether Shire, its outside counsel and its declarant engaged in in “fraud and misrepresentation,” “unfair and deceptive trade practices,” and “anti-competitive conduct.” It’s logically inconsistent because its “frame” is for determining the “patentability of a patent.” Claims like “fraud and misrepresentation,” “unfair and deceptive trade practices,” and “anti-competitive conduct” are evaluated and tried in a court of law that’s designed for that specific legal purpose. But Ms. Kuzmich can be seen to “falsely frame/conflate” -- and therefore “distract” -- the “reader” of her motion from that most essential legal reality. She does it by trying to prohibit communications (via the threat of sanctions, adverse judgment, etc...) that are clearly intended for a different “legal frame.” In so doing, you can see **how** she’s trying to “conflatedly convince” the reader of her motion that such “legal claims” featured in those Lucerne emails (as would be featured in a lawsuit of the kind that you are “juroring” or “judging”) fall strictly “within the scope of the IPR proceedings” for which the Board requires that counsel sign communications. But for Mr. Lucci to involve himself in communications that are themselves designed to support legal claims in a complaint (*i.e.*, lawsuit) while he’s representing a company in an IPR proceeding that deals with “patentability matters” would put him in a conflict of interest, which is why he has no logical basis for being involved in such communications (much less “signing” them) and why such communications have no right to be “prohibited.”

All of this, of course, goes to show **how** Ms. Kuzmich’s repeated attention to these “legal claims” in her motion simply misses the most important point of those email communications. That important point is that those email communications were narratively framed to (i) highlight the unlawful behavior that is **not** the jurisdiction of an *inter partes* review, (ii) provide ongoing warning and notice to the seven above-named individuals (and the entities they represent) that this is where it’s all going until each of them (and the entities they represent) accountably disengage from such unlawful behavior, and (iii) be used as “behavioral communication evidence” for you, a “reasonable juror (or judge),” to render a verdict on those very legal claims.

“False/conflationary framing” is a classic “deception-based practice” and its objective is to “distract” the reader (or observer) from the core issue at hand. Remarkably, that “core issue” at hand in the May 6 motion is Ms. Kuzmich’s own “false/conflationary frame” intended to distract its reader from its entirely baseless and unfounded nature. This specific “deception-based practice” is ubiquitous in the communication patterns of Ms. Kuzmich and Mr. Haug, as well as in Dr. Brewerton’s Declaration (all of which you’ve read about in significant detail already so there’s no need to revisit it in this email). But it is worth re-emphasizing one point with respect to Mr. Haug’s “false/conflationary framing” in his December 22-23, 2014 email exchange with LCS Group attorney Joe Lucci involving his emails of Dec. 22 (at 12:43 pm EDT, 6:50 pm EDT) and Dec. 23 (at 3:48 pm EDT), **of which the latter is omitted in Exhibit 1073**. In his emails, Mr. Haug attempted to assert that the business terms of an “option agreement to a license agreement” are related to matters of patentability in an *inter partes* review proceeding. By now, you know that for Mr. Haug to assert that would mean that he’s either incompetent (as an attorney) or that he’s

## The Patent '813 Story, Part II -- Version 2

**intentionally** trying to “falsely frame” (*i.e.*, “conflate”) an important legal distinction to distract the reader of his email from the core issue at hand, namely, his engagement in misrepresenting the “business contents” of that December 21 LCS Group communication that Mr. Lucci provided him (on Dec. 22) with that signed Oct. 1 “Final Decision” option agreement. In other words, Mr. Haug is either incompetent (as an attorney) or he’s **intentionally** trying engage in unfair and deceptive trade practice aimed at harming LCS Group. This, of course, harkens us back to the way in which Shire’s IPR petition itself is based on falsely framing/ conflating “binge eating,” “binge eating disorder” and “bulimia nervosa” with each other, **as if** treatments for all three of them are inter-changeable, and also “falsely framing/conflating” eating disorders “with ADHD comorbidity” with eating disorders “without ADHD comorbidity,” **as if** stimulants were accepted for use inter-changeably in either clinical context. Can you see the patterned behavior pervasive **at every level**, from “Shire,” to its outside counsel, to its declarant? It’s all very obvious at this point in the narrative, isn’t it?

So when Ms. Kuzmich writes in her motion, “But nothing in the Orders specifies that only ‘patentability matters’ will be deemed ‘regarding this proceeding,’ and it is absurd to interpret the Orders so narrowly,” **does she provide any guidance about anything at all that can be discussed “outside the IPR proceeding” that wouldn’t involve her or Mr. Haug and Lucerne Biosciences’ counsel?** That itself is a “false/conflationary frame” through which Ms. Kuzmich wants you, the reader of her motion, to believe that everything involving the 813 Patent ought to be **mediated through her and the “IPR process.”** Considering that her “first Sept. 4, 2014 email” to Mr. Lucci specifically identified an interest in business negotiations (albeit illogically in the context of an IPR petition for which her “side” was supporting the obviousness/valuelessness of the 813 Patent and still waiting on the Board’s decision for a trial), you can see how Ms. Kuzmich has been consistently motivated from the outset to **exploit** the *inter partes* review “legal venue” to deal with matters that clearly fall **outside the scope of an IPR.** After all, companies interested in business negotiations, in the way that Shire and LCS Group agreed to be interested in when the two companies executed a CDA on October 24, 2013, don’t go to an IPR “to do business” - unless it’s motivated for other reasons, like wanting to harm the competition under the guise of an otherwise legitimate legal process (*i.e.*, the IPR).

So when Ms. Kuzmich writes in her motion, “But nothing in the Orders specifies that only ‘patentability matters’ will be deemed ‘regarding this proceeding,’ and it is absurd to interpret the Orders so narrowly,” you can see that she’s actually communicating the “narrowness” of her **own cognitive, psychological, behavioral position that narrowly confines just about every conceivable communication to fall “inside the scope of the IPR proceeding”.** That “false/conflationary frame” is an intrapsychic construct in her own mind, meaning that it’s her own “personal mental problem” that prevents her from framing the communication dynamics accurately (from a perceptual perspective) and in a way that would meaningfully enhance communications between the two businesses of Lucerne Biosciences and Shire (as was initially the intention between LCS Group and Shire when that CDA was mutually executed on October 24, 2013).

As a parenthetical note, Ms. Kuzmich’s communication behavior (*i.e.*, when she says “But nothing in the Orders specifies that only ‘patentability matters’ will be deemed ‘regarding this proceeding,’ and it is absurd to interpret the Orders so narrowly”) is a very good “psychodynamic example” of **how** a dictator thinks. After all, dictators seek to suppress free speech **unless** that speech conforms to what they want the “speaking party” to say, effectively putting her desired communication model in the “dictatorship camp” as her intent is to prohibit any non-conformative (from the dictatorship’s perspective) communications from Lucerne/Sanfilippo (*i.e.*, “free speech” from Lucerne/Sanfilippo). Surely, you don’t see any of that “dictatorship behavior” in any of Dr. Sanfilippo’s “communication behavior” (for whichever entity he is representing at any given time) because, to the contrary, you can see that all the communications made by him (in whichever

## The Patent '813 Story, Part II -- Version 2

capacity he makes them) by no means restricts or prohibits “free speech” but only invites it (and, further, neither he nor any company he represents would have any capacity to prohibit or restrict such “free speech”). This is the “communication basis” for all the emails you’ve read once Dr. Ornskov decided to ignore LCS Group’s communications in September 2014.

In view of the narrative that you’ve read, can you identify **anything at all** that Ms. Kuzmich has identified as “legitimate communication” that **wouldn’t** involve her or Mr. Haug and their role in representing Shire “inside the IPR”? Where do you think “business negotiations” fall in Ms. Kuzmich’s perception of “matters encompassed within the IPR proceedings”? Reconsider that first email from her on Sept. 4, 2014 that she sent Mr. Lucci about business negotiations. It was “in response” to an email from LCS Group/Sanfilippo to Dr. Ornskov/Shire three hours earlier and it **didn’t even cc** LCS Group/Sanfilippo who brought up business negotiations in the first place. Can you see the patterned nature of her behavior from Sept. 4, 2014 to May 6, 2015? It’s to **completely restrict, prohibit and deny the patent owner of the 813 Patent from having any meaningful communication whatsoever with Shire (especially business ones)**, which she attempts to accomplish by (among other deception-based practices) false/conflationary framing and distraction.

In this context, you can see that Ms. Kuzmich is also trying to say that the IPR proceeding is the appropriate place in which to address matters of fraud, misrepresentation and anti-competitive conduct, etc.... and the way to do that is by “punishing” Lucerne/Sanfilippo with sanctions and even an adverse judgment for even mentioning such legal claims in communications to Shire and its representatives. That’s like a double “false/conflationary frame,” because it not only improperly characterizes which communications fall inside/outside the IPR proceeding but also seeks to resolve those legal claims that belong to another “legal venue” by “punishing” Lucerne/Sanfilippo for even communicating them based on the company’s own analysis with its collaborators (like LCS Group). That’s exactly how dictatorships work, because dictatorships are premised on **no due process of law and no reasonable allowance of free speech**. The very name “dictatorship” speaks that reality. So now you can see **why** LCS Group/Sanfilippo and Lucerne/Sanfilippo were so motivated to communicate outside the IPR, namely, to establish an evidentiary basis for the legal claims in the complaint that you -- the reasonable person sitting on a jury (or judge) -- are adjudicating. And to also see the motivation behind this email sent “to” Shire representatives (*i.e.*, Dr. Ornskov, Mr. Harrington, Ms. May, Mr. Banchik), FLH representatives (*i.e.*, Ms. Kuzmich, Mr. Haug) and Dr. Brewerton on behalf of **LCS Group, LLC**, was emailed one day before the deadline for Lucerne Biosciences, LLC to file a motion in opposition to Shire’s May 6 “motion for sanctions.” That motivation for this email is, notably, to help you understand **how** things got from this point in time (of sending this email) to where you are at a future point in time reading about how things came to the filing of a complaint against those seven parties and the entities that they represent.

Apply your “hindsight perspective of today” to Ms. Kuzmich’s and Mr. Haug’s behavior since September 4, 2014. Do you see just how consistent it is and how repeated that “false/conflationary framing” and “distraction” is within it? That, of course, speaks to its willful and pre-meditated intent. And that, of course, is why you, the “reasonable juror (or judge),” are reading this email having first read its “disclaimer” at its beginning which indicated that one purpose of this communication was to provide Ms. Kuzmich (and the six others) notice for her/their unlawful behavior. That unlawful behavior would also include, in view of this email, any “misframing” (*i.e.*, misrepresenting) of the proper “legal venue” for addressing such legal claims in those allegedly “prohibited communications” that she alleges fall “within the scope of the IPR proceedings” and should have been signed by Lucerne’s counsel -- **and any harm that comes of it to Lucerne Biosciences, LLC**.

### **3. “Unfounded and Baseless Type Statements” That Themselves are Without Foundation**

## The Patent '813 Story, Part II -- Version 2

### or Base:

This is Ms. Kuzmich's "communication M.O.," in that anything she finds objectionable she characterizes as "unfounded and baseless" though doing nothing to provide sufficient **content and context** to "found and base" her own statements. You saw it in that email of hers to the Board on December 12 at 5:08 pm, to which LCS Group, LLC replied on Monday December 15 (via Mr. Lucci's email to Mr. Haug and Ms. Kuzmich at at 1:20 pm). Take note of how these two communications from December are so different in **how** they "found and base" their statements. Most notably, that December 15 LCS Group email provides very specific substantive points refuting Ms. Kuzmich's "baseless and unfounded statements" to the Patent Board in her Dec. 12 email, of which you'd appreciate that (i) the 181 page pdf emailed to Dr. Ornskov Nov. 13 the prior month was also designed to pre-emptively refute with many "**founded and base-ful examples**" (as referenced in that Dec. 15 email) and (ii) it raised the question as to why Dr. Ornskov still hadn't asked for those two additional versions of "IPR analysis" that LCS Group/Sanfilippo had offered to provide him in emails sent to him on Sept. 4 and 12. In this context, what do you think about the motivation driving Ms. Kuzmich's "style of communication" to be "unfounded and baseless." You're the judge of that, because you're the juror (or judge) reading this narrative to determine if Ms. Kuzmich repeatedly committed crimes in which she was **consciously motivated to practice deception** (*i.e.*, misrepresent what she knows is true) to engage in unfair trade practice aimed to harm a "competitor company."

Specifically, look at when writes in her motion, "The prohibited emails from 'Dr. Sanfilippo' and 'Byan Haygins' contain rampant unfounded allegations, misrepresentations, and threats against Shire and Shire's representatives"? That's the **same exact language** (*i.e.*, "unfounded allegations, misrepresentations, and threats") she used in that December 12 email to the Board. You've read the alleged "prohibited emails," as well as all the other emails that provide the **proper narrative context** to understand their relevance and importance. So whose "**style of communication**" is based on "unfounded allegations, misrepresentation, and threats"? Could it be any clearer? From a psychodynamic and behavioral perspective, that's what you called a "behavioral externalization" of one's own "intrapsychic position." In other words, Ms. Kuzmich is actively characterizing - in real-time **through her own communications -- her own way of thinking**. Why does that happen? It happens because she represses the significance -- which are some highly unpleasant feelings brewing inside of her mind -- of Lucerne's telling her via email she (and her client Shire) have a very big problem that imminently is going to get worse. That problem is that she (and her client Shire) can be shown to have willfully broken the law (with specific legal claims identified, including with evidentiary support on the record that was even presented to her and her client Shire) and she (and her client Shire) continue to break the law without any regard whatsoever, as if that's her *raison d'être* in this IPR proceeding. When someone has that much "trouble" playing out "intrapsychically" (*i.e.*, "inside their mind"), the mind has a way of "defending" the sheer distress of it by distorting reality to make things emotionally feel more acceptable. That's why Ms. Kuzmich attacks Lucerne's "style of communication" in what is really her own "style of communication," namely, because its more "emotionally acceptable" to her.

By now you have a good sense of Ms. Kuzmich's communication style and the cognitive, psychological and behavioral position from which it emerges, and you know Dr. Sanfilippo's regardless of which entity he's representing. Really, who do you think is the one who has made "rampant unfounded allegations, misrepresentations, and threats"? Could it be any more obvious?

### 4. Projection and Splitting:

This is the "emotional core" of Ms. Kuzmich's deception-based behavior, namely, its "defensive

## The Patent '813 Story, Part II -- Version 2

posture” psychologically and what motivates her communication behaviors that include (i) “vagueness with rigidity,” (ii) “false/conflationary framing” and “distraction,” and (iii) “unfounded and baseless type statements without foundation or base.” Certainly, when there’s nothing substantive to say about something and one’s psychological position has been to rely on “fantasy” (*i.e.*, that she **wishes** she were disclosing things truthfully when she’s clearly not, even if only by omission or failure to disclose relevant/important information), this leads to an amplification of “projective” and “splitting” defenses. These are “fantasy-based defense mechanisms” that work in tandem and which feature distortions of reality whose “psychological function” is to ease the defensive person’s inner turmoil (*i.e.*, “projection”) and also find a way out of it with a “collusive partner” (*i.e.*, “splitting”).

More specifically, it means that Ms. Kuzmich feels a lot of unacceptable things internally, namely, that she’s in a lot of self-conflict, saying things that she can’t effectively support (as she’s already done), and making more of a mess of everything with each passing communication -- **but** she wants to inaccurately attribute all those unacceptable feelings and problems as emerging “outside herself,” **as if** they’re not her own. This leads her to inaccurately attribute “to Sanfilippo” and/or “to Lucerne Biosciences” all those unpleasant things within herself that relate to “the mess” that she has caused by making it a pattern to repeatedly engage in deceptive acts. The mental process of inaccurately attributing “to Sanfilippo” and/or “Lucerne Biosciences” all of **her own unacceptable feelings** -- **as if** “Sanfilippo” and/or “Lucerne Biosciences” were accountable for them and they were of “Sanfilippo’s” and/or “Lucerne Biosciences” own causing -- is called “projection.” It’s a way (albeit often “unconsciously”) of “psychologically escaping emotional accountability.” In this respect, those skilled in the art of psychodynamic assessment recognize that “projection” is an immature, primitive defense mechanism based on a “fantasy-based perception of reality” that distorts reality to allow its “projector” to more easily tolerate all that’s unacceptable within themselves, which you can see behaviorally expresses itself by “blaming” or “accusing” someone else for “the problem.” That’s the “emotional driver” behind Ms. Kuzmich’s May 6 “motion for sanctions.”

By now, you know “Dr. Sanfilippo” pretty well, because he’s represented himself through his companies pretty well in the story that’s been written for you to read (by him along with some formidable professional help along the way), with lots of detailed and well-written information on eating disorders, the law (from patents to torts), behavior (group and individual), etc..., more than you can find in some college or graduate level courses. So who’s got “the mess,” “the problem,” “the unacceptable feelings”? Who’s “psychologically and behaviorally accountable” for having made “the mess” and “the problem” that has warranted this extensive communications transcript to help you, the “reasonable juror (or judge),” decide whose responsible for “cleaning it up”? Putting it “psychodynamically,” who’s been doing all the “projecting” that attempts to confusingly prolong the fantasy that they won’t have to be held “emotionally accountable” for their behaviors that blame and accuse the wrong parties? Who’s been trying to inaccurately make another party (“Lucerne/ Sanfilippo” or “LCS Group/Sanfilippo” before it) accountable for their own many and profound misjudgments, errors and unlawful behavior -- and all those unacceptable feelings that go with it?

But to really see how “projection” is “behaviorally communicated” simply look at **how** Ms. Kuzmich uses language in her motion to characterize **any communication** that emerges from Lucerne/Sanfilippo (or LCS Group/Sanfilippo before it): “inflammatory,” “harassing,” “flagrant disregard,” “intimidating,” “threatening,” etc..... Take note also that she doesn’t ever frame her accusations in terms of legal claims (as Lucerne Biosciences and LCS Group has), which gives you a sense that she knows better than to misrepresent that information on the written record. Rather, her “M.O.” is to engage in “projectively-based communication patterns” to express her accusations. In this respect, it is **very motivationally revealing** that the one email **omitted** from that December 22-23 Haug/Lucci email exchange in Exhibit 1073 (*i.e.*, the email

## The Patent '813 Story, Part II -- Version 2

from Mr. Haug to Mr. Lucci on December 23 at 3:38 pm EDT **on which she was cc'd**) substantively involved that December 26 LCS Group press release imminently planned for issue. In it Mr. Haug stated, "We strongly urge that Dr. Sanfilippo refrain from further publishing these communications, which contain threatening and libelous statements that are tortious when publicly disseminated. Please be on notice that FLH, Shire and Dr. Brewerton are considering all options, including legal action against you [Mr. Lucci] as well as your client." What would have motivated Ms. Kuzmich to **omit** that Dec. 23 email between Mr. Haug and Mr. Lucci in her Exhibit 1073 titled "December 22-23, 2014 Email Chain Between Ed Haug and Joseph Lucci"? All the behavioral evidence suggests that Ms. Kuzmich consciously recognized that the "communications transcript" planned for issue in that Dec. 26 LCS Group press release (of which you are very familiar as the emails between Oct. 1 and Dec. 26 were written for you) was truthful -- and, therefore, there was no legitimate basis for Mr. Haug to make the "legal claims" that he did in that email. That goes to show how calculated and pre-mediat[ed] Ms. Kuzmich's "misrepresentation" in the IPR proceeding must have been (by failure to disclose a materially relevant communication in Exhibit 1073, Mr. Haug's Dec. 23 at 3:38 pm email). Certainly, the "IPR proceedings" aren't the proper legal venue to take action on that kind of behavior.

Let me add one other point about "projection." It's insidious and it spreads like wildfire through a defense mechanism known as "projective identification" in which a "reciprocating partner," or "reciprocating group" (as might be the case of two sides engaged in "asymmetric warfare" or "symmetric warfare") buys into "projection" or "fantasy." It's basically like a "second round" of "projection" that can even be exponentially proliferated when many people are involved in the communication dynamic. In other words, when Ms. Kuzmich "projects" all that unacceptable emotion within herself for being stuck in a mess (for which she is "psychologically and behaviorally accountable") by inaccurately attributing those unacceptable feelings to "Lucerne/Sanfilippo," she wants you, the "reader" of her motion, to "buy into" all those unacceptable feelings too, **as if** she doesn't have "the problem" but "Lucerne /Sanfilippo" have it. In view of this narrative, you can think of it as the "psychological means" by which "deception-based practices" are communicated to others and others "buy into" them. When "projective identification" is sufficiently intense, it leads people (or groups-as-a-whole) to "act out" on whatever it is that they're "buying into."

In this light, Ms. Kuzmich's "emotional appeal" to the Board that is "accusing of" Lucerne/Sanfilippo, though without any evidentiary support to her statements, is based on heavy regressive projecting having the motivational intent to "emotionally compel" the Board to first "projectively identify" with her feeling state (*i.e.*, Lucerne/Sanfilippo is to blame, damn them!) and then "act out" what are really her own unacceptable feelings, as by the Board "punishing" Lucerne/Sanfilippo through sanctions and even invalidating the company's patent, when all Lucerne/Sanfilippo have been trying to do is **communicate the truth of the matter to you**, the reasonable reader of "The Patent 813 Story, Part II," so that you can decide on its final resolution. That's the final objective, namely, to make everyone's psychological and behavioral position **completely transparent so that they have to be accountable for it**. LCS Group/Sanfilippo made that very clear to Dr. Ornskov in the company's email to him on Sept. 22 (at 1:07 pm EDT, cc'ing Ms. May, Mr. Harrington and Mr. Banchik), "in the spirit transparency and accountability...everything that I have written to you has been for a specific objective. As Shire's CEO you should know that objective, which is to make those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions."

In this light, you can think of "acting out" as the "outward behavioral expression" of "projective identification" (the latter having more to do with the "inward mental disposition" driving "outward behavior"). When that projectively-based "acting out," that itself is "deceptively-based" (as "projection" is mentally based on a perceptual distortion of reality to ease unacceptable feelings), involves the alignment of two parties "against a third," that's called "splitting." Or you might say

## The Patent '813 Story, Part II -- Version 2

“projection-based splitting.” Ms. Kuzmich’s “projective behavior” is intended to “drive a split” that emotionally invites the reader of her motion (as in the Board or anyone else reading it) to “buy into” her motion as “substantiated and base-ful” and therefore worthy of one’s behavioral action **against Lucerne /Sanfilippo**. But the psychological basis for that “split” is based on a distortion of reality to ease her unacceptable feelings that effectively takes place within her own mind as it struggles to differentiate “fantasy” (*i.e.*, her deception-based practice as repeated many times on IPR record) and “reality” (*i.e.*, truth in her own mind recognizing she willfully practices deception), of which her “motion for sanctions” is really far more “fiction” than “reality.” You know that by the way it’s written: vague, conflated and baseless, with remarkable omissions of materially relevant and important information.

Ms. Kuzmich’s “cognitive, psychological and behavioral problems” are a “downstream effect” of engaging in deception-based practices for over eight months. That’s the time from which she began them in her first communication with Mr. Lucci on September 4 that itself reveals **how** she was unlawfully exploiting the *inter partes* review for unfair and deceptive business trade practice (*i.e.*, to conduct business negotiations). You can appreciate that because you know it’s irrational (and stupid) to spend time and resources to go to an IPR to “conduct business negotiations,” for which the two companies were even in a contractual confidentiality agreement to “conduct business negotiations” -- unless you want to do it unlawfully. This unlawfulness is also supported in that Sept. 4 communication in which Ms. Kuzmich attempted to “misrepresent” Mr. Lucci’s “client” as “Dr. Sanfilippo” when she knew from the June 2 “Certificate of Service” in the IPR that Mr. Lucci was representing patent owner LCS Group, LLC.

The hardened nature of Ms. Kuzmich’s “projectively-based fiction” taking place in her own mind sheds light on how it is that Shire’s IPR petition so extensively misrepresented the eating disorder art. In other words, the hardened nature of Ms. Kuzmich’s **motivation** to repeatedly engage in deceptive acts supports that the IPR was a pre-medit[ate]d and well-calculated act of fraud and misrepresentation to engage in unfair and deceptive trade practice through a “behaviorally leveraged split” **against the patent owner of the 813 Patent and with the intent to harm -- and continue to harm -- the patent owner of the 813 Patent.**

### 5. Reaction Formation:

When Ms. Kuzmich says in her motion “By disparaging the competence and integrity of Shire’s Representatives via proscribed communications, Lucerne’s harassment threatens to harm the reputation of Shire’s Representatives,” she engages a defense mechanism called “reaction formation.” That’s when a person feels sufficient emotional distress caused by unacceptable feelings that their behavior is driven in an exactly opposite direction. Follow the line of reasoning to understand the nature of Ms. Kuzmich’s “reaction formation”: you’ve seen that all LCS Group, LLC, Lucerne Biosciences, LLC and Dr. Sanfilippo have **consistently and collectively done** is attempt to **spare** Shire’s representatives “harm of reputation,” **for who or what company(ies) would go to such extraordinary lengths to repeatedly warn the same seven people representing three different entities that their behavior was bound to cause them problems if it persisted, with each warning expanding and contributing evidence to support legal action if that behavior continued.** Remember, that first email LCS Group sent to Dr. Ornskov on Sept. 4 didn’t even get into the details of the “smoking gun” of Surman and Biederman’s publications, but discreetly let Dr. Ornskov know that he and Shire ought to investigate those references for their implications. That’s trying to “spare” Shire and its representatives “harm of reputation,” as well as spare FLH and its representatives and Dr. Brewerton “harm of reputation.” But then, after repeatedly being ignored, LCS Group, LLC and then Lucerne Biosciences after it wrote hundreds of pages of educational material (communicated to them no less) to help them see that their behavior was being observed. This puts into perspective the motivation for this narrative that’s been written for you to read (including the

## The Patent '813 Story, Part II -- Version 2

Lucerne IPR filings, like that Jan. 27 one that gets right to the heart of Shire's "IPR misrepresentation problem").

The "reality of the situation" is that Ms. Kuzmich's behavior -- and that of her co-partner Mr. Ed Haug -- **has already threatened to cause, and is actively threatening to cause**, Shire and its representatives **massive harm** (and Dr. Brewerton and themselves too) by putting all of them in a **completely untenable position** in this *inter partes* review and also outside of it, for what's outside of it are **multiple legal actions that have been skillfully framed by a skilled team for imminent action by four closely collaborating entities and a very good behavioral profiling team**. But consider it this way, none of that should be any surprise to any of them, because it was all being done transparently. You know the legal claims, which range from one's directed to misrepresentation/unfair and deceptive trade practices to one's involving "class action" based on management incompetence leading to significant devaluation in Shire Plc stakeholder equity, and you also know how they've been seamlessly integrated and transparently communicated in this real-life story that you've been reading to make sure that these problems are completely and permanently resolved. That's the purpose of "The Patent 813 Story, Part II."

So Ms. Kuzmich has it **all wrong** in her motion, because it is her and Mr. Haug that have threatened -- **and continue to threaten** -- the reputation of Shire and its representatives, as well as the reputation of herself and Mr. Haug, her law firm, and Dr. Brewerton too, because she and Mr. Haug are the ones who **continue to make** "problematic representations" on the public record based on "deception-based practices" rather than "accurate representations" based on "truth-based practices" that involve evidentiary support. Look back to that "first email" that LCS Group/Sanfilippo emailed Dr. Ornskov (on Sept. 4) and see if it doesn't make perfect sense in view of "today's hindsight" that anticipated "today's circumstances" of your "reading" this email:

"The reason for my email is to bring to your attention serious problems with representations made on the public record by Shire's outside counsel and its declarant, Dr. Timothy Brewerton. I believe that it is your fiduciary responsibility as the company's CEO to know about these problems and promptly address them, as they are highly relevant to the interests of Shire's shareholders, its affiliates and even, potentially, its prospective business partners and/or acquirers. As this matter has broad legal implications, I have copied Shire's General Counsel and Chief IP Counsel on this email."

You, the "reasonable person (or judge)," have come a long way in reading this extraordinary narrative called "The Patent 813 Story, Part II." So here's an important question for you as you get very close to its final end. What do you think "at the core" motivated Shire and its representatives to repeatedly "hide behind" FLH's Ms. Kuzmich and Mr. Haug, even for business negotiations? Why did Shire effectively work so hard to hide themselves from any accountability on the written record? Another way to look at it is to ask, why have Ms. Kuzmich and Mr. Haug worked so hard **in their communications** to restrict Shire's communication to/from "Dr. Sanfilippo" in whatever authorized capacity he'd be able to speak or act in? In other words, why are Ms. Kuzmich and Mr. Haug so exclusively focused on restricting "Dr. Sanfilippo" from any kind of direct communication with Shire representatives? When one party (*i.e.*, Shire) is so clearly evidenced to repeatedly hide behind another (*i.e.*, FLH) and thereby avoid any accountability (whether in matters involving "business" or concerns about the lawfulness of the second party's behavior), it strongly supports a highly pre-medi[t]ated and collusive partnership in which the two parties are behaviorally enacting a "good cop/bad cop dynamic" where both "cops" want the alleged perpetrator to take a fall regardless of his/her guilt or innocence but only want one of them to be "seen on the record" as "behaving badly" (note: the "cop metaphor" herein used only for "generic behavioral characterizations"). That's "behaviorally analogous" in this narrative to the two companies (via their respective representatives) working in different ways (*i.e.*, "bad behavior

## The Patent '813 Story, Part II -- Version 2

company" - FLH; "good behavior company" - Shire) to engage in unlawful behavior aimed at harming the patent owner of 813, though only one of them can be "seen on the record" to be doing the "dirty work" (*i.e.*, FLH)

But for two partners in a boutique NYC law firm to support the degree of willful and calculated unlawful behavior that's so well-evidenced in the record that you've read, it would strongly suggest that Mr. Haug and Ms. Kuzmich have a very serious "conflict of interest." In other words, it's hard to believe that they could be that "sociopathic" (as evidenced in the record that you've read). What could that "conflict of interest" be? That might help explain the "motivational source" for why you, the "reasonable juror (or judge)," are reading "The Patent 813 Story, Part II." Based on the narrative you've read, do you think that it could in any way be related to the publication attached below titled "Efficacy of Modified Cognitive Interviewing, Compared to Human Judgments in Detecting Deception Related Bio-Threat Activities" (*i.e.*, the same "Document 4" from May 10's email) that was published in the fall of 2013 in the "Journal of Strategic Security" and co-authored by two Yale faculty members that I personally know?

To understand if that 2013 publication could in any way be related to a serious "conflict of interest" involving Mr. Haug and Ms. Kuzmich, let's look at the publication's contents in more detail in view of the narrative that you've read. You've already learned from this narrative (*i.e.*, in the email of May 10 at 7:04 pm EDT) that its publication date was in the temporal vicinity that "Shire LLC" entered in a CDA with "LCS Group, LLC" to discuss "the business opportunity involving U.S. Patent No. 8,318,813 and related applications" but then soon after abruptly and unexpectedly changed their "inter-company behavior" to begin preparations for that May 2014 IPR petition that alleged the 813 Patent was unpatentable and therefore valueless. You've also learned from that May 10 email that one of the companies identified in it behaved very oddly on February 28, 2013, which was just two days after LCS Group/I had that "first communication" with then Woodcock Washburn's Mr. Lucci to discuss events related to the 813 Patent.

Now with that in mind, take a look at the 2013 study itself, namely, its "essential features." That study investigated the nature of "detecting deception" in which two groups were organized, one instructed to "practice deception" (*i.e.*, lie) and the other to "practice the truth" (*i.e.*, tell the truth), and in which a skilled "law enforcement interviewer" (*i.e.*, with experience in credibility assessment) was asked to make a determination as to whether "the person" playing the role of a "scientist" (coming from either of the two groups) was "lying" or "telling the truth" on matters that "involved national security" (*i.e.*, bio-threat). That's a remarkable "study design" in view of this narrative that you're close to finishing because you couldn't find a more polarized representation of people/groups "telling the truth" and "deceiving" (as in this 2013 study) than is clearly evidenced in the IPR of the 813 Patent with Shire, FLH and Dr. Brewerton on the "deceiving side" and LCS Group, Lucerne and Sanfilippo "telling the truth side."

As a "reasonable juror or judge" reading this narrative, then, you have to wonder if Shire's, FLH's and Dr. Brewerton's "deception-based practices" (as obviously and repeatedly observable in the *inter partes* review of the 813 Patent) may have been the result of a profoundly serious "conflict of interest" introduced to them by people/entities related to that 2013 study designed to advance intelligence research involving deception detection in "deceivers" vs. "truth tellers." That would certainly explain a profoundly serious "conflict of interest" that may have motivated Mr. Haug and Ms. Kuzmich (in collusion with Shire and Dr. Brewerton) to behave as unlawfully as they have, and as "repeatedly unlawfully" as they have.

With that in view, you -- the "reasonable juror (or judge)" -- are coming to that point in the narrative where you will have all the evidence you need to come to your conclusion regarding the legal claims involving the complaint supported by this communications transcript. That's because this narrative has been designed to finally end at such time that LCS Group, LLC, in collaboration

## The Patent '813 Story, Part II -- Version 2

with (i) Lucerne Biosciences, LLC, (ii) Louis Sanfilippo ("the person"), (iii) that one "undisclosed business entity" disclosed to you on May 9 (at 1:00 pm EDT) though which hasn't yet been disclosed (at the time of sending this email) to any of the above-named individuals because none of them were on that May 9 email thread and (iv) the behavioral profiling team, has determined that there is ample "behavioral communication evidence" for you to determine, beyond any reasonable doubt, whether Shire and its representatives, FLH and its representatives, and Dr. Brewerton acted unlawfully.

This, of course, brings things to the bigger part of the story that is the reason for why you have been reading this narrative as its been framed of late, namely, having to do with matters of intelligence, national and strategic security interests, etc.... Think about the first sentence in that intelligence article's abstract, "National security professionals have few scientifically valid methods of detecting deception in people who deny being involved in illicit activities relevant to national security." So far in the narrative, there's not one individual who's come forward to state that they're involved in illicit activities relevant to national security, but you've heard it from me in my role as CEO of LCS Group, LLC, Manager/Member of Lucerne Biosciences, LLC, and "myself, Louis Sanfilippo" (*i.e.*, the "person") that this "Patent 813 Story" is matter of national security and that there have been illicit activities relevant to it. So what does that mean in view of the intelligence experts who published that 2013 article seeking to advance the art of "detecting deception" for national security interests. One thing it means is that "The Patent 813 Story, Part II" that you have been reading -- and are about to finish -- **features the methodology of detecting deception** in people who deny being involved in illicit activities relevant to national security. And that **methodology of detecting deception** has been especially prepared for you, the "reasonable juror (or judge)," to not only accurately identify that illicit activity in its perpetrators but also to reasonably and justly bring it to its final and permanent resolution.

Now here's a twist to the story, as there are always surprises to it. What if I told you that those two email communications of October 1, 2014 (at 6:00 pm EDT and 7:00 pm EDT) that still have yet to be disclosed (except to the "truthful side" on which LCS Group resides) were important "intelligence debriefing materials" only authorized for disclosure at such time that this "Patent 813 Story, Part II" was brought to its "final resolution," at which time LCS Group/I would be given the

"security clearance" to provide them to you? And what if that "intelligence debriefing material" was nicely packaged in a 107 page PDF to be read first and a 70 page PDF to be read second, to explain through certain "communications" (including "declassified" ones) the nature of this intelligence protocol **initiated during the IPR** to bring it to its "final resolution," all done lawfully to secure important intelligence interests involving human consciousness, perceptual dynamics and communication?

Well I can tell something now that may just blow your mind. That's exactly what those two communications from October 1, 2014 are all about, but they're disclosure is only authorized upon completion of certain pre-determined criteria for "final resolution." Those criteria require that the seven people on the "TO" part of this email thread, and the entities that they represent, are made accountable for their actions and behaviors. In that sense, this "intelligence debriefing information" would only come after you, in your role as the "reasonable juror (or judge)," make your "final decision" on the "final resolution" of this legal matter that involves "Shire" and its representatives (*i.e.*, Dr. Ornskov, Mr. Harrington, Ms. May, Mr. Banchik), Frommer, Lawrence & Haug, LLP and its representatives (*i.e.*, Mr. Haug and Ms. Kuzmich), and Dr. Timothy Brewerton. This way, "The Patent 813 Story, Part II" begins and ends with the truth of the matter, with complete transparency and accountability for each of its key participants. This may provide some perspective on why one of those PDF'd documents involves "Part I" of "The Patent 813 Story."

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: "Document 4.pdf"** is available in PDF for download at:  
[http://www.4shared.com/download/RFWCdDg9ba/Document\\_4.pdf?lgfp=3000](http://www.4shared.com/download/RFWCdDg9ba/Document_4.pdf?lgfp=3000)

**Wednesday May 13, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/rkKhesrnba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/rkKhesrnba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**7:00 PM EDT:**

### **LCS Group Announces Exclusive License from Lucerne Biosciences to Commercialize '813 Patent and '249 Application through Shire's Marketing of Lisdexamfetamine Dimesylate for Binge Eating Disorder**

NEW HAVEN, Conn., May 13, 2015 /PRNewswire/ -- LCS Group, LLC announced today its exclusive license from Lucerne Biosciences, LLC to commercialize U.S. Patent No. 8,318,813 and U.S. Patent Application No. 14/464,249, both titled "Method of Treating Binge Eating Disorder" ("BED"). LCS Group's exclusive license is part of a unique strategic collaboration with the intellectual property's owner, Lucerne Biosciences, with further details of the collaboration soon to be announced. LCS Group's commercialization of the '813 Patent and '249 Application is planned through Shire US Inc.'s national marketing campaign of the drug lisdexamfetamine dimesylate ("LDX") to treat BED.

The '813 Patent's and '249 Application's claims both encompass the use of LDX to treat BED, with the '249 Application featuring methods that include "informing a patient that LDX is therapeutically effective for treating BED," as by "a flyer, an advertisement, a package insert for a pharmaceutical product, printed labeling, an internet website, an internet pop-up window, or information on a compact disk, DVD, or an audio recording."

"This exclusive license to commercialize Lucerne Biosciences' intellectual property for a drug recently approved by the FDA to treat BED and currently marketed by Shire for that purpose is an important step forward in bringing much needed public attention to the proper diagnosis and treatment of BED. Public misconceptions on diagnosing and treating of BED have abounded, even among healthcare professionals and the pharmaceutical industry. LCS Group has taken unprecedented actions to publicly clarify them through its novel commercialization platform, collaboration with Lucerne Biosciences, and even Shire's own solid marketing efforts. With LDX the first and currently only FDA approved treatment for moderate to severe adult BED, there's no better time than now to educate the public-at-large on how to properly diagnose and treat this serious disorder," said Louis Sanfilippo, M.D., CEO of LCS Group.

## The Patent '813 Story, Part II -- Version 2

### About LCS Group, LLC

LCS Group is a privately-held intellectual property development and commercialization company focused on novel therapies to help people suffering from psychiatric disorders and other behavioral health problems.

### About BED

BED is a serious eating disorder. BED's DSM-V® criteria include eating unusually large amounts of food in a discrete period of time (i.e., within a 2 hour period) and a sense of lack of control over eating during the episode with binge eating episodes associated with at least three (or more) of the following: eating much more rapidly than normal; eating until feeling uncomfortably full; eating large amounts of food when not feeling physically hungry; eating alone because of being embarrassed by how much one is eating; feeling disgusted with oneself, depressed or very guilty after overeating. Additionally, marked distress regarding the binge eating is present and the binge eating occurs, on average, at least once a week for 3 months; also, the binge eating does not occur exclusively during the course of bulimia nervosa or anorexia nervosa.

### About Lisdexamfetamine Dimesylate

Lisdexamfetamine dimesylate (l-lysine-d-amphetamine) is an amphetamine prodrug approved by the FDA to treat moderate to severe BED in adults. LDX is also FDA approved for the treatment of Attention-Deficit/Hyperactivity Disorder (ADHD).

### Inquires/Business Development

Inquiries about potential business opportunities (i.e., a license to the '813 Patent and/or '249 Patent Application) are best emailed to [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com). Inquiries about potential "class (legal) actions" (i.e., "class of Shire Plc shareholder") are best emailed to: [lsanfilippo@lucernebiollc.com](mailto:lsanfilippo@lucernebiollc.com). Supplemental information that highlights the value proposition for potential business opportunities, as well as identifies prospective members of a "class" for a potential "class (legal) action," is available in a PDF titled "The Patent 813 Story, Part II" at: [http://www.4shared.com/download/LpqSz0PYce/The\\_Patent\\_813\\_Story\\_Part\\_II.pdf?lgfp=3000](http://www.4shared.com/download/LpqSz0PYce/The_Patent_813_Story_Part_II.pdf?lgfp=3000). The '813 Patent is available in PDF at: [http://www.4shared.com/download/XNMle7iGba/US\\_Patent\\_No\\_8318813.pdf?lgfp=3000](http://www.4shared.com/download/XNMle7iGba/US_Patent_No_8318813.pdf?lgfp=3000).

Media Contact:Louis Sanfilippo, MDCEO, LCS Group, LLC203-362-8919

U.S. Patent No. 8,318,813/Method of Treating Binge Eating DisorderU.S. Patent Application No. 14/464,249/ Method of Treating Binge Eating Disorder

SOURCE LCS Group, LLC

**Thursday May 14, 2015:**

**1 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 1:23 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/ZI0lhSpUce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/ZI0lhSpUce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**From:** Kuzmich, Sandra [<mailto:SKuzmich@flhlaw.com>]  
**Sent:** Thursday, May 14, 2015 3:38 PM  
**To:** Trials  
**Cc:** shire.ipr.813@flhlaw.com; Lucci, Joseph; 'Farsiou, David'; Haug, Ed  
**Subject:** FW: IPR2014-00739 (U.S. Patent No. 8,318,813)

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Further to the email dated May 8, 2015 (*see below*), Petitioner wishes to inform the Board that subsequent to the filing of Petitioner's Second Motion for Sanctions (Paper 27, May 6, 2015 ("Second Motion")), Petitioner, counsel for Petitioner, and/or declarant for Petitioner received multiple prohibited communications from Dr. Sanfilippo, named inventor of the '813 patent, in violation of the Board's Orders. These email communications, some with attachments, are identified below by their dates and known recipients:

May 7, 2015 (with attachment), to Shire, Shire's outside counsel, and declarant Dr. Brewerton;  
May 8, 2015, to Shire, Shire's outside counsel, and declarant Dr. Brewerton;  
May 9, 2015, to Shire;  
May 10, 2015, to Shire; and  
May 12, 2015 (with attachment), to Shire, Shire's outside counsel, and declarant Dr. Brewerton.

Petitioner notes that while Patent Owner did not file an opposition to Petitioner's Second Motion on May 13, Patent Owner did issue a press release with a hyperlinked document that is related to this IPR. Petitioner seeks permission to submit, along with the above-identified emails, this May 13 press release and hyperlinked document for consideration by the Board in connection with Petitioner's two pending motions for sanctions. Petitioner is available for a conference call if it would be helpful to the Board.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject: Re: IPR2014-00739 (U.S. Patent No. 8,318,813)**  
**Date:** May 14, 2015 7:40:06 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>  
**Cc:** [fornskov@shire.com](mailto:fornskov@shire.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com)

**THIS EMAIL IS FOR BEHAVIORAL EDUCATION PURPOSES AND HAS BEEN WRITTEN FOR A PROSPECTIVE JUROR OR JUDGE EVALUATING THE "COMMUNICATION BEHAVIOR" OF FROMMER, LAWRENCE & HAUG LLP ATTORNEY MS. SANDRA KUZMICH ON BEHALF OF CLIENT "SHIRE DEVELOPMENT LLC" IN THE IPR OF THE 813 PATENT. ITS PURPOSE IS ALSO TO HELP SHOW HOW SHIRE PLC CEO DR. FLEMMING ORNSKOV AND SHIRE DEVELOPMENT LLC "IPR DECLARANT" DR. TIMOTHY BREWERTON WERE PROVIDED "REAL-TIME NOTICE AND INFORMATION" ON PARTICULAR STEPS LCS GROUP, LLC WAS ACTIVELY TAKING (AT THE TIME OF**



## The Patent '813 Story, Part II -- Version 2

and relevant to the patentability of the 813 Patent **while concurrently** trying to fill the IPR record with information that's clearly not materially important or relevant to the patentability of a pharmaceutical method patent like the 813 Patent.

You're very familiar with this IPR proceeding and its art. Why would Sandy Kuzmich and her team at FLH be **so consistently motivated to behave so wrongly all the time**, clearly trying to conceal from the public "materially relevant and important information" to the "*inter partes* review of the 813 Patent" but then seek to publicly disclose in its record "materially irrelevant and unimportant information"?

Another way that may be worth framing it is to ask the question this way: do you think Sandy Kuzmich now **consciously realizes** that she intentionally engaged in fraud and misrepresentation and this is her way (on behalf of Shire) to "come clean on it" (with some measure of transparency) by trying to resolve this massive legal problem "inside (or through) the IPR"? If that's the case, she's got that all wrong too. After all, you can't resolve a problem that's fundamentally "about fraud and misrepresentation (and other legal claims) that happens inside the IPR" inside the IPR itself. It's a completely irrational way of thinking and doing things. That was the very reason behind "The Statement" you read to the Board on December 5 on behalf of LCS Group and that was emailed to Dr. Ornskov (and others) on Dec. 11 followed by its filing in the IPR on Dec. 12 (to be later expunged). Obviously, one has to go "outside the IPR" to resolve a serious legal problem taking place "inside the IPR." In other words, you need to change the "frame of reference" to properly deal with a problem that itself is inherent the "problematic frame of reference." It's like you can't legitimately convict someone of a crime if the court in which that person is tried and convicted is itself illegitimate. Of course people can be tried and convicted in an "illegitimate court" but then the process itself would be illegitimate and, therefore, unlawful.

Joe, is this finally coming together for you? It should, because based on everything that LCS Group/I currently know, you're going to be the first witness soon to be involved in the final resolution of this Patent 813 matter -- and Anne the second; or maybe in reverse order depending on how things go. The sequence of decision-making is not an LCS Group decision.

In this spirit of transparency and accountability I've cc'd Dr. Ornskov and Dr. Brewerton -- and Anne too. Its always been LCS Group's and my intention to keep them (and Anne) appraised of where this rather big real-life story is going. After all, the two of them - and you and Anne -- are set to play its most important "behavioral roles." So they all know (as you do from the time I'd informed you) this is a **very engaging story** (albeit emotionally trying at times). The "engagement ranking" on the Dec. 26 LSC Group press release has been at "100%" for a good couple months now, mainly because of the high number of downloads of its communications transcript (well over a hundred since its release). But "The Patent 813 Story, Part II" from last night's press release is publicly accelerating at a much faster rate than the Dec. 26 one, with already 25 downloads of its communications transcript in the first 24 hours. With the American Psychiatric Association's annual meeting coming up May 16-20, you can be sure this real-life story will be completely off the charts a week from now. At least that's LCS Group's "group behavioral analysis."

Here's the link to the May 13 LCS Group Press Release:

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

Best,

## The Patent '813 Story, Part II -- Version 2

Louis

Louis Sanfilippo, MD  
CEO, LCS Group LLC

**From:** Vignone, Maria [mailto:Maria.Vignone@USPTO.GOV] **On Behalf Of** Trials  
**Sent:** Thursday, May 14, 2015 5:00 PM  
**To:** Kuzmich, Sandra; Trials  
**Cc:** [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com); Lucci, Joseph; Farsiou, David; Haug, Ed  
**Subject:** RE: IPR2014-00739 (U.S. Patent No. 8,318,813)

Counsel: Petitioner is authorized to submit the identified documents.  
Thank you,

Maria Vignone  
Paralegal Operations Manager  
Patent Trial and Appeal Board  
XXX-XXX-XXXX

**From:** Kuzmich, Sandra [mailto:SKuzmich@flhlaw.com]  
**Sent:** Thursday, May 14, 2015 3:38 PM  
**To:** Trials  
**Cc:** [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com); Lucci, Joseph; 'Farsiou, David'; Haug, Ed  
**Subject:** FW: IPR2014-00739 (U.S. Patent No. 8,318,813)

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Further to the email dated May 8, 2015 (*see below*), Petitioner wishes to inform the Board that subsequent to the filing of Petitioner's Second Motion for Sanctions (Paper 27, May 6, 2015 ("Second Motion")), Petitioner, counsel for Petitioner, and/or declarant for Petitioner received multiple prohibited communications from Dr. Sanfilippo, named inventor of the '813 patent, in violation of the Board's Orders. These email communications, some with attachments, are identified below by their dates and known recipients:

May 7, 2015 (with attachment), to Shire, Shire's outside counsel, and declarant Dr. Brewerton;  
May 8, 2015, to Shire, Shire's outside counsel, and declarant Dr. Brewerton;  
May 9, 2015, to Shire;  
May 10, 2015, to Shire; and  
May 12, 2015 (with attachment), to Shire, Shire's outside counsel, and declarant Dr. Brewerton.

Petitioner notes that while Patent Owner did not file an opposition to Petitioner's Second Motion on May 13, Patent Owner did issue a press release with a hyperlinked document that is related to this IPR. Petitioner seeks permission to submit, along with the above-identified emails, this May 13 press release and hyperlinked document for consideration by the Board in connection with Petitioner's two pending motions for sanctions. Petitioner

## The Patent '813 Story, Part II -- Version 2

is available for a conference call if it would be helpful to the Board.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

**From:** Kuzmich, Sandra  
**Sent:** Friday, May 08, 2015 10:49 AM  
**To:** 'trials@uspto.gov'  
**Cc:** Lucci, Joseph; 'Farsiou, David'; [shire.ipr.813@flhlaw.com](mailto:shire.ipr.813@flhlaw.com); Haug, Ed  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813)

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development LLC  
Patent Owner: Lucerne Biosciences, LLC

To Whom It May Concern:

Yesterday evening, one day after Petitioner's Second Motion for Sanctions (Paper 27) was filed, counsel for Petitioner, Petitioner's in-house counsel, and declarant for Petitioner received another prohibited communication from Dr. Sanfilippo, named inventor of the '813 patent, in violation of the Board's Orders. Petitioner respectfully requests the Board's permission to submit this May 7 communication for consideration by the Board in connection with Petitioner's two pending motions for sanctions. Petitioner is available for a conference call if it would be helpful to the Board.

Sincerely,

Sandra Kuzmich  
Counsel for Petitioner

**Friday May 15, 2015:**

**1 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 11 AM EDT**" is available as a merged PDF:  
[http://www.4shared.com/download/nQmzuUFrce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/nQmzuUFrce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** **A Remarkable Behavioral Display by Shire's Attorney Today!**  
**Date:** May 15, 2015 10:00:17 PM EDT  
**To:** Shannon Drew <[smdrew291@gmail.com](mailto:smdrew291@gmail.com)>  
**Cc:** Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, Ed Haug <[EHAug@flhlaw.com](mailto:EHAug@flhlaw.com)>, fornskov@shire.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, Derek Denhart

## The Patent '813 Story, Part II -- Version 2

<DDenhart@CantorColburn.com>, ffrommer@flhlaw.com, wlawrence@flhlaw.com

**THIS EMAIL FROM LCS GROUP, LLC IS FOR LEGAL DOCUMENTATION PURPOSES AND HAS BEEN WRITTEN FOR A PROSPECTIVE JUROR (OR JUDGE) EVALUATING THE "REPRESENTATION BEHAVIOR" OF FROMMER, LAWRENCE & HAUG LLP ATTORNEY MS. SANDRA KUZMICH ON BEHALF OF CLIENT "SHIRE DEVELOPMENT LLC" IN THE IPR OF THE 813 PATENT. ITS PURPOSE IS ALSO TO HELP SHOW HOW REPRESENTATIVES OF "SHIRE" AND "FROMMER, LAWRENCE & HAUG, LLP," AS WELL AS "IPR DECLARANT" DR. TIMOTHY BREWERTON, WERE PROVIDED "REAL-TIME NOTICE AND INFORMATION" ON PARTICULAR STEPS LCS GROUP, LLC WAS ACTIVELY TAKING (AT THE TIME OF SENDING THIS EMAIL) TO INFORM THEM OF THE MOTIVATION AND BEHAVIOR OF LCS GROUP, LLC. THE OTHER PURPOSE IS TO ENSURE THAT THIS COMMUNICATION IS MADE IN THE PRESENCE OF "WITNESSES" WHO CAN TESTIFY TO ITS CONTEXT AND CONTENT. THIS EMAIL SHOULD ONLY BE READ IN THAT CONTEXT, AS READING IT IN ANY OTHER CONTEXT WOULD MISREPRESENT ITS MOST ESSENTIAL AND IMPORTANT COMMUNICATION FEATURE (AS PLAINLY AND TRANSPARENTLY COMMUNICATED HERE AT THE VERY BEGINNING OF THIS EMAIL).**

Dear Shannon,

On behalf of LCS Group, LLC, I want to highlight a remarkable thing that happened today. It's the second remarkable thing today, the first one having to do with those two reporters I briefly mentioned to you by text and in email, one of whom was part of a Pulitzer prize winning investigative journalism team. As I'd briefly filled you in the other day, Shire's and its outside law firm's "behavior" in that legal matter involving the 813 Patent has been quite extraordinary, as featured in the PDF "The Shire and Patent 813 Story, Part II" from the May 13 LCS Group Press Release whose hyperlink I provided you. This email is to highlight certain obvious "behavioral observations" regarding Shire's and its outside counsel's unlawful conduct that have become that much more obvious "as of today" -- with something of a surprise that comes at the very end of this email. As a psychiatrist, particularly in the Yale community (and voluntary faculty person like me), I think you'll appreciate the behavioral dynamics involved here because it's not often you see an attorney representing a client like Shire behaving this way.

For the purpose of this email, the remarkable -- though certainly not surprising thing (in view of all the "communication evidence" in "The Shire and Patent 813 Story, Part II") -- is we see more of Shire's and its outside law firm's "misrepresentation behavior" taking place, though **much more obviously and dramatically**. This time it comes packaged in their latest "IPR submission" to the Patent Board from today. You can find this "Petitioner's Submission of Additional Exhibits" in PDF below with a zip drive of the 11 Exhibits (1082-1091).

Let's look at the details of today's submission made by Shire attorney Ms. Sandra Kuzmich of Frommer, Lawrence & Haug in support of Shire's May 6 motion for **sanctions against the 813 patent owner Lucerne Biosciences** (that is the "real party of interest" in the IPR proceeding). Ms. Kuzmich writes in her letter "that each of these exhibits is a true and correct copy of the document it is indicated to be." That's clearly a good start considering that she omitted the most important communications in that Exhibit 1073 submitted in the May 6 motion, the ones that related to "business and trade practice," though she still hasn't submitted those "omitted communications" to the Board in their proper context. Anyway, the more important question for today's submission isn't whether the Exhibits themselves are "true and a correct copy" but whether her **representation of them** to the Patent Board (on behalf of client Shire) in that "Petitioner's Submission" is "true and correct" -- or whether she makes more "misrepresentations" to the Patent Board on that foundation of countless others **for the purpose of harming Lucerne Biosciences, LLC and its Manager/Member Louis Sanfilippo**.

## The Patent '813 Story, Part II -- Version 2

Let' see. Keep in mind that Ms. Kuzmich's "representation M.O." throughout this entire *inter partes* review proceeding, like Shire's and its declarant's too, is "**misrepresentation by omission of materially relevant and important information.**" That's unlawful. When used to harm another company, that's called "anti-competitive conduct."

**Exhibit 1082:** Ms. Kuzmich characterizes Exhibit 1082 as "May 7, 2015 Email from Louis C. Sanfilippo." However, that's **omitting its most obvious materially important and relevant representation feature**, which is that the email is **not** from "Louis C. Sanfilippo" but from "LCS Group, LLC." It clearly states that "representation feature" in its first sentence, "**This email, on behalf of LCS Group, LLC....**" And you can see that the email is clearly sent from an LCS Group company email address ("[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)"). Further, take a look at the **entire** email itself (in its "true form") in "The Patent 813 Story, Part II." You can see how Ms. Kuzmich "framed" the presentation of this email in her Exhibit 1082 by **only disclosing** in its header that it's from "Louis C. Sanfilippo, MD" which means that she **failed to represent** the email's actual email address "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" that would have identified it as an "LCS Group, LLC representation" communicated by the company's CEO.

That's a consciously intended material misrepresentation, because Ms. Kuzmich (who also happens to have a PhD in pharmacology from Yale) -- or any competent attorney for that matter -- knows that the email was sent as a **representation from "LCS Group, LLC."** This is the same "misrepresentation behavior" she exhibited in that Sept. 4, 2014 email to Mr. Lucci when she tried to misrepresent his client as "Dr. Sanfilippo" when she **clearly knew** from the IPR Power of Attorney filing that Mr. Lucci made on behalf of LCS Group, LLC on June 2 (which was served to her) that "LCS Group, LLC" was Mr. Lucci's client in the IPR. Motivationally, that goes a long way to explain why she didn't even cc "LCS Group/Sanfilippo" on that Sept. 4 email she sent Mr. Lucci, namely, because she wanted to deceptively go around his back to cause him and LCS Group, LLC difficulties -- and even harm -- in the "negotiations" she references, without him even knowing it. That's unfair and deceptive trade practice she's perpetrating on behalf of her client Shire.

**Exhibit 1083.** Ms. Kuzmich represents Exhibit 1083 as "Attachment to May 7, 2015 Email from Louis C. Sanfilippo." That attachment (which went with Exhibit 1082) is the "Final Decision.pdf" from that Oct. 1 "Final Decision" email (as communicated by Mr. Lucci to Mr. Haug on Dec. 22) that is an option agreement to an exclusive license **on behalf of LCS Group, LLC** -- and which was **executed by LCS Group, LLC.** But do you see anything whatsoever in her representation or characterization of this "option agreement" to the Patent Board that identifies it as coming from "LCS Group, LLC." No, you don't. She **omits its most important representation feature.** Her petition letter makes it seem **as if** the attachment was from "Louis C. Sanfilippo" -- when it couldn't be any clearer that it was from "LCS Group, LLC." This is her second act of misrepresentation so far in her submission to the Patent Board, as done by **failure to disclose materially relevant and important information** regarding the most essential representation feature of Exhibit 1083. Self-evidently, the Exhibit should have been titled "Attachment to May 7, 2015 Email from LCS Group, LLC."

**Exhibit 1084.** Ms. Kuzmich does it again, misrepresenting the nature of Exhibit 1084 by characterizing it as "May 8, 2015 email from Louis C. Sanfilippo" when the email is clearly a **company representation from "LCS Group, LLC"** and even makes that abundantly clear in its opening "back box header" that says "**THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR PUBLIC DISCLOSURE AND IS FOR THE PURPOSE OF POTENTIALLY ORGANIZING.....**". You get the picture, right? She has filed a motion for **sanctions against "Lucerne Biosciences, LLC,"** including even to invalidate the company's patent, but she's conflating the proper representation of these emails by making it seem like they're "from Louis Sanfilippo" when they're actually from "LCS Group, LLC." That's failing to disclose their most

## The Patent '813 Story, Part II -- Version 2

materially important and relevant “representation feature.” **That could lead the Board to invalidate the 813 Patent on the basis of her misrepresentations**, actually three of them so far though as you’ll see there’s lots more in her letter. This is analogous to how it would be if the Board were to invalidate the patent on those Shire IPR petition Ground 4 and 7 arguments that are based on an egregious misrepresentation of the art (i.e., stimulants were acceptable and successful for the treatment of Bulimia Nervosa in Sept. 2007).

**Exhibit 1085.** This is where we see Ms. Kuzmich’s “behavioral re-enactment” harden, as she characterizes this email too as “May 9, 2015 email **from Louis C. Sanfilippo**” when it’s plainly transparent it was **from “LCS Group, LLC,”** sent by the company’s CEO from his company email address, and the email even opens up by letting Shire Plc CEO Dr. Ornskov know that “Neither LCS Group, LLC, nor any of its collaborators,.....” It’s clearly not a representation “from,” or “on behalf of,” “Louis C. Sanfilippo” but **from “LCS Group, LLC”** on behalf of its CEO.

**Exhibit 1086.** Ms. Kuzmich represents Exhibit 1085 as “May 10, 2015 email **from Louis C. Sanfilippo**” but you -- or any reasonable person viewing it would clearly see that it’s yet another email **from “LCS Group, LLC”** and again even says so in its opening “back box header” that unambiguously states, “**THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR BROAD PUBLIC DISCLOSURE....**” Clearly, you or anyone would readily see that it doesn’t say “THIS EMAIL IS FROM LOUIS C. SANFILIPPO....”

So why does she make this **fifth act of misrepresentation** to the Patent Board (in just one filing) whose purpose is to harm Lucerne Biosciences, LLC? One way to psychodynamically understand her behavior is along the lines of that featured in the May 12 email in “The Patent 813 Story, Part II” that discusses “projection.” Ms. Kuzmich has made so many misrepresentations in this IPR that she must internally feel awful, even frankly disgusted, about where she’s at in this real-life story that, as of today, has been brought to the attention of two major reporters in the mainstream media. All those unacceptable feelings that come from her repeated acts of unlawfulness have become intolerable and to ease the “psychic pain” her mind does what you and I know the minds’ of our patients do, which is to distort reality in a way that makes her feel better. In this instance, that “distortion” -- or “projection” -- inaccurately attributes her emotional problem (for which she is accountable) to “Louis Sanfilippo” when it **really belongs to her**. She wants “Louis Sanfilippo” to be accountable for a problem that she has caused by repeatedly engaging in misrepresentation to perpetrate unfair and deceptive trade practice, as previously characterized in the many emails that comprise “The Patent 813 Story, Part II.” Could it be any clearer psychodynamically, especially in view of how she’s behaved since Sept. 4?

**Exhibit 1087.** Ms. Kuzmich represents Exhibit 1087 as “May 12, 2015 email **from Louis C. Sanfilippo,**” yet read the opening line of the email’s letter: “Dear Reasonable Person/Juror (or Reasonable Judge), **On behalf of LCS Group, LLC, this email** is to provide you some ‘psychological, behavioral and cognitive profiling’ .....” This is yet another frank misrepresentation of an LCS Group, LLC communication, her sixth now. In this email too you can see that she fails to represent its proper “email header” that would have featured the email address that it was sent from (i.e., “[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)”), which makes her representation that these exhibits are “a true and correct copy of the document” a bit sketchy too. But the main point is this: Could it be any more obvious -- and simple -- who the “represented sender” of the Exhibit 1087 email is? Of course not.

So why does Ms. Kuzmich repeatedly keep misrepresenting “**Louis C. Sanfilippo**” as the entity from which these emails are sent? The answer is obvious by this point in “The Patent 813 Story, Part II,” namely, because she is willfully using these misrepresentations as the “communication means” to support her motion for sanctions against Lucerne Biosciences, LLC, of which “Louis Sanfilippo” is a Manager/Member. After all, it would clearly deflate her argument for sanctions

## The Patent '813 Story, Part II -- Version 2

**against Lucerne Biosciences** to represent these emails truthfully, namely, that they were **from a different LLC business entity named "LCS Group, LLC."** She clearly knows that her representation of these emails as "from Louis C. Sanfilippo" doesn't truthfully characterize these emails' **most essential representation feature but to represent them truthfully wouldn't allow her to "use" them to effectively support her motion for sanctions "against Lucerne Biosciences."** Her behavior "against Lucerne Biosciences" would be as if she referred to her client as "Dr. Ornskov" or "Ms. May" -- **but she never does that.** In this respect, you can see her egregious "double standard," treating her client "Shire" (as well as its representatives) respectfully and lawfully and **with distinction** but then treating "LCS Group, LLC," "Lucerne Biosciences, LLC" and "Louis Sanfilippo" disrespectfully and unlawfully and **without any distinction.** That's a perfect example of what's called "hypocrisy."

**Exhibit 1088.** Ms. Kuzmich represents Exhibit 1088 as "Attachment to May 12, 2015 Email **from Louis C. Sanfilippo**" but here again she's stuck in the same obsessive "misrepresenting behavior" because that May 12 email was (as above) **from "LCS Group, LLC."** That attachment, by the way, is the article I mentioned to you that Vlad and Andy co-authored on deception detection. Don't you think that Ms. Kuzmich's **repetitive misrepresentation behavior** in this IPR looks as if she were told to behave like those "scientists" in the "liar group" who were instructed to "lie" (i.e., misrepresent) on what they had to say to the law enforcement person. I mean how else can one so egregiously misrepresent things over and over like that?

You can see, therefore, why my email to you yesterday featured comments on Andy's and Vlad's 2013 deception-based research work and its connection to Shire and its outside law firm. Because for an attorney to behave that repeatedly unlawfully, representing things that are so obviously inaccurate over and over and over, either makes them sociopathic, incompetent or a subject in a research study that has instructed them to misrepresent things that way. Of course if her misrepresentation behavior is based on her being instructed to behave that way for research purposes but no one informed LCS Group, LLC, Lucerne Biosciences, LLC or Louis Sanfilippo that this IPR was being used for research purposes in which LCS Group, LLC, Lucerne Biosciences, LLC and Louis Sanfilippo were its "targets of misrepresentation-based harm" (as no one has), then the people who planned this research would have done so illegally and could face harsh penalties, licensure forfeitures and even criminal convictions. But that still wouldn't excuse Ms. Kuzmich who, as a practicing attorney, should know better than to misrepresent materially important information in a legal venue that she can clearly see is seriously harming the competition.

**Exhibits 1089 and 1090.** Ms. Kuzmich's representation of these two Exhibits, "May 13, 2015 Press Release **by LCS Group, LLC**" and "Hyperlinked document in May 13, 2015 Press Release **by LCS Group, LLC**" respectively, are the only two representations she gets right in her petition letter. This, of course, goes to **prove** that her **8 acts of misrepresentation** (the last one below) are clearly intentional and that their purpose, as you'd appreciate as a psychiatrist, is to create a "leveraged split" so they can be "used" to cause harm to "Lucerne Biosciences, LLC" and "Louis Sanfilippo." This is accomplished by "conflating" two different entities (i.e., "Louis Sanfilippo" and "LCS Group, LLC") to engage in what's called "baseless sham litigation for anti-competitive purposes" that unfairly and deceptively targets "Lucerne Biosciences, LLC," the patent owner of the 813 Patent involved in the IPR. Mr. Lucci identified another form of Shire's "baseless sham litigation for anti-competitive purposes" against Lucerne Biosciences in his email to Mr. Haug on February 26 (that even cc'd Shire's David Banchik). So you can see that it's a common habit for Shire and its outside counsel in this IPR proceeding.

**Exhibit 1091.** Ms. Kuzmich represents Exhibit 1091 as "May 14, 2015 Email **from Louis C. Sanfilippo**" when it couldn't be any clearer that this email too is coming **from "LCS Group, LLC"** for all the reasons stated above, as well as because it clearly states in its "back box

## The Patent '813 Story, Part II -- Version 2

header” that one key purpose of it is **“TO HELP SHOW HOW SHIRE PLC CEO DR. FLEMMING ORNSKOV AND SHIRE DEVELOPMENT LLC “IPR DECLARANT” DR. TIMOTHY BREWERTON WERE PROVIDED “REAL-TIME NOTICE AND INFORMATION” ON PARTICULAR STEPS LCS GROUP, LLC WAS ACTIVELY TAKING (AT THE TIME OF SENDING THIS EMAIL) TO INFORM THEM OF THE MOTIVATION AND BEHAVIOR BEHIND LCS GROUP, LLC AND ITS CEO.”**

With this in view, take a look at what Ms. Kuzmich writes to the Board in today’s submission letter. It will help you understand the motivation for **why** she **intentionally conflates matters of representation**, namely, because it allows her to **exploit these misrepresentations** to cause harm to Lucerne Biosciences, LLC and possibly even to its Manager/Member Louis Sanfilippo.

Specifically, she writes, “Pursuant to authorization granted by the Patent Trial and Appeal Board (“Board”) on May 14, 2015, Petitioner Shire Development LLC (“Shire”) submits herewith additional Exhibits in support of its motion for sanctions filed on December 29, 2014 (Paper 15) and its second motion for sanctions filed on May 6, 2015 (Paper 27) (collectively “Motions for Sanctions”).” Take note how she **conflates** the December 29 motion for sanctions **that was against LCS Group, LLC** (Paper 15) with the May 6 motion for sanctions **that is against Lucerne Biosciences, LLC** (Paper 27), **as if there’s no distinction**. She accomplishes this “conflation” **by failing to disclose in her representation that these two different motions relate to two distinctly different legitimate business entities**, each of which owned the 813 Patent at different times that reflect the **two distinctly different** “motions for sanctions.” This helps you understand why she deceptively represented that May 6 Motion as “Petitioner Shire Development LLC’s **Second Motion For Sanctions**” rather than represent it along the lines of her first motion against LCS Group, LLC that was titled “Petitioner Shire Development LLC’s **Motion for Sanctions Against LCS Group, LLC**” (Paper 15, filed Dec. 29). In this respect, if she was consistently representing things in her May 6 motion **as she accurately did in her Dec. 29 motion**, her May 6 motion would have stated, “Petitioner Shire Development LLC’s **Motion For Sanctions Against Lucerne Biosciences, LLC.**” But Ms. Kuzmich isn’t motivated to represent her May 6 motion that way because if she did she would have the wrong “frame” for using her “conflated misrepresentations” of “LCS Group” and “Louis Sanfilippo” to mislead the reader of her argument to issue (or desire) sanctions **against “Lucerne Biosciences, LLC.”**

In this light, the “cognitive construct” -- if you want to call it that -- by which Ms. Kuzmich clearly seeks to **intentionally conflate** the two business entities of “LCS Group, LLC” and “Lucerne Biosciences, LLC” **is “the exploitation of Louis C. Sanfilippo,” as if “Louis C. Sanfilippo” is one and the same (and inter-changeable) with the two LLC business entities. But he’s not.** Anyone knows that. This intentional act to misrepresent “Louis Sanfilippo” for an “LLC business entity” whose purpose is clearly to harm Lucerne Biosciences, LLC and even invalidate the company’s patent is not only unlawful but considering that this behavior is supported by a pharmaceutical company with a market capitalization of nearly \$50 billion is extraordinary for its injustice and malicious intent.

Now take a moment to think about what has happened here in view of the way Shire and its declarant **exploit the non-specific symptom of “binge eating”** that is the premise on which Shire’s IPR petition rests to argue the “obviousness of the 813 Patent,” **as if “binge eating” were one and the same (and inter-changeable) as “Binge Eating Disorder” and “Bulimia Nervosa”** and therefore you could treat them all the same essential way. In this “cognitive light,” you can see how the non-specific symptom of “binge eating” is “equivalent” to “Louis Sanfilippo” while “Binge Eating Disorder” and “Bulimia Nervosa” are “equivalent” to “LCS Group” and “Lucerne Biosciences.” From Shire’s view or that of its attorneys, they’re all the same and inter-changeable, so misrepresent them however you so wish and treat them all the same essential

## The Patent '813 Story, Part II -- Version 2

way based on those misrepresentations. This is the “**misrepresented conflated reasoning**” that is the **simple, obvious and essential core** of not only Shire’s IPR petition that now stands before the Board but also its May 6 motion that seeks sanctions against Lucerne Biosciences, including up to invalidating the 813 Patent.

By this time in the narrative, any reasonable person would see that Shire -- and its outside counsel and declarant -- have an **imminent catastrophic problem** on their hands, with two mainstream reporters provided information on just how big and extraordinary this story is -- and is going to be.

I think that’s about enough for this story, because you don’t ever get better documentation that show’s how the beginning of the story perfectly comes together at its very end, written so that any reasonable person would understand **why** and **how** Shire, its outside counsel and its declarant acted unlawfully to harm not just one company but two of them by attempting to misrepresent and conflate the “**non-specific entity**” (i.e., “binge eating,” “Louis Sanfilippo”) with the “**specific entity**” (i.e., “BED/BN,” “LCS Group/Lucerne”). It’s simple, obvious and true.

Thank you for covering my practice while I am away to finish up this business matter. As I told you earlier, this story is going national with high exposure and it’s going to be a big one that people will talk about for a very long time to come, especially in Yale’s Department of Psychiatry.

Best regards,

Louis

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

### **ATTACHMENTS:**

“**Petitioner’s Submission of Additional Exhibits.pdf**” is available at:  
[http://www.4shared.com/download/ngXVVAfyce/Petitioners\\_Submission\\_of\\_Addi.PDF?lgfp=3000](http://www.4shared.com/download/ngXVVAfyce/Petitioners_Submission_of_Addi.PDF?lgfp=3000)

“**Exhibits.zip**” is available at:  
<http://www.4shared.com/download/BOhcc85Sce/Exhibits.zip?lgfp=3000>

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** an important LCS Group update  
**Date:** May 17, 2015 12:29:17 AM EDT  
**To:** Joe Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>

**THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR BROAD PUBLIC DISCLOSURE. ITS PURPOSE IS TO PROVIDE ITS READER CONTEXT FOR THE “INTELLIGENCE ASPECT” OF “THE PATENT 813 STORY, PART II.” SPECIFIC USE OF NAMES IN THIS EMAIL ARE TO IDENTIFY INDIVIDUALS WHO COULD PROVIDE TESTIMONY IN ANY NUMBER OF CIRCUMSTANCES TO CLARIFY IMPORTANT BEHAVIORAL FEATURES IN “THE PATENT 813 STORY, PART II” INCLUDING, BUT NOT LIMITED TO, TESTIFYING IN A COURT OF LAW, SPEAKING TO INVESTIGATIVE JOURNALISTS (I.E., SHOWS LIKE 20/20, 60 MINUTES, ETC...) OR SIMPLY TALKING TO ANY REASONABLE PERSON ABOUT THE EXTRAORDINARY BEHAVIORAL DYNAMICS OF THE STORY AND ITS KEY PARTICIPANTS.**

## The Patent '813 Story, Part II -- Version 2

Dear Joe and Anne,

On behalf of LCS Group, LLC, I want to keep you updated on the latest "Patent 813 Story, Part II" developments. As I'd emailed Joe earlier today, this coming week looks to have big surprises, expectedly to be delivered by LCS Group and its counsel. As preparation for them, the company would like to use a February 2006 publication from the journal "Psychiatry" to make some points, as attached. That article is titled "Consulting to Government Agencies - Indirect Assessments" and is co-authored by a number of Yale faculty I personally know, namely, (i) Charles A. Morgan, (ii) Frank Fortunati, (iii) Stephen Southwick, (iv) Seth Feuerstein and (v) Vladimir Coric. The other three authors are (i) Humberto Temporini (formerly at Yale, who I also know), (ii) Michael Gelles, Chief Psychologist with the Naval Criminal Investigative Services and (iii) George Steffian, SERE psychologist with the Navy. SERE, by the way, is the military program that emerged from the US Air Force and stands for "Survival, Evasion, Resistance, Escape." Its purpose is to help military personnel do just that.

Let me highlight a few key points from the article to establish the "communication context" for this email and its relationship to "The Patent 813 Story, Part II" (which you may have seen from the March 13 LCS Group press release, Joe's "role" in it more notable than Anne's). The 2006 article states that psychologists and psychiatrists may be asked to provide consultation to federal agencies in matters that, among other things, involve "the vital interests of an individual and/or the US." This consultation may involve what's called "**indirect assessment**" of a particular individual. That means that the "individual subject" isn't directly examined by the "intelligence or psychological expert(s)" but rather information is gathered on that "individual" through various "indirect means," some of which are characterized in the article but I'm sure you can recognize or imagine others. For example, such "indirect assessment" could involve "third party persons" who communicate certain "assessment information" involving the "individual subject" to "the experts" who then "make the assessment (indirectly)." With today's communication technology (as through text/email), depending on how many "information points of third-party observation" are involved, the amount of data one could gather on an "individual subject" could be massive -- kind of a like a high-tech GPS focused on the "psychological and behavioral location" of the "one individual subject." This information can then be used by the "intelligence or psychological expert(s)" to develop a "psychological profile" -- or, more specifically (as the article reports), to "provide some useful insight into behavior, motivation and personality of a person he or she [the intelligence expert] has never met." And that can be applied in evaluating or addressing any number of intelligence interests.

At its heart, this is what "The Patent 813 Story, Part II" is all about, namely, **it is a methodology of "indirect assessment"** and its objective is to "indirectly assesses" its 12 key "individual participants." Those "individual participants" are (1) "Ed Haug," (2) "Sandra Kuzmich," (3) "Timothy Brewerton," (4) "Flemming Ornskov," (5) "James Harrington," (6) "Tatjana May," (7) "David Banchik," (8) "Joe Lucci," (9) "David Farisiou," (10) "Anne Maxwell," (11) "Derek Denhart" and (12) "Louis Sanfilippo." In this "narrative light," "The Patent 813 Story, Part II" has its own "expert consultants" that engage in "indirect assessment" (that you can find in the story itself as it's transparently represented) to "provide some useful insight into behavior, motivation and personality." What makes it a bit different from the "indirect assessment" methodology featured in the 2006 article is that its methodology is not focused on an "individual subject" (as the article tends to emphasize) but, rather, on "12 individual subjects" and their "group and even sub-group dynamics." In this light, there is more complexity to its methodology of "indirect assessment" and its "behavioral analysis," as well as to its predictive behavioral modeling as the group dynamics involved in it are rather elaborate. But "The Patent 813 Story, Part II" even does some additional things, as further characterized below.

## The Patent '813 Story, Part II -- Version 2

Further, the 2006 article provides perspective on the ideal way to consult to government agencies through indirect assessments, highlighting that “the expert is best advised to partner with a multidisciplinary team of intelligence analysts, forensic scientists, lawyers, computer experts, and other technical experts whose members are versed in the various contexts in which sources of information are collected or derived.” This kind of shared expertise, the argument goes, enhances the process of “indirect assessment,” including its application (i.e., for intelligence purposes, law enforcement, hostage crisis, espionage detection, etc...). This is an excellent point, because only with the “right team” in place can you make these kinds behavioral assessments in a meaningful way. The specific role of “computer experts and other technical experts” makes particular sense because, self-evidently, any such “indirect assessments” that would require “third party observations” that stand between “the experts” and “the individual subject” would require the proper communication infrastructure in place to facilitate timely (i.e., “real-time”) communications **from** those “in the field” (i.e., “the third party observers”) **to** the “expert multi-disciplinary group.”

In this context, if “one individual subject” may seem challenging enough for an expert “inter-disciplinary team” to “indirectly assess” (for whatever purposes), think about what’s required in the “indirect assessment” of 12 individuals spread across various companies and layered across the unique dynamics of an *inter partes* review with ample evidence of unlawful conduct, as in “The Patent 813 Story, Part II” (for the purpose of getting to the “truth of the matter”). To handle that, one needs “**enhanced** indirect assessment technology,” as well as “intervention or treatment technology” (given the complexity of its “problems”). One needs an **exceptionally skilled multi-disciplinary team** that can make fast real-time judgments that incorporate lots of data points involving everything from “simple individual behavior indirect assessments” to “complex and dynamic group and sub-group indirect assessments” and their integrated and meaningful real-time analysis. Only then can proper “therapeutic actions” be taken that legitimately secure “the vital interests of an individual and/or the US” -- or as it is in the case of “The Patent 813 Story, Part II” the interests of its twelve core “individual participants.” Or many more “individual participants” when you consider all those “third-party interferers” central to “The Patent 813 Story, Part II” represented by all that observable Shire-related “third-party interference for anti-competitive conduct” (featured in “the story” through its abundant email and even audio evidence).

With that in view, I’d like to highlight (on behalf of LCS Group in preparation for imminently expected company actions) a few of the 2006 article’s excellent points (as bolded in the article itself) with a few parenthetical comments for each point as they relate to “The Patent 813 Story, Part II.”

1. **“The expert should adhere to sound professional judgment and not be unduly influenced by the organization or the emotionality of its leadership.”** This is a critical point. The expert can be lured into a position in which they are susceptible to “projectively identifying” with certain incoherent or confused “messages” from individuals, the leadership and/or the group-as-a-whole with which they are working. The problem with that is that the expert’s judgment then becomes “projectively-based,” meaning that it becomes rooted in fantasy, distortion, incoherency and confusion. This, in turn, can lead to problematic “acting out” on the basis of such fantasy-based thoughts and impulses. That itself becomes reason to disqualify the “expert” from “expert status” and, in this regard, their ongoing involvement in the “intelligence work” could have the opposite effect of their initial involvement by seriously compromising the intended objective (because they are “more novice” than “expert”).
2. **“The expert who performs indirect assessments should know his or her limits of expertise.”** This is a very important point and it follows nicely from point No. 1. Failure of the

## The Patent '813 Story, Part II -- Version 2

expert to recognize the limits of their expertise can lead to serious misjudgments and even cause harm to individuals by their permitting "intelligence work" to venture into territory in which the expert is not familiar or may even have serious misunderstandings. This is particularly the case in intelligence matters that involve human consciousness and perceptual dynamics. If the expert is not sufficiently "grounded in reality," meaning that they (either individually or as a "collective unit") rely too heavily on primitive defense mechanisms such as "projection" and "splitting" (or are prone to "projectively identify" with others and "act out"), they are apt to make catastrophic misjudgments at times that are particularly sensitive to individual, group and/or US national security interests, especially if such situations involve urgent time-sensitive matters of real threat. To this effect, the "expert(s)" may completely fail to even see the threat, one that a person much less experienced (like a college student) readily identifies and recognizes for its high-risk implications.

**3. "The expert must recognize who the client is (e.g., law enforcement organization, intelligence agency, etc...)." Another critical point, which for the purposes of "The Patent 813, Part II" is important because "the story" itself is "the client." The "expert work" from the four collaborating entities that you've read about numerous times in prior emails (all of which have now been publicly identified) and that have collectively helped to write it, serve the client that is "The Patent 813 Story, Part II." In this respect, "the client" effectively becomes "the reader" of the story as the story is written for its "reader" who is one and the same as its "client." That's a critical feature of **how** the story's been written for its "client reader." However, it should be noted in view of point No. 3 above that if the "expert" to a "client" (such as the CIA) has identified that its "indirect assessment of the subject" is self-defeating and poses more risk than benefit to its client by actually threatening national security interests (as it would be if important intelligence information was getting leaked from seriously flawed methodologies involving the experts' indirect assessment of a subject), **the expert(s) must quickly act to resolve that problem** before they become the "subject of scrutiny and investigation" by their client for behaving "without any expertise" and even undermining important national security interests. In a court of law, that could effectively expose "the expert(s)" charged with the "indirect assessment of the subject" to charges of treason.**

Yet the most relevant point of all in the 2006 article in view "The Patent 813 Story, Part II" relates to its concluding portion about the "ethics" of such kinds of profiling or indirect assessments conducted for federal agencies with the support of experts. It writes, "With the myriad of government agencies recognizing the value of psychiatric and psychological consultation, now is the time to engage such consultants in the difficult process of establishing ethical guidance for this emerging area of practice." That makes sense to the extent that there is "value" to what the "experts in psychiatric and psychological assessment" have to say. But one can't generalize. For instance, if the "experts in psychiatric and psychological assessment" are part of "the problem," that generalization breaks down. You can call this a "quantum breakdown phenomenon" in that the "observation or involvement of experts" itself introduces uncertainty into the "observation and indirect assessment," kind of like that "Heisenberg Uncertainty Principle" in quantum physics. And the more "expert energy" that's used in observing "the subject" to make those "indirect assessments" (as by an "expanded network of third-party observers and information gatherers") the more inaccurate and unreliable the "observation and assessment" becomes (or something along those "quantum lines," as quantum physics is not LCS Group's expertise). To frame it from the angle of literary theory (again not the expertise of LCS Group), if the "expert(s)" (that I'll call the "object") is tasked to evaluate "a subject" but the "intelligence work" runs into "object-subject distinction problems" because the "subject" is far more "expert" in these matters of "observation and indirect assessment" than the "object," this can become a source of serious "observational and indirect assessment confusion." In other words, it can lead the "psychological and psychiatric experts" to become diametrically opposite that, namely, "confused and logically incoherent persons" -- and also "**the subject of indirect assessment**" from "**the object that**

## The Patent '813 Story, Part II -- Version 2

they have been indirectly assessing.”

In this respect, the “psychological or psychiatric assessment experts” would effectively become “the source” of an ongoing problem that actually compromises the interests of their client (i.e., CIA, among others federal agencies), but they would have no skills, much less any expertise, in the problem’s “psychological assessment and treatment” **because they themselves are “the source of the problem.”** That problem (as caused by their original and ongoing misjudgments and lack of expertise) could be **massively amplified** by group dynamic events for which they also would have no experience or expertise in either “assessing” or “treating,” which could cause even more expansive and far-reaching “problems,” especially if those “psychological and psychiatric assessment experts” bring in more like-minded “psychological and psychiatric assessment experts” who also have no experience or expertise in either “assessing” or “treating” such “problems.” **If such “psychological or psychiatric assessment experts” utilize primitively based projective and splitting defense mechanisms, this could cause massive, highly accelerated deterioration and psychological instability among involved “third-party information gatherers” that they have tasked with providing them “indirect assessment information” of the “individual subject” (as well as among the experts themselves).** In this respect, these “psychological or psychiatric experts” **would be causing an accelerated and very serious “emotional and cognitive interference problem” in the minds’ of those they have recruited to provide them “indirect assessment information” on the “individual subject.”** Needless to say, that would make them **responsible for causing significant real-time psychological harm with potential long-term effects** on account of their supporting such “third party observers and information gatherers” continue their task of obtaining “indirect assessment information” on the “subject,” **especially in the “perceptual setting” of a group dynamic that is relentlessly deteriorating into a cycle of increasingly regressed “projective identification” and “acting out.”**

You can see this kind of accelerated regressive psychological deterioration in the behavior of FLH attorney Ms. Sandra Kuzmich of late, as LCS Group pointed in yesterday’s email that CC’d you. It would seem, based on the “indirect assessment” featured in “The Patent 813 Story, Part II,” that she is “projectively identifying and acting out” **in response to projectively-based fantasies sourced elsewhere, likely in an “expert network” that doesn’t make the “decisions” but provides “guidance” to her.** Her “acting out” destructively takes the form of irrational and incoherent “attorney behavior.” **These are very serious psychological and behavioral sequelae that appear to be the result of a downstream phenomena of very poor expert support that is “using” Ms. Kuzmich (and her partner Mr. Haug) as an instrument of “third party observation and information gathering” for the purpose of indirectly assessing “a subject.”**

In this respect, “The Patent 813 Story, Part II,” would identify Ms. Kuzmich as a “third party interferer” whose own psychological and behavioral health has been **profoundly** “interfered with” by virtue of her being a “human conduit” for providing “indirect assessment information” to “psychological and psychiatric experts” conducting “the indirect assessment” of “a subject” that is, presumably, “Louis Sanfilippo” (based on the ample evidence in the story). However, any “psychological or psychiatric expert” that would continue to support the kind of highly regressive and irrational “attorney behavior” Ms. Kuzmich exhibited yesterday in the IPR would have to be either **incompetent** or **sociopathic**, because anyone can see that it is actively causing her serious psychological harm and is actively exploiting her as a “human instrument” for the “indirect assessment of a subject” under “group dynamic boundary conditions” that are **highly regressive and extremely psychologically unstable.** The kind of “attorney behavior” witnessed yesterday by Ms. Kuzmich reflects a **catastrophic collapse of any such “indirect assessment methodology” being used by “experts” in which she may be a “third party observer or gatherer of information”** on, for instance, “Louis Sanfilippo” (as evidenced in “The Patent 813

## The Patent '813 Story, Part II -- Version 2

Story, Part II"). When this kind of profound "psychological and behavioral deterioration" takes place to the degree that it took place yesterday with Ms. Kuzmich, **it is a harbinger for potentially catastrophic psychological and behavioral consequences to the "involved third party observers and information gatherers" because of the way it exploits their perceptual representations of reality through extremely heavy projection and splitting. THESE PSYCHOLOGICAL CONDITIONS POSE AN EXTREMELY HIGH RISK FOR ACUTE PSYCHOSIS AT INDIVIDUAL AND GROUP LEVELS.**

In this light, "The Patent 813 Story, Part II" desperately needs "expert consultation **from the outside**" with those who have expert skill in both the "assessment **and treatment**" of such matters, in a way that adequately resolves the ethical and/or legal and/or psychological problems **from both the "inside" and "outside."** There aren't many behavioral intelligence teams that are equipped to do that, but the one that LCS Group has been closely working with is highly skilled at just that, which is why this email comes "from LCS Group, LLC" at this time in "The Patent 813 Story, Part II."

**This is what "The Patent 813 Story, Part II" is all about.** But the remarkable thing about its methodology of "assessment and treatment" (i.e., ethically, psychologically, legally, etc...) is that it uses its own "indirect assessment technology" to take "indirect action" and that "indirect actions" is designed to finally "resolve the problem" that its reader witnesses to be happening in the story **in direct view of its own "indirect assessment" and "expert support."** That's an extraordinary thing!

Lastly, there is a "time expansion" in this email in that it was written on May 16 but it was sent on May 17. May 17 is actually an important date for a bigger real-life story within which "The Patent 813 Story, Part II" exists. But that story is for another day.

Sincerely,

Louis

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: "Consulting to Government Agencies - Indirect Assessments.pdf"** is available at:  
[http://www.4shared.com/download/U9G3\\_jfmba/Consulting\\_to\\_Government\\_Agenc.pdf?lgfp=3000](http://www.4shared.com/download/U9G3_jfmba/Consulting_to_Government_Agenc.pdf?lgfp=3000)

**From:** <lcsgroup@lcsgrupp.com>

**Subject:** an important LCS Group update on an important LCS Group update

**Date:** May 17, 2015 1:44:11 PM EDT

**To:** ehaug@flhlaw.com, skuzmich@flhlaw.com, drtimothybrewerton@gmail.com, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com, fornskov@shire.com, amaxwell@cantorcolburn.com, jlucchi@bakerlaw.com, ddenhart@cantorcolburn.com, dfarisou@bakerlaw.com

**Cc:** lisanfilippo@lcsgrupp.com

**THIS EMAIL FROM LCS GROUP, LLC THAT INCLUDES THE EMAIL BELOW (WITH ITS PDF ATTACHMENT) ALSO FROM LCS GROUP, LLC IS INTENDED FOR BROAD PUBLIC DISCLOSURE AND HAS SEVERAL PURPOSES.**

## The Patent '813 Story, Part II -- Version 2

ONE OF ITS PURPOSES IS TO INFORM THE 12 CORE "INDIVIDUAL PERSON" PARTICIPANTS IN "THE PATENT 813 STORY, PART II" (IN VIEW OF EACH OTHER) OF IMPORTANT PSYCHOLOGICAL AND BEHAVIORAL OBSERVATIONS INVOLVING THE STORY (AS REPRESENTED IN THE LCS GROUP, LLC EMAIL BELOW). THIS INCREASING "INDIVIDUAL PERSON" EXPOSURE IS TO "SET THE STAGE" FOR SURPRISE ACTIONS IMMINENTLY EXPECTED FROM LCS GROUP, LLC THAT WILL BE DIRECTED TO EACH OF THEM "PERSONALLY." THEREFORE EACH "INDIVIDUAL PERSON" IDENTIFIED ON THE "TO" PART OF THIS EMAIL IS STRONGLY ADVISED TO OBTAIN "INDIVIDUAL" (I.E., PERSONAL) COUNSEL AS SUCH ACTIONS ARE EXPECTED IMMINENTLY (I.E., THIS COMING WEEK).

ANOTHER PURPOSE OF THIS EMAIL FROM LCS GROUP, LLC IS TO ENSURE THAT EACH OF THESE 12 "INDIVIDUAL PERSON" PARTICIPANTS ARE AWARE THAT A "SECOND VERSION" OF "THE PATENT 813 STORY, PART II" IS PLANNED FOR IMMINENT PUBLIC RELEASE, THOUGH THE NATURE AND TIMING OF ITS PUBLIC DISCLOSURE IS CURRENTLY RESTRICTED INFORMATION. LCS GROUP, LLC AND ITS COUNSEL TAKE THE POSITION THAT "VERSION 2" OF "THE PATENT 813, PART II" FAR EXCEEDS THE EXTRAORDINARY NATURE OF THE "FIRST VERSION" (FEATURED IN THE MARCH 13, 2015 PRESS RELEASE) BECAUSE IT IS THE "SECOND VERSION" THAT MAKES EACH INDIVIDUAL "PERSONALLY ACCOUNTABLE" FOR THEIR BEHAVIORS AND ACTIONS, INCLUDING ANY ACTIONS THAT MIGHT BE UNLAWFUL, UNETHICAL AND/OR UNPROFESSIONAL. THIS HAS BEEN LCS GROUP, LLC'S STRATEGIC PLAN FROM THE TIME THE COMPANY ENTERED INTO A "SECRECY AGREEMENT" ON OCTOBER 1, 2014 AND THIS IS BY FAR THE MOST IMPORTANT FEATURE OF THE STORY. AND IT'S COMING VERY SOON.

ON BEHALF OF THE MANAGEMENT OF LCS GROUP, LLC

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)>  
**Subject:** an important LCS Group update  
**Date:** May 17, 2015 12:29:17 AM EDT  
**To:** Joe Lucci <[jlucchi@bakerlaw.com](mailto:jlucchi@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>

THIS EMAIL FROM LCS GROUP, LLC IS INTENDED FOR BROAD PUBLIC DISCLOSURE. ITS PURPOSE IS TO PROVIDE ITS READER CONTEXT FOR THE "INTELLIGENCE ASPECT" OF "THE PATENT 813 STORY, PART II." SPECIFIC USE OF NAMES IN THIS EMAIL ARE TO IDENTIFY INDIVIDUALS WHO COULD PROVIDE TESTIMONY IN ANY NUMBER OF CIRCUMSTANCES TO CLARIFY IMPORTANT BEHAVIORAL FEATURES IN "THE PATENT 813 STORY, PART II" INCLUDING, BUT NOT LIMITED TO, TESTIFYING IN A COURT OF LAW, SPEAKING TO INVESTIGATIVE JOURNALISTS (I.E., SHOWS LIKE 20/20, 60 MINUTES, ETC...) OR SIMPLY TALKING TO ANY REASONABLE PERSON ABOUT THE EXTRAORDINARY BEHAVIORAL DYNAMICS OF THE STORY AND ITS KEY PARTICIPANTS.

Dear Joe and Anne,

On behalf of LCS Group, LLC, I want to keep you updated on the latest "Patent 813 Story, Part II" developments. As I'd emailed Joe earlier today, this coming week looks to have big surprises, expectedly to be delivered by LCS Group and its counsel. As preparation for them, the company would like to use a February 2006 publication from the

## The Patent '813 Story, Part II -- Version 2

journal "Psychiatry" to make some points, as attached. That article is titled "Consulting to Government Agencies - Indirect Assessments" and is co-authored by a number of Yale faculty I personally know, namely, (i) Charles A. Morgan, (ii) Frank Fortunati, (iii) Stephen Southwick, (iv) Seth Feuerstein and (v) Vladimir Coric. The other three authors are (i) Humberto Temporini (formerly at Yale, who I also know), (ii) Michael Gelles, Chief Psychologist with the Naval Criminal Investigative Services and (iii) George Steffian, SERE psychologist with the Navy. SERE, by the way, is the military program that emerged from the US Air Force and stands for "Survival, Evasion, Resistance, Escape." Its purpose is to help military personnel do just that.

Let me highlight a few key points from the article to establish the "communication context" for this email and its relationship to "The Patent 813 Story, Part II" (which you may have seen from the March 13 LCS Group press release, Joe's "role" in it more notable than Anne's). The 2006 article states that psychologists and psychiatrists may be asked to provide consultation to federal agencies in matters that, among other things, involve "the vital interests of an individual and/or the US." This consultation may involve what's called "**indirect assessment**" of a particular individual. That means that the "individual subject" isn't directly examined by the "intelligence or psychological expert(s)" but rather information is gathered on that "individual" through various "indirect means," some of which are characterized in the article but I'm sure you can recognize or imagine others. For example, such "indirect assessment" could involve "third party persons" who communicate certain "assessment information" involving the "individual subject" to "the experts" who then "make the assessment (indirectly)." With today's communication technology (as through text/email), depending on how many "information points of third-party observation" are involved, the amount of data one could gather on an "individual subject" could be massive -- kind of a like a high-tech GPS focused on the "psychological and behavioral location" of the "one individual subject." This information can then be used by the "intelligence or psychological expert(s)" to develop a "psychological profile" -- or, more specifically (as the article reports), to "provide some useful insight into behavior, motivation and personality of a person he or she [the intelligence expert] has never met." And that can be applied in evaluating or addressing any number of intelligence interests.

At its heart, this is what "The Patent 813 Story, Part II" is all about, namely, **it is a methodology of "indirect assessment"** and its objective is to "indirectly assesses" its 12 key "individual participants." Those "individual participants" are (1) "Ed Haug," (2) "Sandra Kuzmich," (3) "Timothy Brewerton," (4) "Flemming Ornskov," (5) "James Harrington," (6) "Tatjana May," (7) "David Banchik," (8) "Joe Lucci," (9) "David Farisiou," (10) "Anne Maxwell," (11) "Derek Denhart" and (12) "Louis Sanfilippo." In this "narrative light," "The Patent 813 Story, Part II" has its own "expert consultants" that engage in "indirect assessment" (that you can find in the story itself as it's transparently represented) to "provide some useful insight into behavior, motivation and personality." What makes it a bit different from the "indirect assessment" methodology featured in the 2006 article is that its methodology is not focused on an "individual subject" (as the article tends to emphasize) but, rather, on "12 individual subjects" and their "group and even sub-group dynamics." In this light, there is more complexity to its methodology of "indirect assessment" and its "behavioral analysis," as well as to its predictive behavioral modeling as the group dynamics involved in it are rather elaborate. But "The Patent 813 Story, Part II" even does some additional things, as further characterized below.

Further, the 2006 article provides perspective on the ideal way to consult to government agencies through indirect assessments, highlighting that "the expert is best advised to

## The Patent '813 Story, Part II -- Version 2

partner with a multidisciplinary team of intelligence analysts, forensic scientists, lawyers, computer experts, and other technical experts whose members are versed in the various contexts in which sources of information are collected or derived.” This kind of shared expertise, the argument goes, enhances the process of “indirect assessment,” including its application (i.e., for intelligence purposes, law enforcement, hostage crisis, espionage detection, etc...). This is an excellent point, because only with the “right team” in place can you make these kinds behavioral assessments in a meaningful way. The specific role of “computer experts and other technical experts” makes particular sense because, self-evidently, any such “indirect assessments” that would require “third party observations” that stand between “the experts” and “the individual subject” would require the proper communication infrastructure in place to facilitate timely (i.e., “real-time”) commutations **from** those “in the field” (i.e., “the third party observers”) **to** the “expert multi-disciplinary group.”

In this context, if “one individual subject” may seem challenging enough for an expert “inter-disciplinary team” to “indirectly assess” (for whatever purposes), think about what’s required in the “indirect assessment” of 12 individuals spread across various companies and layered across the unique dynamics of an *inter partes* review with ample evidence of unlawful conduct, as in “The Patent 813 Story, Part II” (for the purpose of getting to the “truth of the matter”). To handle that, one needs “**enhanced** indirect assessment technology,” as well as “intervention or treatment technology” (given the complexity of its “problems”). One needs an **exceptionally skilled multi-disciplinary team** that can make fast real-time judgments that incorporate lots of data points involving everything from “simple individual behavior indirect assessments” to “complex and dynamic group and sub-group indirect assessments” and their integrated and meaningful real-time analysis. Only then can proper “therapeutic actions” be taken that legitimately secure “the vital interests of an individual and/or the US” -- or as it is in the case of “The Patent 813 Story, Part II” the interests of its twelve core “individual participants.” Or many more “individual participants” when you consider all those “third-party interferers” central to “The Patent 813 Story, Part II” represented by all that observable Shire-related “third-party interference for anti-competitive conduct” (featured in “the story” through its abundant email and even audio evidence).

With that in view, I’d like to highlight (on behalf of LCS Group in preparation for imminently expected company actions) a few of the 2006 article’s excellent points (as bolded in the article itself) with a few parenthetical comments for each point as they relate to “The Patent 813 Story, Part II.”

1. **“The expert should adhere to sound professional judgment and not be unduly influenced by the organization or the emotionality of its leadership.”** This is a critical point. The expert can be lured into a position in which they are susceptible to “projectively identifying” with certain incoherent or confused “messages” from individuals, the leadership and/or the group-as-a-whole with which they are working. The problem with that is that the expert’s judgment then becomes “projectively-based,” meaning that it becomes rooted in fantasy, distortion, incoherency and confusion. This, in turn, can lead to problematic “acting out” on the basis of such fantasy-based thoughts and impulses. That itself becomes reason to disqualify the “expert” from “expert status” and, in this regard, their ongoing involvement in the “intelligence work” could have the opposite effect of their initial involvement by seriously compromising the intended objective (because they are “more novice” than “expert”).
2. **“The expert who performs indirect assessments should know his or her limits of expertise.”** This is a very important point and it follows nicely from point No.

## The Patent '813 Story, Part II -- Version 2

1. Failure of the expert to recognize the limits of their expertise can lead to serious misjudgments and even cause harm to individuals by their permitting "intelligence work" to venture into territory in which the expert is not familiar or may even have serious misunderstandings. This is particularly the case in intelligence matters that involve human consciousness and perceptual dynamics. If the expert is not sufficiently "grounded in reality," meaning that they (either individually or as a "collective unit") rely too heavily on primitive defense mechanisms such as "projection" and "splitting" (or are prone to "projectively identify" with others and "act out"), they are apt to make catastrophic misjudgments at times that are particularly sensitive to individual, group and/or US national security interests, especially if such situations involve urgent time-sensitive matters of real threat. To this effect, the "expert(s)" may completely fail to even see the threat, one that a person much less experienced (like a college student) readily identifies and recognizes for its high-risk implications.

**3. "The expert must recognize who the client is (e.g., law enforcement organization, intelligence agency, etc...)." Another critical point, which for the purposes of "The Patent 813, Part II" is important because "the story" itself is "the client." The "expert work" from the four collaborating entities that you've read about numerous times in prior emails (all of which have now been publicly identified) and that have collectively helped to write it, serve the client that is "The Patent 813 Story, Part II." In this respect, "the client" effectively becomes "the reader" of the story as the story is written for its "reader" who is one and the same as its "client." That's a critical feature of **how** the story's been written for its "client reader." However, it should be noted in view of point No. 3 above that if the "expert" to a "client" (such as the CIA) has identified that its "indirect assessment of the subject" is self-defeating and poses more risk than benefit to its client by actually threatening national security interests (as it would be if important intelligence information was getting leaked from seriously flawed methodologies involving the experts' indirect assessment of a subject), **the expert(s) must quickly act to resolve that problem** before they become the "subject of scrutiny and investigation" by their client for behaving "without any expertise" and even undermining important national security interests. In a court of law, that could effectively expose "the expert(s)" charged with the "indirect assessment of the subject" to charges of treason.**

Yet the most relevant point of all in the 2006 article in view "The Patent 813 Story, Part II" relates to its concluding portion about the "ethics" of such kinds of profiling or indirect assessments conducted for federal agencies with the support of experts. It writes, "With the myriad of government agencies recognizing the value of psychiatric and psychological consultation, now is the time to engage such consultants in the difficult process of establishing ethical guidance for this emerging area of practice." That makes sense to the extent that there is "value" to what the "experts in psychiatric and psychological assessment" have to say. But one can't generalize. For instance, if the "experts in psychiatric and psychological assessment" are part of "the problem," that generalization breaks down. You can call this a "quantum breakdown phenomenon" in that the "observation or involvement of experts" itself introduces uncertainty into the "observation and indirect assessment," kind of like that "Heisenberg Uncertainty Principle" in quantum physics. And the more "expert energy" that's used in observing "the subject" to make those "indirect assessments" (as by an "expanded network of third-party observers and information gatherers") the more inaccurate and unreliable the "observation and assessment" becomes (or something along those "quantum lines," as quantum physics is not LCS Group's expertise). To frame it from the angle of literary theory (again not the expertise of LCS Group), if the "expert(s)" (that I'll call the "object") is tasked to evaluate "a subject" but the "intelligence work" runs into "object-subject distinction problems" because the "subject" is far more "expert" in these matters of

## The Patent '813 Story, Part II -- Version 2

“observation and indirect assessment” than the “object,” this can become a source of serious “observational and indirect assessment confusion.” In other words, it can lead the “psychological and psychiatric experts” to become diametrically opposite that, namely, “confused and logically incoherent persons” -- and also **“the subject of indirect assessment” from “the object that they have been indirectly assessing.”**

In this respect, the “psychological or psychiatric assessment experts” would effectively become “the source” of an ongoing problem that actually compromises the interests of their client (i.e., CIA, among others federal agencies), but they would have no skills, much less any expertise, in the problem’s “psychological assessment and treatment” **because they themselves are “the source of the problem.”** That problem (as caused by their original and ongoing misjudgments and lack of expertise) could be **massively amplified** by group dynamic events for which they also would have no experience or expertise in either “assessing” or “treating,” which could cause even more expansive and far-reaching “problems,” especially if those “psychological and psychiatric assessment experts” bring in more like-minded “psychological and psychiatric assessment experts” who also have no experience or expertise in either “assessing” or “treating” such “problems.” **If such “psychological or psychiatric assessment experts” utilize primitively based projective and splitting defense mechanisms, this could cause massive, highly accelerated deterioration and psychological instability among involved “third-party information gatherers” that they have tasked with providing them “indirect assessment information” of the “individual subject” (as well as among the experts themselves).** In this respect, these “psychological or psychiatric experts” **would be causing an accelerated and very serious “emotional and cognitive interference problem” in the minds’ of those they have recruited to provide them “indirect assessment information” on the “individual subject.”** Needless to say, that would make them **responsible for causing significant real-time psychological harm with potential long-term effects** on account of their supporting such “third party observers and information gatherers” continue their task of obtaining “indirect assessment information” on the “subject,” **especially in the “perceptual setting” of a group dynamic that is relentlessly deteriorating into a cycle of increasingly regressed “projective identification” and “acting out.”**

You can see this kind of accelerated regressive psychological deterioration in the behavior of FLH attorney Ms. Sandra Kuzmich of late, as LCS Group pointed in yesterday’s email that CC’d you. It would seem, based on the “indirect assessment” featured in “The Patent 813 Story, Part II,” that she is “projectively identifying and acting out” **in response to projectively-based fantasies sourced elsewhere, likely in an “expert network” that doesn’t make the “decisions” but provides “guidance” to her.** Her “acting out” destructively takes the form of irrational and incoherent “attorney behavior.” **These are very serious psychological and behavioral sequelae that appear to be the result of a downstream phenomena of very poor expert support that is “using” Ms. Kuzmich (and her partner Mr. Haug) as an instrument of “third party observation and information gathering” for the purpose of indirectly assessing “a subject.”**

In this respect, “The Patent 813 Story, Part II,” would identify Ms. Kuzmich as a “third party interferer” whose own psychological and behavioral health has been **profoundly “interfered with”** by virtue of her being a “human conduit” for providing “indirect assessment information” to “psychological and psychiatric experts” conducting “the indirect assessment” of “a subject” that is, presumably, “Louis Sanfilippo” (based on the ample evidence in the story). However, any “psychological or psychiatric expert” that would continue to support the kind of highly regressive and irrational “attorney behavior”

## The Patent '813 Story, Part II -- Version 2

Ms. Kuzmich exhibited yesterday in the IPR would have to be either **incompetent** or **sociopathic**, because anyone can see that it is actively causing her serious psychological harm and is actively exploiting her as a “human instrument” for the “indirect assessment of a subject” under “group dynamic boundary conditions” that are **highly regressive and extremely psychologically unstable**. The kind of “attorney behavior” witnessed yesterday by Ms. Kuzmich reflects a **catastrophic collapse of any such “indirect assessment methodology” being used by “experts” in which she may be a “third party observer or gatherer of information”** on, for instance, “Louis Sanfilippo” (as evidenced in “The Patent 813 Story, Part II”). When this kind of profound “psychological and behavioral deterioration” takes place to the degree that it took place yesterday with Ms. Kuzmich, **it is a harbinger for potentially catastrophic psychological and behavioral consequences to the “involved third party observers and information gatherers” because of the way it exploits their perceptual representations of reality through extremely heavy projection and splitting. THESE PSYCHOLOGICAL CONDITIONS POSE AN EXTREMELY HIGH RISK FOR ACUTE PSYCHOSIS AT INDIVIDUAL AND GROUP LEVELS.**

In this light, “The Patent 813 Story, Part II” desperately needs “expert consultation **from the outside**” with those who have expert skill in both the “assessment and treatment” of such matters, in a way that adequately resolves the ethical and/or legal and/or psychological problems **from both the “inside” and “outside.”** There aren’t many behavioral intelligence teams that are equipped to do that, but the one that LCS Group has been closely working with is highly skilled at just that, which is why this email comes “from LCS Group, LLC” at this time in “The Patent 813 Story, Part II.”

**This is what “The Patent 813 Story, Part II” is all about.** But the remarkable thing about its methodology of “assessment and treatment” (i.e., ethically, psychologically, legally, etc...) is that it uses its own “indirect assessment technology” to take “indirect action” and that “indirect actions” is designed to finally “resolve the problem” that its reader witnesses to be happening in the story **in direct view of its own “indirect assessment” and “expert support.”** That’s an extraordinary thing!

Lastly, there is a "time expansion" in this email in that it was written on May 16 but it was sent on May 17. May 17 is actually an important date for a bigger real-life story within which "The Patent 813 Story, Part II" exists. But that story is for another day.

Sincerely,

Louis

Louis C. Sanfilippo, MD  
CEO, LCS Group, LLC

**ATTACHMENT: “Consulting to Government Agencies - Indirect Assessments.pdf”**

is available at:

[http://www.4shared.com/download/U9G3\\_jfmba/Consulting\\_to\\_Government\\_Agenc.pdf?gfp=3000](http://www.4shared.com/download/U9G3_jfmba/Consulting_to_Government_Agenc.pdf?gfp=3000)

**Monday May 18, 2015:**

US Patent Trial and Appeal Board’s **“Order to Show Cause Why Adverse Judgment Against Patent Owner Should NOT be Entered,”** as made in IPR 2014-00739, is available in PDF at:

## The Patent '813 Story, Part II -- Version 2

<http://www.4shared.com/download/0Vfd98L7ba/order-29.pdf?lgfp=3000>

**3 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 3 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/5KHwz4HYce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/5KHwz4HYce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** IPR2014-00739 (U.S. Patent No.8,318,813): Board's May 18 Order

**Date:** May 18, 2015 7:08:14 PM EDT

**To:** trials@uspto.gov

**Cc:** shire.ipr.813@flhlaw.com, Ed Haug <EHAug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, fornskov@shire.com, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com

IPR2014-00739 (U.S. Patent No. 8,318,813)

Petitioner: Shire Development, LLC

Patent Owner: Lucerne Biosciences, LLC

Dear Patent Board,

Lucerne Biosciences, LLC is writing this email in response to the Board's Order (Paper No. 29) today that "Patent Owner has ten (10) days from the date of this order to show cause why adverse judgment should not be entered against it." This length of time is not necessary because it is **very easy and straightforward** to show why adverse judgment should not be entered against the company, which is effectively one and the same as showing that the '813 Patent is clearly and unmistakably patentable and valid. This is featured below in "Part I," all written in a way that any reasonable person could read to clearly understand that the '813 Patent is not only non-obvious -- and therefore patentable and valid -- but surely must be one of the most non-obvious, patentable and valid patents in pharmaceutical patent history. This is the reason for why you are receiving this email **directly from the company itself**. In other words, there is no need for any kind of "interference" that could obstruct communicating this simple, straightforward and easy-to-understand reality, itself materially relevant in the *inter partes* review of the '813 Patent because of another secondary matter.

With respect to this secondary matter (of "interference"), Lucerne Biosciences, LLC has identified significant conflicts of interest involving the attorneys who have been involved in the *inter partes* review of the '813 Patent. This is succinctly shown below in "Part II," and why there are parties/persons on this email thread that are not "IPR attorneys" from either Baker & Hostetler LLP or Frommer, Lawrence & Haug LLP. While the Board may not understand the nature and/or dimension of this "secondary (interference) matter," it's unequivocally clear from the record "outside the IPR" in view of the record "inside the IPR" that this IPR of the '813 Patent is part of much bigger real-life story of which every person/party (as cc'd on this email) seems to have been quite aware, but for which the "involved IPR attorneys" have been making every effort to conceal from "public disclosure" (that would include the Board). One important purpose of this email is to document this very obvious reality for posterity, so that looking back on the Board's decision in this IPR it will be unmistakably clear which persons/parties acted ethically, professionally and lawfully and which ones did not.

## The Patent '813 Story, Part II -- Version 2

In the interest of justice, truth and accountability, Lucerne Biosciences, LLC strongly urges that the Board make every possible consideration, as lawfully vested within its powers, to recognize the significance of what is communicated in this email and its hyperlinked attachments (as do also all the parties/persons cc'd on this email). In this respect, the *inter partes* review of the '813 Patent is essentially and fundamentally all about justice, truth and accountability and it will always be. And because of that -- and of course the Patent 813 IPR's extraordinary history and unique communication features -- it will surely become one of the landmark legal cases in all of the Patent Trial & Appeal Board's history.

### Lucerne Biosciences, LLC

**PART I.** The following two PDF documents explain why adverse judgment should **not** be made against Lucerne Biosciences, LLC. These documents have been written for any reasonable person to understand for their implications on the patentability of the '813 Patent and why it is clearly a patentable and valid patent, which directly speaks to why any kind of adverse judgment by the Board would be an egregious injustice (though particularly a judgment in which the

'813 Patent is invalidated). While the "communication context" of these documents is referenced below for transparency, it is materially irrelevant for determining the patentability of the '813 Patent and therefore should have no bearing on any judgment made by the Board in favor of, or against, Lucerne Biosciences, LLC.

1. **"Supplemental Information U.S. Patent No. 8,318,813"** is available at:  
[http://www.4shared.com/download/azhRIWW0ba/Supplemental\\_Information\\_US\\_Pa.pdf?lgfp=3000](http://www.4shared.com/download/azhRIWW0ba/Supplemental_Information_US_Pa.pdf?lgfp=3000). This PDF document was featured via hyperlink in a December 26, 2014 Press Release titled "LCS Therapeutics and Lucerne Biosciences to Commercialize '813 Patent for Lisdexamfetamine Dimesylate in the Treatment of Binge Eating Disorder."
2. **"Important Vyvance.Shire.Matter email.asemailedFLH.Brewerton.11.10.14"** is available at:  
[http://www.4shared.com/download/4H91ac5sba/Important\\_VyvanceShireMatter\\_e.pdf?lgfp=3000](http://www.4shared.com/download/4H91ac5sba/Important_VyvanceShireMatter_e.pdf?lgfp=3000). This document was featured via hyperlink in an email sent from LCS Group, LLC (by its CEO Louis Sanfilippo) to Shire (its CEO Dr. Flemming Ornskov) on November 13, 2014.

**PART II.** The following two PDF documents explain why the attorneys from Baker & Hostetler, LLP (currently of record as the company's counsel) and Frommer, Lawrence & Haug, LLP, who have been involved in this *inter partes* review of the '813 Patent, have substantively interfered with meaningfully addressing important matters of patentability at the "*inter-company* level" by virtue of their own conflicts of interest in representing their respective clients. This provides yet additional evidentiary support for why an adverse judgment should **not** be made against Patent Owner Lucerne Biosciences, LLC, namely, because there are **serious foundational problems** in the nature of legal representation of Lucerne Biosciences, LLC and Shire Development LLC that directly stem from conflicts of interest involving the attorneys representing them.

The best way to appreciate the substantive nature of "Part II" is to read the first document (a May 15, 2015 email representing LCS Group, LLC sent by its CEO Louis Sanfilippo) followed by the second one (a May 18, 2015 email thread representing Lucerne Biosciences, LLC sent by its manager/member Louis Sanfilippo). Petitioner's Exhibit 1090 provides additional context for these two communications. Unlike "Part I" (above), for any reasonable person to understand how "Part II" supports the company's position that the Board not render an adverse judgment against it

## The Patent '813 Story, Part II -- Version 2

the emails themselves provide materially relevant context, and so are included herein in their entirety. Their attachments are either embedded within the email itself by hyperlink (first document) or explained parenthetically below (second document).

1. **“Email from LCS Group, LLC sent on May 15, 2015”** is available at:  
[http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000).
2. **“Email Thread from Lucerne Biosciences, LLC on May 18, 2015”** is available at:  
[http://www.4shared.com/download/dX36rRKGce/Lucerne\\_Biosciences\\_Email\\_to\\_J.pdf?lgfp=3000](http://www.4shared.com/download/dX36rRKGce/Lucerne_Biosciences_Email_to_J.pdf?lgfp=3000). The identified “email” attachment in the “12:13 am” email is the “Email from LCS Group, LLC sent on May 15, 2015” (document one above) as formatted in both PDF and Word (the word doc is not included here but is an identical replica of the PDF).

**Tuesday May 19, 2015:**

**11 AM EDT:**

USPTO’s Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** and **“Image File Wrapper”** for **US Patent Application 14/464,249 “as of 11 AM EDT”** is available as a merged PDF: [http://www.4shared.com/download/TPyk5-LAce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/TPyk5-LAce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Trials <Trials@USPTO.GOV>  
**Subject:** RE: IPR2014-00739 (U.S. Patent No.8,318,813): Board’s May 18 Order  
**Date:** May 19, 2015 1:48:19 PM EDT  
**To:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>, Trials <Trials@USPTO.GOV>  
**Cc:** "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>, Ed Haug <EHAug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, "fornskov@shire.com" <fornskov@shire.com>, "dbanchik@shire.com" <dbanchik@shire.com>, "jharrington@shire.com" <jharrington@shire.com>, "tmay@shire.com" <tmay@shire.com>

Counsel:

We are in receipt of Patent Owner’s e-mail. Not only is this e-mail not an official communication, 37 CFR 42.3(b)(1), it is in violation of our order of December 23, 2014 (Paper 14), which states that “all papers must be signed by Patent Owner’s counsel of record.”

In our order of May, 5, 2015 (Paper 26), and referenced in our Order to Show Cause (Paper 27), Mr. Lucci, Patent Owner’s counsel of record in this proceeding, noted that Patent Owner had retained new counsel, and was no longer authorized to speak on Patent Owner’s behalf. Thus, in order to avoid entry of adverse judgment, Patent Owner need update its mandatory notices to reflect its new counsel, and need also file a response to the Order to Show Cause. If neither of those actions are taken, we will enter adverse judgment on June 3, 2015.

As we noted in our order of November 21, 2014 (Paper 9), as Lucerne Biosciences, LLC, is a juristic entity, the inventor of the Patent at issue, Dr. Sanfilippo, cannot proceed *pro se* in this

## The Patent '813 Story, Part II -- Version 2

proceeding.

Thank you,

Maria Vignone  
Paralegal Operations Manager  
Patent Trial and Appeal Board  
XXX-XXX-XXXX

**From:** <lucernebio@lucernebio.com>  
**Subject:** RE: \_IPR2014-00739\_(U.S.\_Patent\_No.8,318,813):\_Board's\_May\_18\_Order  
**Date:** May 19, 2015 7:08:29 PM EDT  
**To:** "Trials" <Trials@USPTO.GOV>  
**Cc:** "shire.ipr.813@flhlaw.com" <shire.ipr.813@flhlaw.com>, "Ed Haug" <EHaug@flhlaw.com>, "Sandra Kuzmich" <SKuzmich@flhlaw.com>, "Joseph Lucci" <jlucci@bakerlaw.com>, "David Farsiou" <dfarsiou@bakerlaw.com>, "fornskov@shire.com" <fornskov@shire.com>, "dbanchik@shire.com" <dbanchik@shire.com>, "jharrington@shire.com" <jharrington@shire.com>, "tmay@shire.com" <tmay@shire.com>

Dear Ms. Vignone,

Lucerne Biosciences, LLC thanks you for your prompt response on behalf of the Board -- and also for cc'ing all the "Shire representatives" in your email. While the email that the Board received yesterday directly from the juristic entity "Lucerne Biosciences, LLC" may not be an "official communication" from the Board's "frame of reference," it certainly is an "official communication" from the Patent Owner of the '813 Patent, Lucerne Biosciences, LLC. This email **directly from the company itself** is to make that point clear on the written record, notably in view of the above cc'd "Shire witnesses."

Further, while the Lucerne Biosciences, LLC "**direct company email**" may be in violation of the Board's order of December 23, 2014 (Paper 14) that states "all papers must be signed by Patent Owner's counsel of record," the Board should know that the company's email had its own specific "communication purpose," namely, to establish a different (i.e., alternative) "frame of reference" than the Board's through which people of all kinds could read "The Patent 813 Story" to learn about how truth, justice and accountability are served through certain kinds of communication dynamics, regardless of the venue or outcome. Not only that but to expand on an already established "frame of reference" meant to effectively teach people of all kinds on the art of diagnosing and treating eating disorders, **specifically diagnosing "Binge Eating Disorder" and specifically treating it with "lisdexamfetamine dimesylate."**

In this light, whatever "decision" or "final decision" the Board makes regarding this *inter partes* review proceeding of the '813 Patent based on its May 18 Order, **in view of the information it publicly has been shown to have in its possession when making it**, the Board's "decision" or "final decision" will surely have its own major place in "legal posterity" -- and also in "eating disorder history" -- for people to look back on, and learn from, at many levels and with many details. This is the reason that yesterday's email from the company featured those four hyperlinks to material that any reasonable person could read and readily come to understand for its implications on why the Board should **not** issue an adverse judgment against Lucerne

## The Patent '813 Story, Part II -- Version 2

Biosciences, LLC (particularly the "Part I" support for the patentability of the '813 Patent). And that itself is a reason for why Shire representatives (as cc'd above) who stand around to simply "watch the disaster happen" aren't serving their own company's and shareholders' best interests, nor the interests of justice, truth and accountability, nor the eating disorder art, nor the marketing of Vyvanse® to treat Binge Eating Disorder -- in view of the information that they themselves can be shown to have had in their possession at any specific time on, or since, September 4, 2014.

With respect to your comment that states "in order to avoid entry of adverse judgment, Patent Owner need update its mandatory notices to reflect its new counsel, and need also file a response to the Order to Show Cause. If neither of those actions are taken, we will enter adverse judgment on June 3, 2015," this introduces another matter that the company handled yesterday by the guidance of its counsel. You can find the relevant context for that matter in the email below sent yesterday to attorney Lucci on behalf of Lucerne Biosciences, LLC from its manager/member Louis Sanfilippo. That email is included in this email to ensure an accountable and truthful representation of an important communication that was made to specifically address this "counsel feature" in the Board's Order yesterday. The "reader" of this (today's) email, therefore, can make their own inferences from this "May 18-19 real-time exchange" between "Lucerne Biosciences, LLC" and the Patent Board as to the significance of "Patent Owner need update its mandatory notices to reflect its new counsel..." in view of (i) the Board's May 18 Order that not doing so would be a major contributing factor to an adverse judgment against the company and (ii) the Board's "judgment" or "final judgment" when it makes its "decision" or "final decision" on that.

Lastly, when you (on behalf of the Board) write, "As we noted in our order of November 21, 2014 (Paper 9), as Lucerne Biosciences, LLC, is a juristic entity, the inventor of the Patent at issue, Dr. Sanfilippo, cannot proceed *pro se* in this proceeding," your comment (on behalf of the Board) misrepresents the most important feature of the email sent yesterday. It is that "the inventor of the Patent at issue, Dr. Sanfilippo," is **not** the one that's proceeding "pro se" in this proceeding (nor is "Dr. Sanfilippo" the "entity" representative of the email the Board received yesterday and today).

In this "communication light," Lucerne Biosciences, LLC has been closely working with its own "hidden counsel" to make a very big "unhidden legal point" so that the *inter partes* review of the '813 Patent is an unforgettable landmark case in the Patent Trial & Appeal Board's history that people of all walks of life will talk about for a long time to come. It surely has so many extraordinary legal, business, medical and behavioral features that it can be sometimes hard to keep up with them in real-time, of which this email is designed to showcase because this "second chapter" of "The Patent '813 Story" is soon about to end so that another can begin. That's the reason why you and the Board received yesterday's and today's emails **directly from the juristic entity "Lucerne Biosciences, LLC" itself** -- and **not** from "inventor Louis Sanfilippo," **nor** from "manager/member (of Lucerne Biosciences, LLC) Louis Sanfilippo" (as Mr. Lucci's email below was "received" yesterday only minutes earlier). There's a very important "representation teaching" that "The Patent 813 Story" (across both its "Part I" and "Part II" narratives) has been designed to show any reasonable person who takes to reading it. Fundamentally, that's where its reader will find the "essential teaching" of this real-life story and why people will be "loudly discussing" its may unique dimensions and details for some time to come, **regardless** of what "decision" or "final decision" the Board makes based on its May 18 Order.

**Lucerne Biosciences, LLC**

---

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>

## The Patent '813 Story, Part II -- Version 2

**Subject: IMPORTANT CONFLICT OF INTEREST/IPR MATTER**

**Date:** May 18, 2015 6:33:31 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

**Cc:** David Farsiou <dfarsiou@bakerlaw.com>, MD MD <louiscsan@aol.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to put you and Baker Hostetler LLP on notice for serious conflict of interest behavior for your participating in the Board's May 1 conference call when you did not have the company's authorization to do that and also for its high potential to cause the company serious harm. You were informed on April 27, on behalf of Lucerne Biosciences, LLC, that "neither Baker & Hostetler, LLP, nor any of the law firm's representatives, is authorized to represent the company in any matters" (the entire email is below). Yet you involved yourself in that May 1 conference call **without any authorization from the company and clearly against the company's explicit/implicit "direction" communicated in that April 27 email.** More remarkably, though, you even made representations from the company in that May 1 conference call that you were not authorized to make and that **you were advised not to make from that April 27 email, representations which may significantly and directly contribute to harm caused Lucerne Biosciences, LLC** should the Board make an adverse judgment against it (as represented in the Board's Order today). After all, had you done what you were authorized to do by **your effective and complete termination** -- which is "nothing whatsoever" (i.e., not participate in the call) -- the Board would not have directed its grievances to Patent Owner Lucerne Bioscience, LLC (for not having counsel) as it did in its May 5 Order, as well as in today's Order that has given the company 10 days to address why it should not render an adverse judgment against it. Rather, the Board would have directed those grievances to you where they would have rightfully belonged in view of what would be obvious to any reasonable person in view of the record, namely, **your own conflict of interest in this IPR** (as briefly characterized in the emails you received this morning but which by now should as clear to you as the light of day).

To have avoided a serious conflict of interest that now stands central to the Board's potential decision for an adverse judgment against the company that may involve the invalidation of the 813 patent, you should have never participated in that May 1 conference call, but rather let things take their natural course and simply watch its course. **If you listened to what your client Lucerne Biosciences, LLC was telling you, then you would not have participated in that May 1 conference call in any way whatsoever including, even, dialing the call-in number.** You have been informed **many times** that there is more to the "813 Patent story" than just the IPR and you have also been informed **many times** that its communication dynamics are the most important and relevant feature of this important real-life story. Even in that context, you still managed to act in a manner for which you were not given any authority and which actually violated the very direction you were clearly given. Your "attorney behavior" now stands to cause the company profound harm.

So here's a critically important question for you: what motivated you to violate your client Lucerne Biosciences, LLC's clear instructions by doing what your client did not authorize you to do but, rather, advised you against doing based on its very clear direction? It's very important that the company have an answer, because this story is only going to get much much bigger. And "as of now," you and Baker Hostetler are squarely "in the middle" of its most critical and time-sensitive feature, namely, you and BH are right in the middle of a massive clearly evidenced "**representation of your client conflict of interest**" that stands poised to cause Lucerne Biosciences, LLC massive harm, one that

## The Patent '813 Story, Part II -- Version 2

any reasonable person would see and understand for its legal and ethical implications in view of the written record.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** "Louis Sanfilippo, MD" <LOUISCSAN@AOL.COM>  
**Subject:** Lucerne Biosciences, LLC/ Termination of Baker Hostetler Representation  
**Date:** April 27, 2015 4:00:05 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** David Farsiou <dfarsiou@bakerlaw.com>

Dear Joe,

In my capacity as a Manager of Lucerne Biosciences, LLC, I am writing to inform you that effectively immediately Lucerne Biosciences, LLC is represented by new counsel in all its legal affairs. Therefore, neither Baker & Hostetler, LLP, nor any of the law firm's representatives, is authorized to represent the company in any matters. Further information and actions are imminently forthcoming.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**Wednesday May 20, 2015:**

**11 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 11 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/0GoTu4DXce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/0GoTu4DXce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** <lcsgroup@lcsgrupp.com>  
**Subject:** LCS Group, LLC thanks you  
**Date:** May 20, 2015 11:02:07 AM EDT  
**To:** kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, toni.wolinsky@crl.com, carrie.panepinto@crl.com, megan.anderson@marketingtopics.com, cjordan@assurgentmedical.com, evan.skoures@pearson.com, susanw@thefdagroupusa.com, gina.mullane@crl.com, fineberg@mtspartners.com, anna@pirllc.com

## The Patent '813 Story, Part II -- Version 2

**Cc:** alistair.campbell@berenberg.com, paul.major@redburn.com, jo.walton@credit-suisse.com, jason.gerberry@leerink.com, david.a.amsellem@pjc.com, tchiang@crtllc.com, amy.walker@morganstanley.com, ken.cacciatore@cowen.com, dsteinberg@jeffries.com, james.d.gordon@jpmorgan.com, keyur.parekh@gs.com, richard.vosser@jpmorgan.com, mark.clark@db.com, graham.parry@baml.com, dani.saurymper@barclays.com

Dear "TO: email recipients":

LCS Group, LLC would like to thank you for your "electronic contributions" to "The Patent '813 Story, Part II" as made by each of you in your recent emails to "Louis Sanfilippo" (at various of his email addresses). This electronically-based real-life story is now available as a PDF in the company's May 13 press release titled "LCS Group Announces Exclusive License from Lucerne Biosciences to Commercialize '813 Patent and '249 Application through Shire's Marketing of Lisdexamfetamine Dimesylate for Binge Eating Disorder" (in the "inquires" section):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

One important purpose of this email besides thanking you for your contributions to "The Patent '813 Story, Part II" is for LCS Group to provide you additional context for understanding the nature of this "electronically-based story." And also to explain why a number of investment analysts familiar with Shire (and therefore with the use of Vyvanse® to treat Binge Eating Disorder, as featured in the '813 Patent's claims) are cc'd on this email to you.

In this respect, the most important feature of "The Patent 813 Story, Part II" is that it is effectively an "intelligence study" involving communication dynamics and human perception, with a particular focus on how certain "boundary conditions" are established through different communication techniques and framing. In essence, the story itself is a real-time investigation into human perception at the level of motivational drivers and how such drivers are "behaviorally expressed" through the communications of its "participants" that include you. That is by far the most important feature of "The Patent 813 Story, Part II," which certainly overshadows anything in the "*inter partes* review proceedings" themselves regarding the "patentability of the 813 Patent" that some of you have heard about in more detail while others less or not at all but which nonetheless is still also important and featured throughout the story vis-à-vis its filings (by hyperlink) and "inter-company communications" (i.e., first LCS Group/Shire followed by Lucerne Biosciences, LLC/Shire).

More specifically, though, "The Patent 813 Story, Part II" itself **is its own unique self-referential "frame of reference"** that allows its featured "communication dynamics" and their impact on motivation, behavior and perception to be observed and investigated through, and within, its own "frame of reference." In this respect, the story sequentially builds on itself through the communications that comprise it and that have been made in "real time" by its "real-life characters" that include all of you (as both its "writers" and "readers"). This self-referential "frame of reference" is designed to be a perceptual construct **for the "mind" (or "consciousness") of its reader** (that is you) based on the way the story has been written for you to "read" it. To understand what this means, consider that the nature of this communication today from LCS Group is very different in its "communication features" than previous ones you would have received from "Louis Sanfilippo" featured in the story. Specifically, today's communication is representative of explaining how the story's self-referential "frame of reference" (that includes your contributions) undergoes massive "frame expansions" as it approaches its final ending. That means that it is written to "perceptually amplify" certain things in its reader's consciousness that may have been less "consciously visible" earlier in the story.

## The Patent '813 Story, Part II -- Version 2

For instance, you can see how today's email to you from "LCS Group, LLC" features a hyperlink to a May 13, 2015 LCS Group press that itself has a hyperlink to a PDF that contains (i) your "electronic contributions" to the story and (ii) LCS Group's December 26, 2014 press release that features a hyperlink to a PDF that contains a "communications transcript" (titled "Supplemental Information U.S. Patent No. 8,318,813) that itself features a hyperlink to a PDF titled "Press Release" (from an email sent by LCS Group, LLC to Shire on September 26, 2014) that was a "first draft" of the press release issued on December 26 that itself was designed to pre-figure the nature of the May 13 press release hyperlinked at the beginning of this email that contains all of these "communications." This kind of **self-referential and recursive "framing"** is designed to expand the perceptually-based "frame of reference" through which its reader that is you understands the story so that you, its reader, can better understand your own role in the story, including your own "electronic contributions" to it and even their role in driving its soon-coming "final resolution." This happens by virtue of your looking back on the "earlier-in-time" features of the story with what's called "hindsight perspective" that comes "later-in-time" from the **"expanded frame of reference."**

In this respect, the *inter partes* review of the '813 Patent (i.e., the "patent/legal aspect") is really a **much smaller story** compared to this "other intelligence aspect" of "The Patent 813 Story, Part II" of which the investment analysts have heard more details about than the "TO: recipients" of this email. Some of these details involving its "intelligence side" are featured in a PDF titled "Declassified Communications Lucerne Biosciences, LLC" in the attachment for an email sent from "Byan Haygins" to Shire CEO Dr. Flemming Ornskov on April 28, 2015 at 7:07 am EDT, as well as in emails sent after that time. To be sure, there are a number of more extraordinary communications that have taken place since LCS Group's May 13 press release that massively expand the perceptual "frame of reference" (for the story's reader) but these communications are not yet public. However, they are expected to be made public imminently through a "version 2" of "The Patent 813 Story, Part II" whose nature and details are currently restricted information but which expectedly will feature its biggest surprises.

At this point in this email, you (or the cc'd investment analysts) may ask, "where does any company get off sending an email like this?" The answer is that LCS Group's CEO "Louis Sanfilippo" has a unique background that involves psychiatry, philosophy and linguistics, as well as lots of experience in "psychodynamic and communications work" (and is also a Board certified psychiatrist and voluntary faculty member at Yale Medical School) whose unique background helped LCS Group put together today's email to you designed to help you, the story's reader, "perceptually anchor" yourself by its "frame expansion" intended to provide you "real-time hindsight perspective" on how the story managed to get to this very unique point "in consciousness" and "reality" (at this point in time that you are reading it). After all, the story exists in your "consciousness" because you are its "reader" and it is "real" (based on its "real communications") -- and it has been written that way including by your own "real writings" for it. This "reader-writer duality" is another unique feature of "The Patent 813 Story, Part II" in that it makes the story's "subjects," by virtue of their "writings," also its "objects" who read it to understand the nature of their own "dual role" in it as both "subject" and "object." In this light, "subject" and "object" are designed to "perceptually converge" in a unique way as the story reaches its "final resolution" -- which is coming very soon.

In this "perceptual context," the investment analysts on this email "perceive the story" very differently than you do, because their perspective as "subjects" has been on "Shire" whereas your perspective as "subjects" has been on "Louis Sanfilippo." Yet these two "sides" -- or "perspectives" or "frames of reference" -- of the story are designed to "perceptually converge" so that the "TO: recipients" of this email come to a point of perceiving the same essential thing as the "CC'd investment analysts." That "perceptual convergence" is designed to happen when the story becomes sufficiently "visible" in the shared consciousness of a much wider public audience

## The Patent '813 Story, Part II -- Version 2

from news that will make it such and that expectedly involves certain things that have been planned and executed on and since October 1, 2014. These “things” are enough to “blow your mind” (in a good mentally healthy way), but that is the perceptual objective of this “intelligence study” -- to “blow the mind” of its “reader” (in a good mentally healthy way) by creating a “self-referential frame of reference” that is psychodynamically designed to resolve itself from within its own “reader’s consciousness” through very unique human communication and perceptual dynamics involved in its writing, as established on October 1, 2014 in a highly classified intelligence protocol that itself was communicated in a very unique way.

That’s probably enough for one email, but stay tuned for “The Patent 813 Story, Part II -- version 2.” It will be unlike any story that you’ve ever seen, or heard, or read, partly because it has been “perceptually framed” for you its “writers” to also be its “readers” and for its “readers” to understand the nature of its writing from its beginning from the hindsight perspective that comes with its final end. In this light, its “Part I” (that is not public either) is designed to come after its “Part II,” because the story is designed to finally end with its beginning that explains the nature of how this was designed to happen.

### **LCS Group, LLC**

**From:** <lcsgroup@lcsgruppilc.com>

**Subject: FWD: LCS Group, LLC thanks you**

**Date:** May 20, 2015 4:54:13 PM EDT

**To:** fornskov@shire.com

**Cc:** spoulton@shire.com, menyedy@shire.com, pvickers@shire.com, ggregory@shire.com, psternberg@shire.com, sfagan@shire.com, gfisher@shire.com, seltonfarr@shire.com, dhibbett@shire.com, brclarke@shire.com, ssalah@shire.com

FYI below, Dr. Ornskov.

LCS Group, LLC would also like to take this moment in “The Patent ‘813 Story, Part II” to highlight for Shire what LCS Group has actually done for Shire, namely, to create for it one of the most extraordinary and innovative turn-key marketing platforms in all of pharmaceutical history that you yourself, Dr. Ornskov, have witnessed be created first hand. That, in combination with what surely must be one of the most non-obvious and valid patents in pharmaceutical history now exclusively licensed to LCS Group for commercialization, raises an important question: what in the world is taking Shire so long to recognize the holy grail standing before the company for not only protecting its marketing platform of Vyvanse to treat BED but also also for supporting that marketing platform by professionally written “on-line educational materials” designed for “any reasonable person” to understand basic features of BED and its treatment, particularly with lidexamfetamine dimesylate (and “narratively framed” with some high legal drama with a unique overlay of “intelligence” and “national security” issues in the backdrop of an Ivy League setting)? The answer to the question, at least “psychodynamically answered,” is very simple: the “ego” of Shire’s outside counsel Mr. Edward Haug. He’s in the way of Shire’s best interests and the source of Shire’s conflict of interest that now acutely involves the ‘813 Patent on one side and the ‘249 Application on the other side of Shire’s troubling “double-bind” (both ‘813 and ‘249 exclusively licensed to LCS Group, LLC for commercialization purposes). Don’t you see that by now? LCS Group, LLC could easily prove that to you by showing you Mr. Haug’s “communication behavior” in “Part I” of “The Patent 813 Story,” but that would spoil the end of the story (as referenced at the end of the forwarded email below sent by the company earlier today to various of its “writers” and “readers”). In this respect, Dr. Ornskov, “The Patent ‘813 Story” is still will waiting for your “debut written contribution.” Though as you know, it will likely be too late for that to happen in a favorable light for either you or Shire as of next Friday, May 29.

## The Patent '813 Story, Part II -- Version 2

LCS Group, LLC

----- Original Message -----

**Subject:** LCS Group, LLC thanks you

**From:** <lcsgroup@lcsgrupp.com>

**Date:** Wed, May 20, 2015 8:02 am

**To:** kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, toni.wolinsky@crl.com, carrie.panepinto@crl.com, megan.anderson@marketingtopics.com, cjordan@assurgentmedical.com, evan.skoures@pearson.com, susanw@thefdagroupusa.com, gina.mullane@crl.com, fineberg@mtspartners.com, anna@pirllc.com

**Cc:** alistair.campbell@berenberg.com, paul.major@redburn.com, jo.walton@credit-suisse.com, jason.gerberry@leerink.com, david.a.amsellem@pjc.com, tchiang@crtllc.com, amy.walker@morganstanley.com, ken.cacciatore@cowen.com, dsteinberg@jeffries.com, james.d.gordon@jpmorgan.com, keyur.parekh@gs.com, richard.vosser@jpmorgan.com, mark.clark@db.com, graham.parry@baml.com, dani.saurymper@barclays.com

Dear "TO: email recipients":

LCS Group, LLC would like to thank you for your "electronic contributions" to "The Patent '813 Story, Part II" as made by each of you in your recent emails to "Louis Sanfilippo" (at various of his email addresses). This electronically-based real-life story is now available as a PDF in the company's May 13 press release titled "LCS Group Announces Exclusive License from Lucerne Biosciences to Commercialize '813 Patent and '249 Application through Shire's Marketing of Lisdexafetamine Dimesylate for Binge Eating Disorder" (in the "inquires" section):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexafetamine-dimesylate-for-binge-eating-disorder-300083124.html>

One important purpose of this email besides thanking you for your contributions to "The Patent '813 Story, Part II" is for LCS Group to provide you additional context for understanding the nature of this "electronically-based story." And also to explain why a number of investment analysts familiar with Shire (and therefore with the use of Vyvanse® to treat Binge Eating Disorder, as featured in the '813 Patent's claims) are cc'd on this email to you.

In this respect, the most important feature of "The Patent 813 Story, Part II" is that it is effectively an "intelligence study" involving communication dynamics and human perception, with a particular focus on how certain "boundary conditions" are established through different communication techniques and framing. In essence, the story itself is a real-time investigation into human perception at the level of motivational drivers and how such drivers are "behaviorally expressed" through the communications of its "participants" that include you. That is by far the most important feature of "The Patent 813 Story, Part II," which certainly overshadows anything in the "inter partes review proceedings" themselves regarding the "patentability of the 813 Patent" that some of you have heard about in more detail while others less or not at all but which nonetheless is still also important and featured throughout the story vis-à-vis its filings (by hyperlink) and "inter-company communications" (i.e., first LCS Group/Shire followed by Lucerne Biosciences,

## The Patent '813 Story, Part II -- Version 2

LLC/Shire).

More specifically, though, “The Patent 813 Story, Part II” itself **is its own unique self-referential “frame of reference”** that allows its featured “communication dynamics” and their impact on motivation, behavior and perception to be observed and investigated through, and within, its own “frame of reference.” In this respect, the story sequentially builds on itself through the communications that comprise it and that have been made in “real time” by its “real-life characters” that include all of you (as both its “writers” and “readers”). This self-referential “frame of reference” is designed to be a perceptual construct **for the “mind” (or “consciousness”) of its reader** (that is you) based on the way the story has been written for you to “read” it. To understand what this means, consider that the nature of this communication today from LCS Group is very different in its “communication features” than previous ones you would have received from “Louis Sanfilippo” featured in the story. Specifically, today’s communication is representative of explaining how the story’s self-referential “frame of reference” (that includes your contributions) undergoes massive “frame expansions” as it approaches its final ending. That means that it is written to “perceptually amplify” certain things in its reader’s consciousness that may have been less “consciously visible” earlier in the story.

For instance, you can see how today’s email to you from “LCS Group, LLC” features a hyperlink to a May 13, 2015 LCS Group press that itself has a hyperlink to a PDF that contains (i) your “electronic contributions” to the story and (ii) LCS Group’s December 26, 2014 press release that features a hyperlink to a PDF that contains a “communications transcript” (titled “Supplemental Information U.S. Patent No. 8,318,813”) that itself features a hyperlink to a PDF titled “Press Release” (from an email sent by LCS Group, LLC to Shire on September 26, 2014) that was a “first draft” of the press release issued on December 26 that itself was designed to pre-figure the nature of the May 13 press release hyperlinked at the beginning of this email that contains all of these “communications.” This kind of **self-referential and recursive “framing”** is designed to expand the perceptually-based “frame of reference” through which its reader that is you understands the story so that you, its reader, can better understand your own role in the story, including your own “electronic contributions” to it and even their role in driving its soon-coming “final resolution.” This happens by virtue of your looking back on the “earlier-in-time” features of the story with what’s called “hindsight perspective” that comes “later-in-time” from the **“expanded”** frame of reference.”

In this respect, the *inter partes* review of the '813 Patent (i.e., the “patent/legal aspect”) is really a **much smaller story** compared to this “other intelligence aspect” of “The Patent 813 Story, Part II” of which the investment analysts have heard more details about than the “TO: recipients” of this email. Some of these details involving its “intelligence side” are featured in a PDF titled “Declassified Communications Lucerne Biosciences, LLC” in the attachment for an email sent from “Byan Haygins” to Shire CEO Dr. Flemming Ornskov on April 28, 2015 at 7:07 am EDT, as well as in emails sent after that time. To be sure, there are a number of more extraordinary communications that have taken place since LCS Group’s May 13 press release that massively expand the perceptual “frame of reference” (for the story’s reader) but these communications are not yet public. However, they are expected to be made public imminently through a “version 2” of “The Patent 813 Story, Part II” whose nature and details are currently restricted information but which expectedly will feature its biggest surprises.

At this point in this email, you (or the cc’d investment analysts) may ask, “where does any company get off sending an email like this?” The answer is that LCS Group’s CEO “Louis Sanfilippo” has a unique background that involves psychiatry, philosophy and linguistics,

## The Patent '813 Story, Part II -- Version 2

as well as lots of experience in “psychodynamic and communications work” (and is also a Board certified psychiatrist and voluntary faculty member at Yale Medical School) whose unique background helped LCS Group put together today’s email to you designed to help you, the story’s reader, “perceptually anchor” yourself by its “frame expansion” intended to provide you “real-time hindsight perspective” on how the story managed to get to this very unique point “in consciousness” and “reality” (at this point in time that you are reading it). After all, the story exists in your “consciousness” because you are its “reader” and it is “real” (based on its “real communications”) -- and it has been written that way including by your own “real writings” for it. This “reader-writer duality” is another unique feature of “The Patent 813 Story, Part II” in that it makes the story’s “subjects,” by virtue of their “writings,” also its “objects” who read it to understand the nature of their own “dual role” in it as both “subject” and “object.” In this light, “subject” and “object” are designed to “perceptually converge” in a unique way as the story reaches its “final resolution” -- which is coming very soon.

In this “perceptual context,” the investment analysts on this email “perceive the story” very differently than you do, because their perspective as “subjects” has been on “Shire” whereas your perspective as “subjects” has been on “Louis Sanfilippo.” Yet these two “sides” -- or “perspectives” or “frames of reference” -- of the story are designed to “perceptually converge” so that the “TO: recipients” of this email come to a point of perceiving the same essential thing as the “CC’d investment analysts.” That “perceptual convergence” is designed to happen when the story becomes sufficiently “visible” in the shared consciousness of a much wider public audience from news that will make it such and that expectedly involves certain things that have been planned and executed on and since October 1, 2014. These “things” are enough to “blow your mind” (in a good mentally healthy way), but that is the perceptual objective of this “intelligence study” -- to “blow the mind” of its “reader” (in a good mentally healthy way) by creating a “self-referential frame of reference” that is psychodynamically designed to resolve itself from within its own “reader’s consciousness” through very unique human communication and perceptual dynamics involved in its writing, as established on October 1, 2014 in a highly classified intelligence protocol that itself was communicated in a very unique way.

That’s probably enough for one email, but stay tuned for “The Patent 813 Story, Part II -- version 2.” It will be unlike any story that you’ve ever seen, or heard, or read, partly because it has been “perceptually framed” for you its “writers” to also be its “readers” and for its “readers” to understand the nature of its writing from its beginning from the hindsight perspective that comes with its final end. In this light, its “Part I” (that is not public either) is designed to come after its “Part II,” because the story is designed to finally end with its beginning that explains the nature of how this was designed to happen.

**LCS Group, LLC**

**Thursday May 21, 2015:**

**From:** tpp\_eu@vwr.com

**Subject:** Price enquiry on behalf of VWR Germany (4917467461) \*JI

**Date:** May 21, 2015 5:01:28 AM EDT

**To:** info@lcsgrupp.com

Dear Supplier,

We would like to enquire the pricing details for the below mentioned item on behalf of VWR

## The Patent '813 Story, Part II -- Version 2

Germany. The End-user is Roche Diagnostics GmbH Germany.

Product Description : Pferdeplasma

Product code : **HS020**

Quantity required : 6 packs of 1 L

### Also kindly provide us the below information.

- List Price
- Delivery conditions if any for VWR Germany
- Carriage Charges for Germany
- Lead Time for Germany (shipping direct from your company to the enduser)
- Minimum order Value, if any
- Selling unit
- Validity of price
- MSDS
- Country of origin

### An early reply would be highly appreciated.

Thank you.

Best Regards,  
Jenifer Issac

-----  
VWR International  
Department : TPP Services Europe.  
Tel: +44 (0)203 051 6869 (Extn: 879)  
Email: tpp\_eu@vwr.com

"We Enable Science"

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Regarding the Email "Price enquiry on behalf of VWR Germany (4917467461) \*JI"  
**Date:** May 21, 2015 11:55:06 AM EDT  
**To:** tpp\_eu@vwr.com  
**Cc:** lucernebio@lucernebio.com

Dear Jenifer,

On behalf of LCS Group, LLC, I am writing to inform you that the email you sent today (below) to "[info@lcsgrupp.com](mailto:info@lcsgrupp.com)" was flagged as part of an ongoing legal investigation into anti-competitive and other unlawful conduct that involves a global pharmaceutical company. Specifically, the email you sent was flagged because of its highly unusual content compared to emails characteristically sent to LCS Group that itself fits a pattern of highly unusual communications to the company's CEO "Louis Sanfilippo" at various of his emails in recent months. These "highly unusual communications" have been linked to "third party interference" in the business and trade practice of LCS Group's strategic business partner Lucerne Biosciences, LLC (as cc'd on this email to ensure timely coordination of this ongoing investigation by both companies). That VWR's headquarters is located in Radnor, PA USA has also raised additional suspicions about potential links to the suspected pharmaceutical company.

## The Patent '813 Story, Part II -- Version 2

To this effect, LCS Group would like for you to explain the nature of your email and why it was sent to LCS Group, LLC? There's nothing about LCS Group's company details that would make it in any way a logical recipient of such an email, under any circumstance. Also, if sending the email was not solely your own intention, can you identify specific individual(s) and their company affiliations who were involved in your decision to send the email to LCS Group today and how they were involved?

Your prompt attention on this matter would be appreciated as it involves time sensitive issues of significant importance that now may also include you and VWR International.

Thank you,

Louis Sanfilippo  
CEO, LCS Group, CEO

**From:** [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)  
**Subject:** Price enquiry on behalf of VWR Germany (4917467461) \*JI  
**Date:** May 21, 2015 5:01:28 AM EDT  
**To:** [info@lcsgroupllc.com](mailto:info@lcsgroupllc.com)

Dear Supplier,

We would like to enquire the pricing details for the below mentioned item on behalf of VWR Germany. The End-user is Roche Diagnostics GmbH Germany.

Product Description : Pferdeplasma

Product code : **HS020**

Quantity required : 6 packs of 1 L

**Also kindly provide us the below information.**

- List Price
- Delivery conditions if any for VWR Germany
- Carriage Charges for Germany
- Lead Time for Germany (shipping direct from your company to the enduser)
- Minimum order Value, if any
- Selling unit
- Validity of price
- MSDS
- Country of origin

**An early reply would be highly appreciated.**

Thank you.

Best Regards,  
Jenifer Issac

-----  
VWR International  
Department : TPP Services Europe.  
Tel: +44 (0)203 051 6869 (Extn: 879)

## The Patent '813 Story, Part II -- Version 2

Email: [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)

"We Enable Science"

US Patent Trial and Appeal Board's **"Order Authorizing Patent Owner's Counsel of Record to File a Motion to Withdraw as Counsel and Requiring Patent Owner to Update its Mandatory Notices - Conduct of the Proceeding,"** as made in IPR 2014-00739, is available in PDF at: [http://www.4shared.com/download/IT\\_-m3FFba/order-30.pdf?lgfp=3000](http://www.4shared.com/download/IT_-m3FFba/order-30.pdf?lgfp=3000)

US Patent Trial and Appeal Board's **"Exhibit 3001"** as made in IPR 2014-00739, is available in PDF at: <http://www.4shared.com/download/hcA1pDnaba/Exhibit-3001.pdf?lgfp=3000>

### **12 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 12 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/7V6Y9GT7ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/7V6Y9GT7ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>

**Subject:** Important Update From LCS Group, LLC

**Date:** May 21, 2015 7:29:36 PM EDT

**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

**Cc:** David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>

Dear Joe,

On behalf of LCS Group, LLC, this email is to inform you that the company and Lucerne Biosciences, LLC are actively and closely collaborating under the umbrella of the same counsel to bring a prompt, equitable and financially lucrative final resolution to a remarkable legal-business problem that involves the 813 Patent and conflict of interest behavior that LCS Group has identified in your representation of it during communications that you had with Shire and its outside counsel in 2013-2014 for which you failed to properly address serious matters of client representation with representatives of Shire and its outside counsel Frommer, Lawrence & Haug when it was your professional and ethical obligation to do so. This conflict of interest "attorney behavior" is also evidenced in your legal review of the company's October 24, 2013 CDA with Shire and your handling of it during the framework of the IPR for the 813 Patent. Collectively, these failures have caused the company financial harm and were foundational drivers for the conflict of interest problem characterized by Lucerne Biosciences in your representation of it, as indicated in the email you received on behalf of Lucerne on Monday May 18 that is featured in Exhibit 3001 from today's Order (Paper 30).

Nonetheless, the ongoing communications and planning between LCS Group, Lucerne Biosciences and their shared counsel have been extremely productive and focused on a prompt, equitable and financially lucrative final resolution that is designed not only to resolve any conflict of interest that you have had in your representation of LCS Group (and its strategic partner Lucerne Biosciences after it as characterized in the May 18 email) but also to financially reward

## The Patent '813 Story, Part II -- Version 2

you (Dave and Michelle) for your contributions to "The Patent 813 Story" so that you never have to work again if you so choose. Of course, this final resolution has also been designed to financially reward Baker Hostetler's partnership and bring the law firm considerable favorable attention in view of its expected favorable outcome.

In this light, you can expect to hear from the company's strategic partner Lucerne Biosciences tomorrow with plans it has made in collaboration with LCS Group to take action to bring this all to its prompt final resolution. As advance notice, this action does involve two professionally-written documents with lots of exhibits whose public disclosure will surely very rapidly bring things to closure, as the objective of the documents is to make it abundantly clear to any reasonable person that Shire Development LLC's IPR of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and misrepresentation, and therefore that the initiation and maintenance of the IPR has been for the purpose of engaging in baseless sham litigation for anti-competitive purposes. But that "legal matter" is Lucerne's "issue" to deal with according to the Exclusive License between the two companies, so LCS Group will let Lucerne handle that side of things in its communication to you about its plan for bringing about "final resolution" -- and therefore the final end of "The Patent 813 Story, Part II." This is what everyone involved in "The Patent 813 Story, Part II" has been waiting for and it's also why the story will be an unforgettable one that people of all walks of life will talk about for some time to come (though perhaps mostly law and business students and professors). The way LCS Group, LLC looks at it, you don't want to be on the "wrong side" of the story's final ending as that wouldn't be a good place to stand in legal (or eating disorder) history.

Sincerely,

Louis

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**Friday May 22, 2015:**

**10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/3B4GmuhVce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/3B4GmuhVce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Farsiou, David" <DFarsiou@bakerlaw.com>  
**Subject:** IPR2014-00739  
**Date:** May 22, 2015 4:20:12 PM EDT  
**To:** "louiscsan@aol.com" <louiscsan@aol.com>  
**Cc:** "Lucci, Joseph" <JLucci@bakerlaw.com>

Louis,

Pursuant to the Court's order entered May 21, 2015, please see the attached motion filed today.

Regards,  
David

## The Patent '813 Story, Part II -- Version 2

David N. Farsiou | BakerHostetler

**ATTACHMENT: "2015-05-22-LUCERNE-Motion to Withdraw as Counsel, Paper 31.pdf"** is available at: [http://www.4shared.com/download/wGPRDqzZba/2015-05-22-LUCERNE-Motion\\_to\\_W.pdf?lgfp=3000](http://www.4shared.com/download/wGPRDqzZba/2015-05-22-LUCERNE-Motion_to_W.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: Important Matter in the IPR From Lucerne Biosciences, LLC**  
**Date:** May 22, 2015 4:33:58 PM EDT  
**To:** Joe Lucci <jlucci@bakerlaw.com>  
**Cc:** David Farsiou <dfarsiou@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you details on how the company and its counsel have planned "final resolution" for "The Patent 813 Story, Part II." As your role for it is a most important one, it involves certain critical actions from you. These actions, in view of the Board's Order (Paper 30) yesterday, are highly time-sensitive and absolutely necessary to secure the best interests of not only Lucerne Biosciences (currently represented by you in the IPR by virtue of the Board's position that you are representing it until the Board has authorized your withdrawal) but also you (and Dave and Baker Hostetler). In this regard, your filing of a motion to withdraw as Lucerne Biosciences' counsel in the IPR of the '813 Patent (as authorized in the Board's Order yesterday) will surely cause the company catastrophic harm, which would then effectively make your "attorney behavior" in representing Lucerne Biosciences in the IPR a willfully perpetrated conflict of interest for you (and Dave and Baker Hostetler) intended to cause the company catastrophic harm. Such willfully intended catastrophic harm would leave Lucerne Biosciences little option other than to pursue legal actions against you (and Dave and Baker Hostetler) that would then certainly cause you (and Dave and Baker Hostetler) catastrophic harm, especially in view of (i) its willful motivation, (ii) the value of the '813 Patent (that encompasses an FDA-approved drug indication with blockbuster-type financial potential) and (iii) what remains to be communicated in this email.

However, you're by now familiar enough with "The Patent 813 Story, Part II" to recognize that it has been "behaviorally designed" to finally end very favorably for you (and Dave and Baker Hostetler), completely freed from any conflict of interest as well as with a surprise financial reward to boot that so far would involve you, Dave, Michelle and Baker's partnership (as well as an "equal sharing" on Cantor Colburn's side). After all, a story involving a virtually "perfect patent" for an FDA-approved drug indication in which there are no other approved treatments and whose marketing and sales are only going to skyrocket once the "second version" of "The Patent 813 Story, Part II" goes public will certainly end favorably for those individuals (and their respective companies) who support its extraordinary and well-planned "final resolution." That "final resolution" itself, you should know, has already been completed but it would be incomprehensible that you could have any idea what it's about because it's that incomprehensible, though there have been clues if you've been reading the story carefully. Of course, that's the remarkable dimension -- and mystery -- of "The Patent 813 Story, Part II."

So how does the story get from "here" (i.e., "as of today") to "there" (i.e., its "final resolution")? The answer to that question, as briefly outlined in an email that you received from LCS Group, LLC last evening, involves two professionally-written documents with lots of exhibits whose public disclosure will very rapidly establish the requisite "boundary conditions" for final resolution to take place. That's because the objective of these two documents is to make it

## The Patent '813 Story, Part II -- Version 2

abundantly clear to any reasonable person -- and therefore the Board-- that Shire Development LLC's IPR of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and misrepresentation. Therefore, the initiation and maintenance of the IPR could only have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes. And if the initiation and maintenance of the IPR could only have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes, of which Shire's May 6 "Second Motion for Sanctions" is yet another specific example, then it's completely irrational -- and very unjust -- that an adverse judgment should be made against Lucerne Biosciences.

**To this effect, these two documents convincingly show cause for why the Board should not issue an adverse judgment against the company -- and because of that these two documents need to be immediately entered into the IPR record by you (and Dave) before it's too late for their entry, along with a statement that indicates that you (and Dave) are continuing to represent Lucerne Biosciences in the IPR.** Your failure to take these two actions in the five day time frame provided by the Board in its Order yesterday will **clearly and convincingly prove to any reasonable person in view of the record that you are directly and actively involved in a profound conflict of interest that is severely interfering in your ability to represent Lucerne Biosciences' best interests but that you never disclosed this profound conflict of interest to your client.** That's a nightmare of a problem, especially when you consider the company you're currently representing in the IPR is the patent owner of patent whose claims encompass the use of an FDA-approved drug indication that is currently marketed by a global pharmaceutical company and expected to generate annual sales (for that FDA indication) well into nine-figures in just a few years (if not sooner). Further, based on the 19 Exhibits that Frommer, Lawrence & Haug have collectively entered into the IPR record this month on behalf of Shire (on May 6 and May 15), which themselves collectively enhance the transparency of inter-company communications now on the IPR record, your failure to enter these two documents into the IPR record that **themselves directly speak to why the Board should not issue an adverse judgment against Lucerne Biosciences, LLC would be extraordinary for its harming intent and contempt for getting to the truth of this '813 Patent matter.** That's obviously because these two documents directly speak to the fraudulent and misrepresented nature of Shire's IPR petition for the '813 Patent in the first place, the very foundation on which your representation of patent owner Lucerne Biosciences in the IPR rests.

This, of course, also then brings into focus issues related to your representation of the company's strategic partner LCS Group, LLC, for if your "attorney behavior" catastrophically harms patent owner Lucerne Biosciences at the most crucial time in the company's history, it will go a long way to explain to any reasonable person (or judge) that you've obviously had the same profound conflict of interest in representing patent owner LCS Group for its own best interests, including in the IPR when it was the patent owner of the '813 Patent (as briefly characterized in the LCS Group email you received yesterday). That would raise an important question: how could any attorney have such a profound conflict of interest that causes two companies harm, as evidenced in a clearly represented written record? In that "double harm scenario," the only reasonable answer would be that you misrepresented yourself to first patent owner LCS Group and then again to second patent owner Lucerne Biosciences by your failure to disclose materially important and relevant information about a conflict of interest of which you must certainly have known, perhaps even from the time you first decided to take on LCS Group as a client (and which may even explain why you took on LCS Group as a client in the first place). Failing to inform a client of materially relevant and important information about a serious conflict of interest and then going on to represent that client while that conflict of interest causes that client harm during your representation of it would clearly be highly unlawful, unethical and unprofessional.

Based on the communication evidence, everything supports that this profound conflict of interest involving you (and Dave and Baker Hostetler thereof) is related to a conflict of interest that has

## The Patent '813 Story, Part II -- Version 2

involved some kind of “third party interference” in which the interests of the ‘813 Patent and its inventor “Louis Sanfilippo” override the interests of your client, as if the ‘813 Patent and its inventor “Louis Sanfilippo” were your “client” vis-à-vis a “third-party interest.” That kind of “third-party conflict of interest” would explain why on numerous times you seem to have willfully conflated (i.e., misrepresented) your client (much in the way that FLH and Shire have done), yet the third-party source and nature of your conflict of interest motivating such behavior was never disclosed to Lucerne Biosciences (or LCS Group before it based on LCS Group’s communications to Lucerne). Rather, you would seem to have unethically, unprofessionally and unlawfully placed the entire burden of that third-party conflict of interest on your client, LCS Group first and then Lucerne Biosciences, to effectively make its heavy burden your own client’s burden not only to discover and identify as an ongoing root-cause source of harm and damage but also to secure its final resolution. But that is part of the bigger story in “The Patent 813 Story, Part II,” isn’t it Joe?

This email from Lucerne Biosciences is designed to establish the requisite “boundary conditions” for you to resolve your very serious third-party conflict of interest (and therefore Dave’s and Baker Hostetler’s) that you failed to disclose to Lucerne Biosciences (and LCS Group before it). That, in turn, will establish the requisite “boundary conditions” for others to resolve their own third-party conflicts of interest. After all, “The Patent 813 Story, Part II” can’t get from “this email” to its “final resolution” if one of its most critical characters -- you -- is stuck in a massive third-party conflict of interest that perpetually gives rise to unlawful, unprofessional and unethical behavior. And if you’re stuck in that massive third-party conflict of interest, then it will only continue to perpetuate everyone else’s third-party conflict of interest and their perpetuation of all that unlawful, unprofessional and unethical behavior that we’ve seen so blatantly enacted and re-enacted many times over by Shire, Frommer, Lawrence & Haug, and Dr. Brewerton.

Lucerne Biosciences, LLC and its counsel have determined that there’s really only one way for you to vindicate yourself (and Dave and Baker Hostetler) from this profound third-party conflict of interest so that its massive legal, financial and professional fall-out doesn’t fall back on you (and Dave and Baker Hostetler) to make you (and Dave and Baker Hostetler) its biggest problems in “Part III” of “The Patent 813 Story.” That “way” is for you to **clearly and convincingly prove**, in a way that any reasonable person would understand for its implications, that you are currently **not** engaged in a profound third-party conflict of interest in your representation of Lucerne Biosciences that is actively causing the company harm and highly likely to cause it catastrophic harm (and which would therefore make your behavior unlawful, unprofessional and unethical). Specifically, that “way” is for you to take the above-stated actions, namely, to respond to the Board’s May 21 Order by making a filing that states (i) you (and Dave, as attorneys from Baker and Hostetler) are remaining as counsel for Lucerne Biosciences in the IPR of the 813 Patent and (ii) include in that filing or a separate one (per IPR protocol) the two documents provided below (by [box.com](#) hyperlink) as Exhibits with an explanatory note to the Board as to why they show cause that the Board not issue an adverse judgment against Lucerne Biosciences, LLC. Below (in blue) is a suggested brief explanatory note.

But “The Patent 813 Story, Part II” is all about each of its “real-life participants” finding their own “real voice” in the story for, among other things, posterity’s sake. That “real voice” only can come by each “real-life participant” taking their own **clear and accountable position on the written record at the story’s final end**, so feel free to modify the explanatory note as needed. You know the issues better than anyone. And by now you surely know the truth involving them. So now it’s time to be completely accountable for what you know so that the “Patent 813 Story, Part II” can end in the truth, and history can be its own judge of your truthfulness, accountability and transparency (and Dave’s and Baker Hostetler’s). In this context, “The Patent 813 Story, Part II” is behaviorally designed so that your own motivations and behaviors (and Dave’s and Baker Hostetler’s thereof) **will be transparently judged by how you respond to this email and its**

## The Patent '813 Story, Part II -- Version 2

**request to simply represent the best interests of your client Lucerne Biosciences, LLC by simply disclosing the truth for why the Board should not issue an adverse judgment against it, as easily understood from the two documents.**

**Suggested Explanatory Note for the IPR filing of the “two documents” in response to the Board’s May 21 Order:**

“The Board should not issue an adverse judgment against Lucerne Biosciences, LLC. The reason is simple and is the subject of two documents (Exhibits XXXX and XXXX), each of which features its own exhibits and was professionally written to make it abundantly clear to any reasonable person reading them that Shire Development LLC’s IPR petition of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and misrepresentation. Therefore, the initiation and maintenance of the IPR for the 813 Patent was clearly to engage in baseless sham litigation for anti-competitive purposes. And if the initiation and maintenance of the IPR for the 813 Patent was to clearly have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes, then it is completely irrational that an adverse judgment be made against the 813 Patent’s owner Lucerne Biosciences LLC. In this light, an adverse judgment against Lucerne Biosciences, LLC would not only be a travesty of justice but also an egregious injustice rarely seen in a venue whose very purpose is to uphold the law.

It should be added that LCS Group, LLC, via its CEO Dr. Louis Sanfilippo, offered to provide these two documents to the Petitioner in communications made to Shire Plc’s CEO Dr. Flemming Ornskov on September 4 and September 12, 2014 (see Petitioner’s Exhibit 1090, pp. 6-9), but the Petitioner ignored the invitation to see them. Had the Petitioner accepted the offer to see these two documents at that time, it’s hard to imagine that Shire Development LLC and Lucerne Biosciences LLC would be here today as they are, with the Petitioner seeking adverse judgment against the Patent Owner whose wholly owned patent rather perfectly encompasses method claims that would secure Shire’s own collective best interests (across all Shire-related entities) for marketing Vyvanse<sup>®</sup> in the United States to physicians and other prescribers as a treatment for Binge Eating Disorder. Taken together, these two documents explain why an adverse judgment against Lucerne Biosciences, LLC would be nothing short of criminal conduct by the Board itself, in complicity with the Petitioner and the outside law firm representing it.”

**DOCUMENT 1:** <https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg>

**DOCUMENT 2:** <https://app.box.com/s/u28n8hxdwmb98h4y6ogllque0n2ict00>

At this point in time, it should go without saying that any communication going forward involving your client Lucerne Biosciences needs to be in writing and should be communicated with its manager/member Louis Sanfilippo at the email address above (“[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)”).

Hold on tight, because this real-life story is imminently about to take off to place that you couldn’t even imagine possible in your wildest dreams. After all, could you have imagined that it would be where it is right now?

Sincerely,

Louis

Louis C. Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** <lucernebio@lucernebio.com>  
**Subject:** IPR2014-00739 (U.S. Patent No.8,318,813): Motion to Withdraw as Counsel  
**Date:** May 22, 2015 7:12:39 PM EDT  
**To:** "Trials" <Trials@USPTO.GOV>  
**Cc:** jlucchi@bakerlaw.com, dfarsiou@bakerlaw.com, sbialecki@foxrothschild.com

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development, LLC  
Patent Owner: Lucerne Biosciences, LLC

This email directly from Lucerne Biosciences, LLC is to inform the Board of a profoundly serious conflict of interest actively involving the company's own current counsel of Mr. Joseph Lucci and Mr. David Farisiou in IPR2014-00739, based on today's "Motion to Withdraw as Counsel" (Paper 31). This conflict of interest is explained in the email below sent by Patent Owner manager/member Louis Sanfilippo, M.D. to attorney Lucci (with attorney Farisiou cc'd) on behalf of the company.

While this email itself (sent directly from Patent Owner to the Board) is expected to be considered an "unofficial communication" and in violation of the Board's December 23, 2014 Order (Paper 14), it is a necessary communication to memorialize in writing that today's "Motion to Withdraw as Counsel" represents a profound conflict of interest for Mr. Lucci and Mr. Farisiou that, absent specific steps (as identified in the email below) to promptly resolve it in the timeframe provided by the Board's May 21, 2015 Order (Paper 30), would surely be recognized by any reasonable person or judge (in view of "The Patent 813 Story, Part II -- version 2" communications transcript) as a willful and malicious act aimed at causing catastrophic harm to the very company Mr. Lucci and Mr. Farisou are ethically and legally obligated to represent in the IPR of the '813 Patent by the Board's own order. Such behavior to cause their own client, Patent Owner Lucerne Biosciences, LLC, such catastrophic harm could only be explained motivationally by a third-party conflict of interest that they failed to disclose to their client.

### Lucerne Biosciences, LLC

---

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Important Matter in the IPR From Lucerne Biosciences, LLC  
**Date:** May 22, 2015 4:33:58 PM EDT  
**To:** Joe Lucci <[jlucchi@bakerlaw.com](mailto:jlucchi@bakerlaw.com)>  
**Cc:** David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you details on how the company and its counsel have planned "final resolution" for "The Patent 813 Story, Part II." As your role for it is a most important one, it involves certain critical actions from you. These actions, in view of the Board's Order (Paper 30) yesterday, are highly time-sensitive and absolutely necessary to secure the best interests of not only Lucerne Biosciences (currently represented by you in the IPR by virtue of the Board's position that you are representing it until the Board has authorized your withdrawal) but also you (and Dave and Baker Hostetler). In this regard, your filing of a motion to withdraw as Lucerne Biosciences' counsel in the IPR of the '813 Patent (as authorized in the Board's Order yesterday) will surely cause the company catastrophic harm, which would then effectively make your "attorney behavior" in representing Lucerne Biosciences in the IPR

## The Patent '813 Story, Part II -- Version 2

a willfully perpetrated conflict of interest for you (and Dave and Baker Hostetler) intended to cause the company catastrophic harm. Such willfully intended catastrophic harm would leave Lucerne Biosciences little option other than to pursue legal actions against you (and Dave and Baker Hostetler) that would then certainly cause you (and Dave and Baker Hostetler) catastrophic harm, especially in view of (i) its willful motivation, (ii) the value of the '813 Patent (that encompasses an FDA-approved drug indication with blockbuster-type financial potential) and (iii) what remains to be communicated in this email.

However, you're by now familiar enough with "The Patent 813 Story, Part II" to recognize that it has been "behaviorally designed" to finally end very favorably for you (and Dave and Baker Hostetler), completely freed from any conflict of interest as well as with a surprise financial reward to boot that so far would involve you, Dave, Michelle and Baker's partnership (as well as an "equal sharing" on Cantor Colburn's side). After all, a story involving a virtually "perfect patent" for an FDA-approved drug indication in which there are no other approved treatments and whose marketing and sales are only going to skyrocket once the "second version" of "The Patent 813 Story, Part II" goes public will certainly end favorably for those individuals (and their respective companies) who support its extraordinary and well-planned "final resolution." That "final resolution" itself, you should know, has already been completed but it would be incomprehensible that you could have any idea what it's about because it's that incomprehensible, though there have been clues if you've been reading the story carefully. Of course, that's the remarkable dimension -- and mystery -- of "The Patent 813 Story, Part II."

So how does the story get from "here" (i.e., "as of today") to "there" (i.e., its "final resolution")? The answer to that question, as briefly outlined in an email that you received from LCS Group, LLC last evening, involves two professionally-written documents with lots of exhibits whose public disclosure will very rapidly establish the requisite "boundary conditions" for final resolution to take place. That's because the objective of these two documents is to make it abundantly clear to any reasonable person -- and therefore the Board-- that Shire Development LLC's IPR of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and misrepresentation. Therefore, the initiation and maintenance of the IPR could only have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes. And if the initiation and maintenance of the IPR could only have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes, of which Shire's May 6 "Second Motion for Sanctions" is yet another specific example, then it's completely irrational -- and very unjust -- that an adverse judgment should be made against Lucerne Biosciences.

**To this effect, these two documents convincingly show cause for why the Board should not issue an adverse judgment against the company -- and because of that these two documents need to be immediately entered into the IPR record by you (and Dave) before it's too late for their entry, along with a statement that indicates that you (and Dave) are continuing to represent Lucerne Biosciences in the IPR.** Your failure to take these two actions in the five day time frame provided by the Board in its Order yesterday will **clearly and convincingly prove to any reasonable person in view of the record that you are directly and actively involved in a profound conflict of interest that is severely interfering in your ability to represent Lucerne Biosciences' best interests but that you never disclosed this profound conflict of interest to your client.** That's a nightmare of a problem, especially when you consider the company you're currently representing in the IPR is the patent owner of patent whose claims encompass the use of an FDA-approved drug indication that is currently marketed by a global pharmaceutical company and expected to generate

## The Patent '813 Story, Part II -- Version 2

annual sales (for that FDA indication) well into nine-figures in just a few years (if not sooner). Further, based on the 19 Exhibits that Frommer, Lawrence & Haug have collectively entered into the IPR record this month on behalf of Shire (on May 6 and May 15), which themselves collectively enhance the transparency of inter-company communications now on the IPR record, your failure to enter these two documents into the IPR record that **themselves directly speak to why the Board should not issue an adverse judgment against Lucerne Biosciences, LLC would be extraordinary for its harming intent and contempt for getting to the truth of this '813 Patent matter.** That's obviously because these two documents directly speak to the fraudulent and misrepresented nature of Shire's IPR petition for the '813 Patent in the first place, the very foundation on which your representation of patent owner Lucerne Biosciences in the IPR rests.

This, of course, also then brings into focus issues related to your representation of the company's strategic partner LCS Group, LLC, for if your "attorney behavior" catastrophically harms patent owner Lucerne Biosciences at the most crucial time in the company's history, it will go a long way to explain to any reasonable person (or judge) that you've obviously had the same profound conflict of interest in representing patent owner LCS Group for its own best interests, including in the IPR when it was the patent owner of the '813 Patent (as briefly characterized in the LCS Group email you received yesterday). That would raise an important question: how could any attorney have such a profound conflict of interest that causes two companies harm, as evidenced in a clearly represented written record? In that "double harm scenario," the only reasonable answer would be that you misrepresented yourself to first patent owner LCS Group and then again to second patent owner Lucerne Biosciences by your failure to disclose materially important and relevant information about a conflict of interest of which you must certainly have known, perhaps even from the time you first decided to take on LCS Group as a client (and which may even explain why you took on LCS Group as a client in the first place). Failing to inform a client of materially relevant and important information about a serious conflict of interest and then going on to represent that client while that conflict of interest causes that client harm during your representation of it would clearly be highly unlawful, unethical and unprofessional.

Based on the communication evidence, everything supports that this profound conflict of interest involving you (and Dave and Baker Hostetler thereof) is related to a conflict of interest that has involved some kind of "third party interference" in which the interests of the '813 Patent and its inventor "Louis Sanfilippo" override the interests of your client, as if the '813 Patent and its inventor "Louis Sanfilippo" were your "client" vis-à-vis a "third-party interest." That kind of "third-party conflict of interest" would explain why on numerous times you seem to have willfully conflated (i.e., misrepresented) your client (much in the way that FLH and Shire have done), yet the third-party source and nature of your conflict of interest motivating such behavior was never disclosed to Lucerne Biosciences (or LCS Group before it based on LCS Group's communications to Lucerne). Rather, you would seem to have unethically, unprofessionally and unlawfully placed the entire burden of that third-party conflict of interest on your client, LCS Group first and then Lucerne Biosciences, to effectively make its heavy burden your own client's burden not only to discover and identify as an ongoing root-cause source of harm and damage but also to secure its final resolution. But that is part of the bigger story in "The Patent 813 Story, Part II," isn't it Joe?

This email from Lucerne Biosciences is designed to establish the requisite "boundary conditions" for you to resolve your very serious third-party conflict of interest (and therefore Dave's and Baker Hostetler's) that you failed to disclose to Lucerne Biosciences

## The Patent '813 Story, Part II -- Version 2

(and LCS Group before it). That, in turn, will establish the requisite “boundary conditions” for others to resolve their own third-party conflicts of interest. After all, “The Patent 813 Story, Part II” can’t get from “this email” to its “final resolution” if one of its most critical characters -- you -- is stuck in a massive third-party conflict of interest that perpetually gives rise to unlawful, unprofessional and unethical behavior. And if you’re stuck in that massive third-party conflict of interest, then it will only continue to perpetuate everyone else’s third-party conflict of interest and their perpetuation of all that unlawful, unprofessional and unethical behavior that we’ve seen so blatantly enacted and re-enacted many times over by Shire, Frommer, Lawrence & Haug, and Dr. Brewerton.

Lucerne Biosciences, LLC and its counsel have determined that there’s really only one way for you to vindicate yourself (and Dave and Baker Hostetler) from this profound third-party conflict of interest so that its massive legal, financial and professional fall-out doesn’t fall back on you (and Dave and Baker Hostetler) to make you (and Dave and Baker Hostetler) its biggest problems in “Part III” of “The Patent 813 Story.” That “way” is for you to **clearly and convincingly prove**, in a way that any reasonable person would understand for its implications, that you are currently **not** engaged in a profound third-party conflict of interest in your representation of Lucerne Biosciences that is actively causing the company harm and highly likely to cause it catastrophic harm (and which would therefore make your behavior unlawful, unprofessional and unethical). Specifically, that “way” is for you to take the above-stated actions, namely, to respond to the Board’s May 21 Order by making a filing that states (i) you (and Dave, as attorneys from Baker and Hostetler) are remaining as counsel for Lucerne Biosciences in the IPR of the 813 Patent and (ii) include in that filing or a separate one (per IPR protocol) the two documents provided below (by [box.com](#) hyperlink) as Exhibits with an explanatory note to the Board as to why they show cause that the Board not issue an adverse judgment against Lucerne Biosciences, LLC. Below (in blue) is a suggested brief explanatory note.

But “The Patent 813 Story, Part II” is all about each of its “real-life participants” finding their own “real voice” in the story for, among other things, posterity’s sake. That “real voice” only can come by each “real-life participant” taking their own **clear and accountable position on the written record at the story’s final end**, so feel free to modify the explanatory note as needed. You know the issues better than anyone. And by now you surely know the truth involving them. So now it’s time to be completely accountable for what you know so that the “Patent 813 Story, Part II” can end in the truth, and history can be its own judge of your truthfulness, accountability and transparency (and Dave’s and Baker Hostetler’s). In this context, “The Patent 813 Story, Part II” is behaviorally designed so that your own motivations and behaviors (and Dave’s and Baker Hostetler’s thereof) **will be transparently judged by how you respond to this email and its request to simply represent the best interests of your client Lucerne Biosciences, LLC by simply disclosing the truth for why the Board should not issue an adverse judgment against it, as easily understood from the two documents.**

**Suggested Explanatory Note for the IPR filing of the “two documents” in response to the Board’s May 21 Order:**

“The Board should not issue an adverse judgment against Lucerne Biosciences, LLC. The reason is simple and is the subject of two documents (Exhibits XXXX and XXXX), each of which features its own exhibits and was professionally written to make it abundantly clear to any reasonable person reading them that Shire Development LLC’s IPR petition of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and

## The Patent '813 Story, Part II -- Version 2

misrepresentation. Therefore, the initiation and maintenance of the IPR for the 813 Patent was clearly to engage in baseless sham litigation for anti-competitive purposes. And if the initiation and maintenance of the IPR for the 813 Patent was to clearly have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes, then it is completely irrational that an adverse judgment be made against the 813 Patent's owner Lucerne Biosciences LLC. In this light, an adverse judgment against Lucerne Biosciences, LLC would not only be a travesty of justice but also an egregious injustice rarely seen in a venue whose very purpose is to uphold the law.

It should be added that LCS Group, LLC, via its CEO Dr. Louis Sanfilippo, offered to provide these two documents to the Petitioner in communications made to Shire Plc's CEO Dr. Flemming Ornskov on September 4 and September 12, 2014 (see Petitioner's Exhibit 1090, pp. 6-9), but the Petitioner ignored the invitation to see them. Had the Petitioner accepted the offer to see these two documents at that time, it's hard to imagine that Shire Development LLC and Lucerne Biosciences LLC would be here today as they are, with the Petitioner seeking adverse judgment against the Patent Owner whose wholly owned patent rather perfectly encompasses method claims that would secure Shire's own collective best interests (across all Shire-related entities) for marketing Vyvanse<sup>®</sup> in the United States to physicians and other prescribers as a treatment for Binge Eating Disorder. Taken together, these two documents explain why an adverse judgment against Lucerne Biosciences, LLC would be nothing short of criminal conduct by the Board itself, in complicity with the Petitioner and the outside law firm representing it."

**DOCUMENT 1:** <https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg>

**DOCUMENT 2:** <https://app.box.com/s/u28n8hxdwmb98h4y6oglque0n2ict00>

At this point in time, it should go without saying that any communication going forward involving your client Lucerne Biosciences needs to be in writing and should be communicated with its manager/member Louis Sanfilippo at the email address above ("[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)").

Hold on tight, because this real-life story is imminently about to take off to place that you couldn't even imagine possible in your wildest dreams. After all, could you have imagined that it would be where it is right now?

Sincerely,  
Louis

Louis C. Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Subject:** Follow-Up  
**Date:** May 22, 2015 8:42:13 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: Louis Sanfilippo <louiscsan@aol.com>

Louis

This responds to the email that you sent this afternoon.

I believe that you have now seen the email that Dave Farsiou previously had sent to you transmitting the Motion to Withdraw that we filed with the Board pursuant to its Order and in view of your representation to the Board that you have new counsel, that we are not authorized to represent Lucerne in any matters, and that we should do "nothing whatsoever" on the company's behalf.

Your email appears to propose that we now file documents and legal arguments with the Board on behalf of Lucerne. In view of your representations to the Board, however, we do not believe that doing so would be appropriate, particularly since we have now formally withdrawn as Lucerne's counsel.

Your email also indicates that you believe that we have somehow not fulfilled our professional obligations to you, LCS, and/or Lucerne. It is not clear what you believe that we have done incorrectly or failed to do, but I am not aware of any respect in which we have failed to fulfill our professional obligations to you and the entities through which you have acted. Indeed, I believe that we often exceeded these obligations and that we frequently "went the extra mile," both in terms of the level of effort that we expended and the legal positions and strategies that we developed. I am disappointed that you now appear to think otherwise, as I believe that we have always acted diligently and appropriately not only on your behalf and but also on behalf of LCS and Lucerne.

Joe

**Saturday May 23, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Fwd: Follow-Up

**Date:** May 23, 2015 11:33:10 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

**Cc:** skestner@bakerlaw.com, David Farsiou <dfarsiou@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, I would like highlight that your email "received" to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" last night (Friday May 22, 2015 at 8:42 pm EDT, below) having the subject "Follow-Up" further supports your direct involvement in a profoundly serious third-party conflict of interest that is causing you to make serious misrepresentations on the written record and serious misjudgments that are **actively harming the company** and **standing to cause it catastrophic harm**. Such behavior is not only unprofessional and unethical but also unlawful. In view of you're your email and its extensive misrepresentations and conflated statements that can only be understood as willful acts to harm Lucerne Biosciences, LLC (the Patent Owner of U.S. Patent No. 8,318,813 that is currently the focus of IPR2014-00739 and for which you are **currently recognized** as the lead counsel of record), Baker Hostetler's Chairman Steven Kestner is cc'd on this email. David Farisiou (currently recognized as back-up counsel) is also cc'd, as he should be aware of these important time-sensitive developments. As relevant background for Mr.

## The Patent '813 Story, Part II -- Version 2

Kestner, the 813 Patent's claims encompass the use of Vyvanse to treat Binge Eating Disorder ("BED"). Vyvanse is a drug that has been FDA-approved to treat BED and is marketed by Shire U.S. Inc. Projected annual sales for this indication are expected to be in the range of \$500 Million by about 2020.

To begin with, Joe, your email (below) **misrepresents** that "Louis Sanfilippo" is, in some way or another, your client and/or fiduciary interest, as evidenced when you state, "Your email also indicates that you believe that we have somehow not fulfilled our professional obligations to **you**, LCS, and/or Lucerne" and "we have always acted diligently and appropriately **not only on your behalf** and but also on behalf of LCS and Lucerne." Those statements are **misrepresentations**. "**Louis Sanfilippo**" (i.e., "you", as "personally" implied) **has never been your client or fiduciary interest (except as representing LCS Group or Lucerne Biosciences)**. Your client/fiduciary interest began with "LCS Group," the Patent Owner of the '813 Patent when you took the company on as a client in early 2013. As you know, LCS Group entered into business discussions with Shire with you as its counsel (first non-confidentially and then under a CDA that you reviewed for the company), followed by your representation of the company in the *inter partes* review of the '813 Patent until your client became "Lucerne Biosciences" in the *inter partes* review of the '813 Patent vis-à-vis the change in patent ownership and power of attorney filed January 27, 2015 in those IPR proceedings. These "boundaries of representation" explain why you weren't the attorney who drafted the Exclusive License between LCS Group and Lucerne Biosciences, because it would have caused you a conflict of interest, particularly as the Exclusive License is based on a complete "functional split" between the companies.

Let me point out to you and Mr. Kestner (and Dave) -- and anyone else who would read this email (as it is expected to be made public to disclose the many remarkable egregious acts of injustice perpetrated against Lucerne Biosciences) -- **how** you make your misrepresentations in your email. Explaining your "methodology of misrepresentation" is intended to help reveal certain of its "behavioral communication features" that may help identify the source and nature of your "third party conflict of interest." In this regard, this email is intended to convincingly establish that based on your "misrepresentation behavior," you have had -- and still have -- a serious conflict of interest that you have been intentionally hiding from disclosure first to LCS Group and then Lucerne Biosciences. For Mr. Kestner's reference, this "third party conflict of interest" is characterized in the email below on behalf of Lucerne Biosciences, LLC (sent yesterday to Joe at 4:33 pm EDT and cc'ing Dave) to which Joe "responded" but which he conveniently omitted in his "response" because his "response" was on an entirely different email thread.

### Paragraph 1 (Sentence 1):

You state, Joe, "This responds to the email that you sent this afternoon." That email "sent this afternoon" that you are referring to was sent **on behalf of Lucerne Biosciences, LLC** from the email address "lsanfilippo@lucernebio.com," yet you'd never know it from your email because your email **omits that materially important and relevant "representation fact."**

Further, your email is very deceptively framed to say "the email that **you** sent....," **as if** the email was sent from "Louis Sanfilippo *personally*." After all, you provide no context for your representation of the email's "source representation" but rather omit such relevant context by failing to disclose the email you are "responding" to (or even its "email thread"). In this respect, your email features three highly deceptive "representation behaviors," namely, it (i) responds in a "new frame" (i.e., a different email thread) that omits the actual "original email" clearly identifying its "representation source" as "Lucerne Biosciences, LLC" (ii) strikingly accomplishes its "new frame" by emailing "[louiscsan@aol.com](mailto:louiscsan@aol.com)" while omitting the original Lucerne Biosciences' "email that you sent this afternoon" that itself stated "**any communication going forward involving**

## The Patent '813 Story, Part II -- Version 2

**your client Lucerne Biosciences needs to be in writing and should be communicated with its manager/member Louis Sanfilippo at the email address above**

**(“lsanfilippo@lucernebio.com”)**” and (iii) misleadingly and conflatedly “re-frames” the representation context of the Lucerne Biosciences’ email to make it seem **as if** “Louis Sanfilippo” (“the person”) is its “representation source” when it is clearly “Lucerne Biosciences” (i.e., Joe: “the email that **you** sent this...”; the email itself actually opens, “On behalf of **Lucerne Biosciences, LLC**, this email is....”).

Your “misrepresentation behavior” in just the first sentence of your email, in view of how the email is conflatedly “re-framed” by being sent to “[louiscsan@aol.com](mailto:louiscsan@aol.com)” with the “referenced email” entirely omitted, is very similar to the “misrepresentation behavior” exhibited by Frommer, Lawrence & Haug’s Ms. Sandra Kuzmich in her September 4, 2014 email to you that sought to misrepresent your client as “Dr. Sanfilippo” when your client was clearly “LCS Group, LLC.” That misrepresentation from Ms. Kuzmich on behalf of Shire was a clear act of unfair and deceptive trade practice as the intention of her email was clearly to establish a framework for business negotiations involving the ‘813 Patent. Strikingly, your “misrepresentation behavior” is also very similar to Mr. Haug’s too (also of FLH, Shire’s outside counsel, stated here for Mr. Kestner), specifically his March 20 and March 23, 2015 emails to you when he sought to misrepresent your client as “Dr. Sanfilippo” when it was clearly “Lucerne Biosciences, LLC.”

Joe, your “misrepresentation behavior” -- simply based on this one sentence and your method of “email delivery” -- provides evidentiary support that you are aligned with the same “third party interferers” that have been identified to be driving anti-competitive behavior from Frommer, Lawrence & Haug and Shire. And your collective alignment with them is clearly of the same shared purpose of seeking to harm Lucerne Biosciences, LLC, in just the way that you (like FLH and Shire) sought to harm LCS Group, LLC before it because you enabled these Shire/FLH misrepresentations to insidiously grow rather than call them out in a manner that would have made a stronger (and earlier) case against Shire/FLH for their collusionary unfair and deceptive trade practices of trying to use the IPR venue and their misrepresentations to leverage harm against whichever entity you were representing in the IPR, LCS Group first and then Lucerne.

Joe, which “third-party interferer(s)” is it that has caused you this profoundly serious conflict of interest that is clearly motivating you to make misrepresentations in your email? Is it Yale? Is it a government agency, like the CIA or perhaps something like the Office of the Director of National Intelligence?. Or perhaps a smaller business entity like the Center for Research and Development? Joe, did you even write your email on your own volition or did someone guide you in its writing, so as to adopt the same kind of misrepresentation behavior seen in Shire’s outside counsel to engage in anti-competitive conduct? Lucerne Biosciences, LLC would like answers from you -- in writing. (For Mr. Ketzner’s information, “Louis Sanfilippo” is a Yale voluntary faculty member, Dept. of Psychiatry, with personal ties to at least a couple individuals routinely published for their work in intelligence and national security; certain of these “connections” have already been presented to Joe for their implications).

### **Paragraph 2 (Sentence 2):**

You state here Joe, “I believe that you have now seen the email that Dave Farsiou previously had sent to you transmitting the Motion to Withdraw that we filed with the Board pursuant to its Order and in view of your representation to the Board that you have new counsel, that we are not authorized to represent Lucerne in any matters, and that we should do “nothing whatsoever” on the company’s behalf.” This one lengthy paragraph deceptively conflates representations,

## The Patent '813 Story, Part II -- Version 2

effectively making them a form of misrepresentation. Though before looking at your methodology for doing this, it is important to note for the record that Dave effectively sent that email “sent to you transmitting the Motion to Withdraw” to Louis Sanfilippo **in his capacity as a manager/member of Lucerne Biosciences, LLC**, that as you know has used, and continues to use, the “[louiscsan@aol.com](mailto:louiscsan@aol.com)” email because the company has a highly confidential management/membership and communications infra-structure that only recently began using emails in communications with you to make certain “legal, communication and behavioral points” (as it has successfully done in the last 24 hours in view of this email itself). In this regard, you’re “conflationary framing” from the outset of the paragraph misleadingly fails to recognize that Dave’s email was sent to Louis Sanfilippo **in his capacity as a manager/member of Lucerne Biosciences, LLC**, a reality that is only amplified for its “representation significance” in that you “responded” to the email sent yesterday from “[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)” by changing the email thread and omitting the “source email” itself. The “representation significance” of that “communication behavior” is further amplified for its troubling implications when you consider that the email you were “responding to” specifically stated that “any communication going forward involving your client Lucerne Biosciences needs to be in writing and should be communicated with its manager/member Louis Sanfilippo at the email address above (“[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)”),” on account of a very obvious third-party conflict of interest you were identified to be involved in that was actively causing the company harm.

With respect to your deceptive framing in paragraph 2, your “conflationary frame” of representation seems to suggest that the “representation made to the Board that you have new counsel” was made **by** “Louis Sanfilippo *personally*” **to** “the Board itself.” That’s how it would be appreciated for anyone reading it without context (which is the nature of your email). But that’s a “double misrepresentation” you make (or at least highly misleading two-part statement) because anyone would see “with proper context” that the representation you identify as “your representation to the Board that you have new counsel” was a **representation made on behalf of Lucerne Biosciences** and that representation itself was **not made to the Board** but **made to you, Joe Lucci** (email of April 27 at 4:00 pm EDT) in the context of also informing you that “Further information and actions are imminently forthcoming,” clearly implying that this was a dynamic situation involving a complex legal-business situation with unique communication dynamics (as told to you many times in different settings). That the April 27 email was featured **within a communication** that was later sent to the Board doesn’t make it a “representation made to the Board” because its intent was to establish a particular “communication frame” on the written record for **you specifically, Joe**, in view of your own conflict of interest that the company was seeking to resolve “on your behalf” because it stands to cause you (and Dave and Baker Hostetler) serious professional, legal and financial harm. However, take note that “Lucerne” is then “dropped into” the “frame” to make it “conflationary” (i.e., “we are not authorized to represent **Lucerne** in any matters, and that we should do “nothing whatsoever” **on the company’s behalf**”), though only **after** you’ve laid its foundational “misrepresented and conflationary framework” (i.e., “Louis Sanfilippo personally” as client/fiduciary interest).

Why is it that you seek to frame your communication in this misleading way, in the context of already misleading its “reader” into thinking your “response” was to a “Louis Sanfilippo” personal-type of email rather than a “Lucerne Biosciences, LLC company representation”?

With respect you’re stating that “we should do ‘nothing whatsoever’ on the company’s behalf,” that too is taken out of context because “...do ‘nothing whatsoever’...” is a specific “**hindsight** characterization” Lucerne Biosciences was making in a May 18 email (at 6:33 pm EDT) regarding your behavior in the **immediate aftermath** of the company’s April 27 (at 4:00 pm EDT) email request that you cease all representation of the company in all legal matters. Specifically, that

## The Patent '813 Story, Part II -- Version 2

May 18 email (at 6:33 pm EDT) sent to you on behalf of Lucerne Biosciences stated “After all, had you done what you were authorized to do by **your effective and complete termination** -- which is ‘nothing whatsoever’ (i.e., not participate in the call) -- the Board would not...”, which allows you to see its “hindsight framing” (i.e., “looking back” at what would have happened if you did “nothing whatsoever” **rather than** its “prospective framing” (i.e., “do nothing whatsoever,” like in the IPR following the Board’s May 21 Order) that characterizes its narrative context in your email yesterday. You deceptively use that “prospective framing” to conveniently support your excusing yourself from representing Lucerne in the IPR when it was clearly stated to you yesterday that your withdrawal as Lucerne’s counsel in the IPR would catastrophically harm the company and most certainly **prove your active conflict of interest that is causing the company harm.**

In their accurate representation, the emails of April 27 and May 18 email sent to you **on behalf of Lucerne Biosciences** clearly show that the April 27 email (that called for your “effective and complete termination” of Lucerne in all legal matters) was not to establish an all-encompassing “prospective directive” as you misleadingly frame it in paragraph 2, but alerting you to a fluid and highly dynamic real-time situation, particularly in view that the April 27 email indicated that “Further information and actions are imminently forthcoming.” (Parenthetically, such dynamic and fluid conditions are a cardinal feature of “intelligence work” of which you have been informed that “The Patent 813 Story, Part II” is serving an important function). Importantly, such “further information and actions” (as stated in the April 27 email) **was the essential point of yesterday’s email to you on behalf of Lucerne Biosciences.** But your own third-party conflict of interest has obviously become so entrenched that you conflatedly “re-framed the narrative context” of the April 27 and May 18 emails (on behalf of Lucerne) in your email yesterday **to actually justify behavior that any reasonable person would see is willfully being perpetrated to cause harm to Lucerne Biosciences LLC while you are still identified as its counsel in the IPR by the Board.** In other words, your May 22 (yesterday) email not only effectively ignores the profound conflict of interest matter raised by Lucerne Biosciences in its email earlier yesterday afternoon, one that stands to cause the company catastrophic harm, but your email also misleadingly frames the context of two important prior emails to deceptively make it appear as if you’re withdrawal as the company’s counsel in the IPR is supported when it has been extensively explained to you that doing that at this point in time **would catastrophically harm the company.**

### Paragraph 3 (Sentences 3-4).

You state, “Your email appears to propose that we now file documents and legal arguments with the Board on behalf of Lucerne. In view of your representations to the Board, however, we do not believe that doing so would be appropriate, particularly since we have now formally withdrawn as Lucerne’s counsel.”

The best way to see how your conflict of interest emerges in paragraph 3 is to see that if you simply responded to the “Lucerne Biosciences, LLC email itself” (as sent at 4:33 pm EDT) then the email’s representation from Lucerne would be implicitly understood. But by responding on the “[louiscsan@aol.com](mailto:louiscsan@aol.com)” email thread and omitting the email itself you “deceptively frame” your email with the implicit pre-supposition that somehow “Louis Sanfilippo” may be your client/fiduciary interest, as reinforced by “**Your email** appears to propose that we now file documents and legal arguments with the Board on behalf of Lucerne. In view of **your representations** to the Board.....” Again, “Louis Sanfilippo” (i.e., “you”) has never been your client/fiduciary interest and those “representations” you allege were made to the Board (as previously noted) were “representations made **on behalf of Lucerne Biosciences, LLC.**”

## The Patent '813 Story, Part II -- Version 2

Further, the May 22 Lucerne Biosciences email explained that filing those “documents and legal arguments” was for the purpose (among others) **to help vindicate you** (and Dave and Baker Hostetler) from the massive legal and financial fall-out of your conflict of interest causing Lucerne Biosciences ongoing harm and potentially catastrophic harm, as filing those “documents and legal arguments” by you would at least “prove” that you were **not** actively engaged in a conflict of interest seriously interfering in your ability to represent the company for its best interests while you were still the counsel of record in the IPR. In this light, paragraph 3 **effectively proves** your eagerness to harm Lucerne Biosciences and to do so deceptively so that it wouldn't appear that way on the surface, especially in view of the most remarkable misrepresentation of all that you make, “we have now formally withdrawn as Lucerne's counsel.” Joe, it doesn't take but a B average high school student to see that this representation you make is an **outright intentional lie**, as you yourself know a “**motion** to withdraw as counsel” is not itself a “formal withdrawal” but only becomes so with the Board's decision to grant the motion. And as you clearly know, the Board had not made a final decision on your “motion to withdraw as counsel” at the time of your sending your email at 8:42 pm last evening and may even consider the email that was sent to it by Lucerne Biosciences (about an hour-and-a-half before your 8:42 email) that explained your seriously problematic conflict of interest, cc'ing both you and Dave and attorney Scott Bialecki of Fox Rothschild. **Why would you egregiously misrepresent the “actual status” of your own representation of Lucerne in the IPR, especially when the email that you were “responding to” was clearly specifying that your withdrawal from the IPR at this point in time (while you are still formally identified as Lucerne Biosciences' counsel in the IPR) would surely cause the company catastrophic harm?**

Such behavior is confirmatory of some kind of profound and unlawful “third party conflict of interest.” It is equally remarkable that your email provides no reference or explanation as to the purpose of filing those “documents and legal arguments,” namely, **to vindicate yourself** - and **Dave** and **Baker Hostetler** -- from potentially hundreds of millions of dollars of damages that the company would expectedly suffer with an adverse judgment for owning an otherwise patentable patent for an FDA-approved drug indication standing to become a potential block-buster indication.

### Paragraph 4 (Sentences 5-8):

You state, Joe, “Your email also indicates that you believe that we have somehow not fulfilled our professional obligations to **you**, LCS, and/or Lucerne.” This is a classic “deception-based intelligence tactic,” namely, to repeat the same “conflationary frame” over and over until it becomes the “operational frame,” even if it is misrepresented and/or conflated (i.e., an act of deception). This is the “modus operandi” of your paragraph 4, as featured in its “opening line” when you state “**your** email” **as if** it came as a representation “on behalf of ‘me,’ Louis Sanfilippo *personally*” when it couldn't be any clearer that the email came as a representation “on behalf of Lucerne Biosciences.” It's easy to see how your communication method re-enforces the same recursive conflationary and misrepresented “frame for representing your client” when you write “our professional obligations to **you**, LCS and/or Lucerne.” If you were accurately representing this, you would have simple stated “our professional obligations to LCS and/or Lucerne” because those are the **only two clients/fiduciary interests** that you have represented in connection to any communication that I may have had with you in my representative capacity for either of those LLC entities. After all, your client/fiduciary interest can easily be identified in **only two venues** with Shire and its outside counsel (its only “external interface” with other entities) -- “business” and “IPR,” of which LCS Group was represented for 23 months in a CDA for “business” and 8 months in an “IPR” with Shire while Lucerne Biosciences has been represented by you since January 27, 2015 only in the IPR as Shire/FLH have not engaged it in any business

## The Patent '813 Story, Part II -- Version 2

communications. So where do you find “you” (“Louis Sanfilippo”)? And why would “you” be separated from “LCS” and/or “Lucerne,” as it is in your email?

Your “client-based conflationary frame of representation” continues in paragraph 4, as you emphasize the “personal representation” (aspect of “Louis Sanfilippo”) several times over, in keeping with the way that FLH and Shire have been motivated to unlawfully and quite deceptively misrepresent “Dr. Sanfilippo” for the actual patent owner entity, whether to “negotiate” business (as in Kuzmich’s Sept. 4, 2014 email) or deal with various other matters (as in Ed Haug’s March 20, 23 2015 emails). Your “misrepresentation behavior,” of a kind just like Sandra Kuzmich’s and Ed Haug’s, is obvious, as bolded in paragraph 4, “It is not clear what **you** believe that we have done incorrectly or failed to do, but I am not aware of any respect in which we have failed to fulfill our professional obligations **to you** and the entities through which you have acted.” If you were accurately representing things in your statement, it would have stated “.....professional obligations **to the entities through which you have acted.....**” This recursive pattern of misrepresenting your client/fiduciary interest and “splitting” the “personal Louis Sanfilippo” from the client/fiduciary interest that you are ethically and professionally obligated to protect continues, “Indeed, I believe that we often exceeded these obligations and that we frequently ‘went the extra mile,’ both in terms of the level of effort that we expended and the legal positions and strategies that we developed. I am disappointed that you now appear to think otherwise, as I believe that we have always acted diligently and appropriately **not only on your behalf** and but also on behalf of LCS and Lucerne.” If you were accurately representing things here you would have simply deleted “**not only on your behalf and but also.**”

Joe, at this point in “The Patent 813 Story, Part II” can’t you see the massive conflict of interest and legal problem that you -- **and therefore Dave and Baker and Hostetler** -- have? If you can’t, then let me (on behalf of Lucerne Biosciences) spell it out for you and Mr. Ketzner and Dave. It’s that your “misrepresentation behavior” is completely aligned with Frommer, Lawrence & Haug and Shire and it has not only caused one company harm (LCS Group) because you allowed Shire and FLH to “bully” LCS Group through their misrepresentations and conflated view of your “client” (i.e., Sept. 4 Kuzmich email to you) but that “foundational misrepresentation problem” (i.e., what’s called a “leveraged split” in “behavioral intelligence” circles) then became the basis for letting FLH/Shire continue that same “misrepresentation behavior” through the IPR. That Shire/FLH “misrepresentation behavior” is prominently evidenced in Shire’s May 6 “second motion for sanctions” and its May 15 “supporting petition” that are riddled with the very same kinds of misrepresentations that **you yourself facilitated and supported in violation of your fiduciary role to your client LCS Group first and then Lucerne Biosciences.** That you have now taken a position in your May 22 (yesterday’s) email which supports these Shire/FLH misrepresentations that stand to cause Lucerne Biosciences catastrophic harm, ones that **you yourself helped cause by never calling them out on it but only enabling their problematic presence**, is about as an egregious, willfull and malicious act of violating a fiduciary role to a client imaginable. And it also makes you a collusive party to the very anti-competitive conduct that Shire/FLH have engaged in since filing an obviously fraudulent IPR petition (that you even wish to avoid making public based on your not wanting to file those “two documents” referenced in Lucerne’s email to you yesterday). But your “misrepresentation behavior” and clear desire to harm Lucerne Biosciences is completely explainable on the basis of a profound “third party conflict of interest” that you have failed to disclose to your client/fiduciary interest, one that connects you to Shire/FLH because it would appear that they too have the same “third party conflict of interest,” as evidenced in their own “misrepresentation behavior” and clear desire to harm Lucerne Biosciences.

Joe, Lucerne Biosciences, LLC -- as well as its strategic collaborator and exclusive licensee LCS

## The Patent '813 Story, Part II -- Version 2

Group, LLC -- would like to know why your email last evening is loaded with misrepresentations of the same “misrepresented nature” of those made by Ms. Sandra Kuzmich on behalf of Shire in the May 6 “second motion for sanctions” seeking an adverse judgment against Lucerne Biosciences and its May 15 supporting petition? Why have you so obviously joined “the other side” that wants to completely destroy Lucerne Biosciences, LLC and that stands poised to render the company catastrophic harm, as would come from an adverse judgment by the Board in the IPR proceeding should you “formally withdraw as counsel” (as decided by the Board in response to the motion you filed yesterday)?

Joe, for the written record (and with Mr. Ketzner as witness for accountability purposes), can you please state in writing which client(s) of yours is causing you this legal nightmare by putting you in a position that you have to materially misrepresent, omit or conflatedly re-frame important information on the written record to stay aligned with the very entities that are seeking to cause your “current IPR client” Lucerne Biosciences, LLC” ongoing and **now highly likely** (based on your email yesterday) **catastrophic harm**? Who is the “third-party interferer(s)” that is interfering with you to cause you, Dave and Baker Hostetler to collectively join hands with Frommer, Lawrence & Haug and Shire in this egregious display of anti-competitive conduct? Or if it is not a “formal client(s)” of yours, what are you involved in that is making you motivated to act unlawfully, unethically and unprofessionally, now more than ever? Your May 22 “Follow-Up” email very obviously ignores the most important point of that Lucerne Biosciences’ email “earlier in the afternoon” -- the matter about a profound “third-party conflict of interest.” Don’t you see that your omission of that materially relevant and important point (itself the email’s most important point) makes it that much more obvious to any reasonable person in view of the record that you have an extraordinarily serious “third-party conflict of interest” problem **of which you are clearly well aware** because you are clearly intentionally trying to “cover up” that you are aware of it through misrepresentation and conflationary re-framing. Yet even as this has all been pointed out to you in “real-time,” you still fail to disclose materially relevant and important information that is actively harming your “active IPR client” **as of the time this email is being sent to you, Dave and Mr. Ketzner** but, rather, you prefer to take actions that you have been told will highly likely cause Lucerne Biosciences, LLC catastrophic harm and shroud your actions in a veil of misrepresentations and conflated statements.

Lucerne Biosciences, LLC deserves a truthful answer (in writing) from you, Joe -- or at least from Baker Hostetler (perhaps from Chairman Kestner) -- about your “third-party conflict of interest” that is causing the company harm and stands poised to completely destroy it.

Sincerely,

Louis

Louis C. Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

---

**HERE IS THE EMAIL THAT YOU OMITTED IN YOUR MAY 22 at 8:42 PM EDT EMAIL HAVING THE SUBJECT “FOLLOW-UP” (Below it is the forwarded email you sent “louiscsan@aol.com” on May 22 at 8:42 pm).**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

## The Patent '813 Story, Part II -- Version 2

**Subject: Important Matter in the IPR From Lucerne Biosciences, LLC**

**Date:** May 22, 2015 4:33:58 PM EDT

**To:** Joe Lucci <jlucci@bakerlaw.com>

**Cc:** David Farsiou <dfarsiou@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you details on how the company and its counsel have planned "final resolution" for "The Patent 813 Story, Part II." As your role for it is a most important one, it involves certain critical actions from you. These actions, in view of the Board's Order (Paper 30) yesterday, are highly time-sensitive and absolutely necessary to secure the best interests of not only Lucerne Biosciences (currently represented by you in the IPR by virtue of the Board's position that you are representing it until the Board has authorized your withdrawal) but also you (and Dave and Baker Hostetler). In this regard, your filing of a motion to withdraw as Lucerne Biosciences' counsel in the IPR of the '813 Patent (as authorized in the Board's Order yesterday) will surely cause the company catastrophic harm, which would then effectively make your "attorney behavior" in representing Lucerne Biosciences in the IPR a willfully perpetrated conflict of interest for you (and Dave and Baker Hostetler) intended to cause the company catastrophic harm. Such willfully intended catastrophic harm would leave Lucerne Biosciences little option other than to pursue legal actions against you (and Dave and Baker Hostetler) that would then certainly cause you (and Dave and Baker Hostetler) catastrophic harm, especially in view of (i) its willful motivation, (ii) the value of the '813 Patent (that encompasses an FDA-approved drug indication with blockbuster-type financial potential) and (iii) what remains to be communicated in this email.

However, you're by now familiar enough with "The Patent 813 Story, Part II" to recognize that it has been "behaviorally designed" to finally end very favorably for you (and Dave and Baker Hostetler), completely freed from any conflict of interest as well as with a surprise financial reward to boot that so far would involve you, Dave, Michelle and Baker's partnership (as well as an "equal sharing" on Cantor Colburn's side). After all, a story involving a virtually "perfect patent" for an FDA-approved drug indication in which there are no other approved treatments and whose marketing and sales are only going to skyrocket once the "second version" of "The Patent 813 Story, Part II" goes public will certainly end favorably for those individuals (and their respective companies) who support its extraordinary and well-planned "final resolution." That "final resolution" itself, you should know, has already been completed but it would be incomprehensible that you could have any idea what it's about because it's that incomprehensible, though there have been clues if you've been reading the story carefully. Of course, that's the remarkable dimension -- and mystery -- of "The Patent 813 Story, Part II."

So how does the story get from "here" (i.e., "as of today") to "there" (i.e., its "final resolution")? The answer to that question, as briefly outlined in an email that you received from LCS Group, LLC last evening, involves two professionally-written documents with lots of exhibits whose public disclosure will very rapidly establish the requisite "boundary conditions" for final resolution to take place. That's because the objective of these two documents is to make it abundantly clear to any reasonable person -- and therefore the Board-- that Shire Development LLC's IPR of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and misrepresentation. Therefore, the initiation and maintenance of the IPR could only have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes. And if the initiation and maintenance of the IPR could only have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes, of which Shire's May 6 "Second Motion for Sanctions" is yet another specific example, then it's completely irrational -- and very unjust -- that

## The Patent '813 Story, Part II -- Version 2

an adverse judgment should be made against Lucerne Biosciences.

**To this effect, these two documents convincingly show cause for why the Board should not issue an adverse judgment against the company -- and because of that these two documents need to be immediately entered into the IPR record by you (and Dave) before it's too late for their entry, along with a statement that indicates that you (and Dave) are continuing to represent Lucerne Biosciences in the IPR.** Your failure to take these two actions in the five day time frame provided by the Board in its Order yesterday will **clearly and convincingly prove to any reasonable person in view of the record that you are directly and actively involved in a profound conflict of interest that is severely interfering in your ability to represent Lucerne Biosciences' best interests but that you never disclosed this profound conflict of interest to your client.** That's a nightmare of a problem, especially when you consider the company you're currently representing in the IPR is the patent owner of patent whose claims encompass the use of an FDA-approved drug indication that is currently marketed by a global pharmaceutical company and expected to generate annual sales (for that FDA indication) well into nine-figures in just a few years (if not sooner). Further, based on the 19 Exhibits that Frommer, Lawrence & Haug have collectively entered into the IPR record this month on behalf of Shire (on May 6 and May 15), which themselves collectively enhance the transparency of inter-company communications now on the IPR record, your failure to enter these two documents into the IPR record that **themselves directly speak to why the Board should not issue an adverse judgment against Lucerne Biosciences, LLC would be extraordinary for its harming intent and contempt for getting to the truth of this '813 Patent matter.** That's obviously because these two documents directly speak to the fraudulent and misrepresented nature of Shire's IPR petition for the '813 Patent in the first place, the very foundation on which your representation of patent owner Lucerne Biosciences in the IPR rests.

This, of course, also then brings into focus issues related to your representation of the company's strategic partner LCS Group, LLC, for if your "attorney behavior" catastrophically harms patent owner Lucerne Biosciences at the most crucial time in the company's history, it will go a long way to explain to any reasonable person (or judge) that you've obviously had the same profound conflict of interest in representing patent owner LCS Group for its own best interests, including in the IPR when it was the patent owner of the '813 Patent (as briefly characterized in the LCS Group email you received yesterday). That would raise an important question: how could any attorney have such a profound conflict of interest that causes two companies harm, as evidenced in a clearly represented written record? In that "double harm scenario," the only reasonable answer would be that you misrepresented yourself to first patent owner LCS Group and then again to second patent owner Lucerne Biosciences by your failure to disclose materially important and relevant information about a conflict of interest of which you must certainly have known, perhaps even from the time you first decided to take on LCS Group as a client (and which may even explain why you took on LCS Group as a client in the first place). Failing to inform a client of materially relevant and important information about a serious conflict of interest and then going on to represent that client while that conflict of interest causes that client harm during your representation of it would clearly be highly unlawful, unethical and unprofessional.

Based on the communication evidence, everything supports that this profound conflict of interest involving you (and Dave and Baker Hostetler thereof) is related to a conflict of interest that has involved some kind of "third party interference" in which the interests of the '813 Patent and its inventor "Louis Sanfilippo" override the interests of your client, as if the '813 Patent and its inventor "Louis Sanfilippo" were your "client" vis-à-vis a "third-party interest." That kind of "third-party conflict of interest" would explain why on numerous times you seem to have willfully conflated (i.e., misrepresented) your client (much in the way that FLH and Shire have done), yet the third-party source and nature of your conflict of interest motivating such behavior was never

## The Patent '813 Story, Part II -- Version 2

disclosed to Lucerne Biosciences (or LCS Group before it based on LCS Group's communications to Lucerne). Rather, you would seem to have unethically, unprofessionally and unlawfully placed the entire burden of that third-party conflict of interest on your client, LCS Group first and then Lucerne Biosciences, to effectively make its heavy burden your own client's burden not only to discover and identify as an ongoing root-cause source of harm and damage but also to secure its final resolution. But that is part of the bigger story in "The Patent 813 Story, Part II," isn't it Joe?

This email from Lucerne Biosciences is designed to establish the requisite "boundary conditions" for you to resolve your very serious third-party conflict of interest (and therefore Dave's and Baker Hostetler's) that you failed to disclose to Lucerne Biosciences (and LCS Group before it). That, in turn, will establish the requisite "boundary conditions" for others to resolve their own third-party conflicts of interest. After all, "The Patent 813 Story, Part II" can't get from "this email" to its "final resolution" if one of its most critical characters -- you -- is stuck in a massive third-party conflict of interest that perpetually gives rise to unlawful, unprofessional and unethical behavior. And if you're stuck in that massive third-party conflict of interest, then it will only continue to perpetuate everyone else's third-party conflict of interest and their perpetuation of all that unlawful, unprofessional and unethical behavior that we've seen so blatantly enacted and re-enacted many times over by Shire, Frommer, Lawrence & Haug, and Dr. Brewerton.

Lucerne Biosciences, LLC and its counsel have determined that there's really only one way for you to vindicate yourself (and Dave and Baker Hostetler) from this profound third-party conflict of interest so that its massive legal, financial and professional fall-out doesn't fall back on you (and Dave and Baker Hostetler) to make you (and Dave and Baker Hostetler) its biggest problems in "Part III" of "The Patent 813 Story." That "way" is for you to **clearly and convincingly prove**, in a way that any reasonable person would understand for its implications, that you are currently **not** engaged in a profound third-party conflict of interest in your representation of Lucerne Biosciences that is actively causing the company harm and highly likely to cause it catastrophic harm (and which would therefore make your behavior unlawful, unprofessional and unethical). Specifically, that "way" is for you to take the above-stated actions, namely, to respond to the Board's May 21 Order by making a filing that states (i) you (and Dave, as attorneys from Baker and Hostetler) are remaining as counsel for Lucerne Biosciences in the IPR of the 813 Patent and (ii) include in that filing or a separate one (per IPR protocol) the two documents provided below (by box.com hyperlink) as Exhibits with an explanatory note to the Board as to why they show cause that the Board not issue an adverse judgment against Lucerne Biosciences, LLC. Below (in blue) is a suggested brief explanatory note.

But "The Patent 813 Story, Part II" is all about each of its "real-life participants" finding their own "real voice" in the story for, among other things, posterity's sake. That "real voice" only can come by each "real-life participant" taking their own **clear and accountable position on the written record at the story's final end**, so feel free to modify the explanatory note as needed. You know the issues better than anyone. And by now you surely know the truth involving them. So now it's time to be completely accountable for what you know so that the "Patent 813 Story, Part II" can end in the truth, and history can be its own judge of your truthfulness, accountability and transparency (and Dave's and Baker Hostetler's). In this context, "The Patent 813 Story, Part II" is behaviorally designed so that your own motivations and behaviors (and Dave's and Baker Hostetler's thereof) **will be transparently judged by how you respond to this email and its request to simply represent the best interests of your client Lucerne Biosciences, LLC by simply disclosing the truth for why the Board should not issue an adverse judgment against it, as easily understood from the two documents.**

**Suggested Explanatory Note for the IPR filing of the "two documents" in response to the**

## The Patent '813 Story, Part II -- Version 2

### Board's May 21 Order:

"The Board should not issue an adverse judgment against Lucerne Biosciences, LLC. The reason is simple and is the subject of two documents (Exhibits XXXX and XXXX), each of which features its own exhibits and was professionally written to make it abundantly clear to any reasonable person reading them that Shire Development LLC's IPR petition of U.S. Patent No. 8,318,813 was a willfully perpetrated act of fraud and misrepresentation. Therefore, the initiation and maintenance of the IPR for the 813 Patent was clearly to engage in baseless sham litigation for anti-competitive purposes. And if the initiation and maintenance of the IPR for the 813 Patent was to clearly have been for the purpose of engaging in baseless sham litigation for anti-competitive purposes, then it is completely irrational that an adverse judgment be made against the 813 Patent's owner Lucerne Biosciences LLC. In this light, an adverse judgment against Lucerne Biosciences, LLC would not only be a travesty of justice but also an egregious injustice rarely seen in a venue whose very purpose is to uphold the law.

It should be added that LCS Group, LLC, via its CEO Dr. Louis Sanfilippo, offered to provide these two documents to the Petitioner in communications made to Shire Plc's CEO Dr. Flemming Ornskov on September 4 and September 12, 2014 (see Petitioner's Exhibit 1090, pp. 6-9), but the Petitioner ignored the invitation to see them. Had the Petitioner accepted the offer to see these two documents at that time, it's hard to imagine that Shire Development LLC and Lucerne Biosciences LLC would be here today as they are, with the Petitioner seeking adverse judgment against the Patent Owner whose wholly owned patent rather perfectly encompasses method claims that would secure Shire's own collective best interests (across all Shire-related entities) for marketing Vyvanse<sup>®</sup> in the United States to physicians and other prescribers as a treatment for Binge Eating Disorder. Taken together, these two documents explain why an adverse judgment against Lucerne Biosciences, LLC would be nothing short of criminal conduct by the Board itself, in complicity with the Petitioner and the outside law firm representing it."

**DOCUMENT 1:** <https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg>

**DOCUMENT 2:** <https://app.box.com/s/u28n8hxdwmb98h4y6ogllque0n2ict00>

At this point in time, it should go without saying that any communication going forward involving your client Lucerne Biosciences needs to be in writing and should be communicated with its manager/member Louis Sanfilippo at the email address above ("lsanfilippo@lucernebio.com").

Hold on tight, because this real-life story is imminently about to take off to place that you couldn't even imagine possible in your wildest dreams. After all, could you have imagined that it would be where it is right now?

Sincerely,

Louis

Louis C. Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>

## The Patent '813 Story, Part II -- Version 2

**Subject: Fwd: Follow-Up**  
**Date:** May 22, 2015 10:10:47 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** "Lucci, Joseph" <[JLucci@bakerlaw.com](mailto:JLucci@bakerlaw.com)>  
**Subject: Follow-Up**  
**Date:** May 22, 2015 8:42:13 PM EDT  
**To:** Louis Sanfilippo <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Louis

This responds to the email that you sent this afternoon.

I believe that you have now seen the email that Dave Farsiou previously had sent to you transmitting the Motion to Withdraw that we filed with the Board pursuant to its Order and in view of your representation to the Board that you have new counsel, that we are not authorized to represent Lucerne in any matters, and that we should do "nothing whatsoever" on the company's behalf.

Your email appears to propose that we now file documents and legal arguments with the Board on behalf of Lucerne. In view of your representations to the Board, however, we do not believe that doing so would be appropriate, particularly since we have now formally withdrawn as Lucerne's counsel.

Your email also indicates that you believe that we have somehow not fulfilled our professional obligations to you, LCS, and/or Lucerne. It is not clear what you believe that we have done incorrectly or failed to do, but I am not aware of any respect in which we have failed to fulfill our professional obligations to you and the entities through which you have acted. Indeed, I believe that we often exceeded these obligations and that we frequently "went the extra mile," both in terms of the level of effort that we expended and the legal positions and strategies that we developed. I am disappointed that you now appear to think otherwise, as I believe that we have always acted diligently and appropriately not only on your behalf and but also on behalf of LCS and Lucerne.

Joe

**4:00 PM EDT:**

Hyperlinks to **"DOCUMENT 1"** (<https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg>) and **"DOCUMENT 2"** (<https://app.box.com/s/u28n8hxdwmb98h4y6oglque0n2ict00>) from the **"March 22, 2015 (at 4:33 pm EDT email) Lucerne Biosciences, LLC email"** publicly de-activated except for persons with proprietary access.

Hyperlinks to the **"249 Patent Application"** (<https://app.box.com/s/a308132casvzw78e2vitf9z90r0fmcxbx>) and the **"'813 Patent"** (<https://app.box.com/s/5euyutbdi2hpuqgru5wb7zegjvq17hnh>) from the **March 6, 2015 Lucerne Biosciences, LLC Press Release "Lucerne Biosciences Announces Publication of**

## The Patent '813 Story, Part II -- Version 2

Claimed Methods for Treating Binge Eating Disorder with Lisdexamfetamine Dimesylate” publicly re-activated.

**Monday May 25, 2015: MEMORIAL DAY**

**7 PM EDT:**

USPTO's Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** and **“Image File Wrapper”** for **US Patent Application 14/464,249 “as of 7 PM EDT”** is available as a merged PDF:

[http://www.4shared.com/download/kSU6bTw8ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/kSU6bTw8ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813): Disclosure of IPR2014-00739

**Date:** May 25, 2015 11:42:22 PM EDT

**To:** trials@uspto.gov

**Cc:** fornskov@shire.com, jharrington@shire.com, tmay@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com

IPR2014-00739 (U.S. Patent No. 8,318,813)

Petitioner: Shire Development, LLC

Patent Owner: Lucerne Biosciences, LLC

Dear Patent Board:

Lucerne Biosciences, LLC is writing this email to inform the Board, and those persons and their respective entities cc'd on this email thread (which includes NY Times Reporter Steve Lohr and WSJ Reporter Ed Silverman), that “The Patent '813 Story, Part II” (Exhibit 1090) is imminently about to enter the national public consciousness unlike any other story in recent times. After all, the sensational nature of this story has become perfectly obvious, namely, that the *inter partes* review of U.S. Patent No. 8,318,813 has been a “cover” for an elaborate “behavioral/business intelligence experiment” jointly supported by an elite academic institution and a federally-supported intelligence agency to research and apply “deception-based intelligence technology” using as its “instruments of deception” (i) Shire (i.e., Shire Development LLC, Shire LLC, Shire Plc) and its representatives, (ii) Frommer, Lawrence & Haug LLP and its representatives and (iii) Shire declarant Dr. Timothy Brewerton. Even more remarkable is that this “behavioral/business intelligence experiment” has been a colossal failure because its “research methodology” was meant to go unseen but now is about to be made very public for all its extraordinary details, particularly its unlawfulness that targeted, first, '813 Patent owner LCS Group, LLC and then the patent's owner Lucerne Biosciences, LLC.

While some of this disclosure shouldn't be any surprise to the Board and the cc'd persons/parties on this email (except for the NYT and WSJ reporters) because all the persons/parties on this email thread have clearly been complicit in the experiment's implementation, the declaration of its colossal failure and imminent massive public exposure (that includes disclosure their own involvement in it) may surprise some. But it really shouldn't, as there is ample evidence in the “communications transcript” titled “The Patent Story, Part II” (Exhibit 1090) that such open exposure of its participants was the objective of a “counter-intelligence protocol” that was

## The Patent '813 Story, Part II -- Version 2

implemented as a result of a very important decision made by LCS Group, LLC on Oct. 1, 2014. That “counter-intelligence protocol” has used proprietary profiling techniques, novel deception-detection strategies, unprecedented communication interventions (such as this email from Lucerne Biosciences, LLC to the Board and others), and real-time individual and group dynamic motivational analysis and predictive behavioral modeling. To this effect, publicly exposing everything that was intended to be “covert” will serve an important purpose, namely, “to make those parties responsible for making and perpetuating the problematic representations in the IPR petition accountable for their actions...,” as represented by Lucerne Biosciences’ strategic partner and current exclusive licensee of the ‘813 Patent LCS Group, LLC (via its CEO Dr. Louis Sanfilippo) in an email to Shire (its CEO Dr. Flemming Ornskov) on September 22, 2014 (see Exhibit 1090, pp. 11-12).

While there are many ways to validate these statements to those less familiar with the “public details” of this extraordinary story (i.e., the NYT and WSJ reporters), perhaps the most succinct and effective way is to let the “motivational and behavioral proof” featured in “The Patent 813 Story, Part II” speak for itself (see Exhibit 1090). In this light, it is abundantly clear that Shire, its outside law firm Frommer, Lawrence & Haug and its declarant Dr. Timothy Brewerton have been “tasked” in this IPR of the ‘813 Patent to make so many egregious misrepresentations on the art of eating disorders that it could take a PhD dissertation to go through each of them, only to then effectively be “tasked” again to exploit that “deception-based foundation” to engage in unfair and deceptive trade practice and anti-competitive conduct whose intent has been to severely harm the patent owner of the ‘813 Patent for Shire’s financial benefit. That “double-dose” of “deception-perpetrated unlawfulness” (i.e., misrepresentation to engage in deceptive trade practices) whose intent is to harm the respective owner of the ‘813 Patent (i.e., LCS Group first, then Lucerne Biosciences) when the ‘813 Patent must surely be one of the most non-obvious and valid patents in pharmaceutical history flies in the face of reason, especially given the extent of misrepresentation evidenced in the record. The willful deceptiveness of this “collective misrepresentation behavior” is perhaps most thoroughly characterized in the two hyperlinked PDF documents in the Board’s Exhibit 3001 (see p. 7, Part I, “Supplemental Information U.S. Patent No. 8,318,813” and “Important Vyvanse.Shire.Matter.email.asemailedFLH.Brewerton.11.10.14,” as featured in the Monday May 18 7:08 pm EDT email from Lucerne Biosciences, LLC to the Board).

However, this “double-dose” of “tasked deception-perpetrated unlawfulness” by itself obviously does not speak to the kind of collusive multi-party collaboration involved in a jointly-sponsored “behavioral/business intelligence experiment” aimed at developing and applying “deception-based intelligence technology” in the IPR of the ‘813 Patent and targeting as its “exploited subjects” LCS Group (and therefore its CEO Louis Sanfilippo) and Lucerne Biosciences (and therefore its Manager/Member Louis Sanfilippo). In this respect, the “clues” for demonstrating that the *inter partes* review of the ‘813 Patent was a “business cover” for a jointly sponsored “behavioral/business intelligence experiment” to develop and apply “deception-based intelligence technology” are found in “The Patent 813 Story, Part II,” including clues that identify its two “root cause sources.” For instance, “The Patent 813 Story, Part II” identifies two persons, both affiliated with Yale University School of Medicine and the intelligence community, who conducted a 2013 research on “deception detection strategies” involving matters of national security in the timeframe that planning for the *inter partes* review of the ‘813 Patent would have been initiated (see Exhibit 1090, p. 230, pp. 244-245). The uncanny and extraordinary timing and similarity between that 2013 “deception-based intelligence study” entitled “Efficacy of Modified Cognitive Interviewing, Compared to Human Judgments in Detecting Deception Related Bio-Threat Activities” (published in the Journal of Strategic Security) and the IPR of the ‘813 Patent is practically unfathomable, unless of course that kind of research and the IPR of the ‘813 Patent were “motivationally and behaviorally” linked for a shared “intelligence and national security purpose.”

## The Patent '813 Story, Part II -- Version 2

Specifically, that 2013 research study investigated “deception detection” by establishing two groups of “role play scientists” in which one group of “scientists” was instructed to tell the truth and the other to lie (on “national security bio-threat” issues) to an experienced “law enforcement officer” interrogating/questioning them. That “study design” couldn’t any more identical in its “representation and communication behavior” than the two opposing “sides” of the IPR of the ‘813 Patent in which “one side” (i.e., “Shire Development, LLC”) is clearly like the “liar group” and the “other side” (i.e., “LCS Group, LLC” first, then “Lucerne Biosciences, LLC”) is clearly like the “truth-teller group” with the “law enforcement role” of differentiating “truth” from “deception” ostensibly taken up by the Patent Board. Of course, the biggest and most important difference between the 2013 intelligence research study and the IPR of the ‘813 Patent is that no one instructed LCS Group first and then Lucerne Biosciences (or either company’s respective representatives, CEO Sanfilippo for LCS Group or Manager/Member Sanfilippo for Lucerne Biosciences) that the IPR of the ‘813 Patent was a “behavioral/business intelligence experiment,” much less that LCS Group and/or Lucerne Biosciences should “tell the truth” (as both companies have done in the IPR proceedings by virtue of simply understanding the record).

With this 2013 intelligence research study in view, the degree, willfulness and repetitive nature of “Shire-side misrepresentations” (of the eating disorder art in particular) can only be rationally explained on the basis that Shire, FLH and its declarant Dr. Timothy Brewerton have been -- and continue to be -- **EITHER** collectively incompetent (and/or psychotic) or sociopathic **OR** collectively “knowing participants” in a “behavioral/business intelligence experiment” designed like the 2013 study. After all, it’s hard to “misrepresent” (i.e., “lie”) so egregiously and repetitively the way that Shire, FLH and its declarant Dr. Timothy Brewerton have in the IPR of the ‘813 Patent unless they were motivated to from the outset (i.e., in the writing the IPR petition) because that’s their respective “role” in a study in which “lying” (i.e., misrepresenting) is what they’ve been told to do for the study.

With that in view, three key “communication events of late” have provided the conclusive “motivational and behavioral proof” that the IPR of the ‘813 Patent has been a staged “behavioral/business intelligence experiment” designed to function like the 2013 deception-detection research study, except (and importantly) that its two key “company participants” (“LCS Group, LLC” and “Lucerne Biosciences, LLC”) and one key “individual participant” (“Louis Sanfilippo”) were never provided any “informed consent.” That failure to provide any “informed consent” makes this “behavioral/business intelligence experiment” highly unlawful, unethical and unprofessional, with profoundly far-reaching legal, ethical, and professional implications for those involved in its planning and implementation.

The first of these “communication events of late” has been the outright willful deception perpetrated by one of the IPR’s “key attorneys,” Ms. Sandra Kuzmich of Frommer, Lawrence & Haug. Any reasonable person would see that Ms. Kuzmich has recently engaged in such egregious and repeated misrepresentation (by omission of materially relevant and important information and other “types” of “deceptive communication”) **in just one IPR filing** that it’s hard to believe she could be that incompetent (and/or actively psychotic) or sociopathic to behave this way, which speaks to an ulterior motivation for her “deception-based behavior” -- such as to serve a “liar role” in a “behavioral/business intelligence experiment” interested in, among other things, “deception detection” and designed comparably to that 2013 research study. An analysis of her recent outlandish “deceptive communication behavior” is already in the IPR record (see Exhibit 3001, p. 7, “Email from LCS Group, LLC sent on May 15, 2015’ is available at: [http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000)”).

With Ms. Kuzmich’s egregious “deceptive communication behavior” hitting perhaps its “all-time-IPR-high” in the May 15 (Paper 18) IPR filing she made on behalf of Shire Development LLC, one can see how a second “communication event of late” supports this conclusive “motivational and

## The Patent '813 Story, Part II -- Version 2

behavioral proof” that the IPR of the '813 Patent has been a well-staged “behavioral/business intelligence experiment” designed to function like the 2013 deception-detection intelligence study. That “communication event” is found in the outright willful deception perpetrated by Lucerne Biosciences, LLC IPR attorney Mr. Joseph Lucci of Baker Hostetler. Remarkably, Mr. Lucci’s “misrepresentation behavior” is evidenced for its intent to harm the very company he is representing in the IPR, which is not something that makes rational sense unless one is motivated to behave that way for ulterior reasons, such as to serve a particular “role” in an intelligence research study of a kind like that published in 2013. Mr. Lucci’s recent “deception-based behavior” is featured in an email sent to him on behalf of Lucerne Biosciences, LLC by its Manager/Member Louis Sanfilippo on Saturday May 23 at 11:33 am EDT (cc’ing Lucerne Biosciences’ IPR back-up attorney David Farisiou and Chairman of Baker Hostetler’s Policy Committee Steven Kestner), available in PDF at: [http://www.4shared.com/download/f34etu8Wce/52315\\_Lucerne\\_Biosciences\\_LLC\\_.pdf?lgfp=3000](http://www.4shared.com/download/f34etu8Wce/52315_Lucerne_Biosciences_LLC_.pdf?lgfp=3000). In this light, Mr. Lucci’s “deceptive communication behavior” and its willful intent to harm the very company he is identified as representing in the IPR can only be rationally explained on the basis that he, too (like Shire, its outside counsel and declarant), is **EITHER** incompetent (and/or psychotic) or sociopathic **OR** a “knowing participant” in a “behavioral/business intelligence experiment” designed like the one published in 2013 in the Journal of Strategic Security. Take note that Mr. Lucci’s involvement as a “knowing participant” in a “behavioral/business intelligence experiment” is not identified as such in that May 23 (at 11:33 am EDT) Lucerne Biosciences email to him but, rather, it is “narratively framed” as a “third-party conflict of interest” that is seriously interfering in his ability to represent his client Lucerne Biosciences for its own best interests.

Taken together, Ms. Kuzmich’s and Mr. Lucci’s collective “deception-based communication behavior” in the last week-and-a-half is so bizarre and uncharacteristic for any two attorneys in any legal venue (in which each respective attorney is supposed to represent their respective client’s best interests) that it strongly suggests something profoundly unusual is taking place that better explains their shared behavior than incompetence (and/or psychosis) or sociopathic behavior. That, of course, would fittingly be a “behavioral/business intelligence experiment” similar to the 2013 research study, supported by individuals known to the management and membership of both LCS Group, LLC and Lucerne Biosciences, LLC for their work involving intelligence and national security matters (as characterized in “The Patent 813 Story, Part II”).

But when Ms. Kuzmich’s and Mr. Lucci’s collective “deceptive communication behavior” is taken in view of yet a third similar such event -- the Board’s own recent “misrepresentation behavior” **during this same temporal period** -- it’s a dead give-away that the IPR of the '813 Patent has been a collusively-staged “behavioral/business intelligence experiment” that is visibly showing its signs of colossal failure. That’s because everything intended to stay hidden, particularly that the IPR of the '813 Patent was initiated and maintained as a “behavioral/business intelligence experiment,” is fast making its way out into national visibility, including Mr. Lucci’s and the Board’s own complicit involvement in its unlawful and unethical implementation. Specifically, the Board’s (i) “Decision on Patent Owner’s Motion to Submit Supplemental Information” (Paper 23) entered March 12, 2015 and its (ii) “Order - Conduct of the Proceeding” entered May 5 Order (Paper 26) both **accurately represented** the “Patent Owner” of the '813 Patent as “Lucerne Biosciences, LLC.” However, the Board engaged in its own extraordinary “deception-based communication behavior” in its May 21, 2015 “Order Authorizing Patent Owner’s Counsel of Record to File a Motion to Withdraw As Counsel and Requiring Patent Owner to Update its Mandatory Notices” (Paper 30) by **misrepresenting** Patent Owner as “LCS Group, LLC” on the cover page of its very Order, perhaps motivationally related to the experiment’s clearly deteriorating course (as evidenced in “The Patent 813 Story, Part II”) and a felt-obligation from the Board in its “law enforcement for national security role” to steer things in some particular direction to prevent the IPR of the '813 Patent from becoming one of the most sensational scandals of this generation involving the highest echelons of law, business, academia and the intelligence community.

## The Patent '813 Story, Part II -- Version 2

The Board's overt "misrepresentation behavior" in its May 21 Order fits the same pattern of misrepresentation of Ms. Kuzmich (on behalf of Shire) and Mr. Lucci (on behalf of himself and Baker Hostetler) in the same "one week timeframe," and is particularly evidenced for its willfulness by virtue of the fact that the Board was provided **explicit documentation in the IPR proceeding** on January 27, 2015 that the '813 Patent's "Patent Owner" was "Lucerne Biosciences, LLC" (see Paper 17 "Supplemental Mandatory Notices" and Paper 18 "Power of Attorney"). Moreover, Exhibit 1089 filed in the IPR on May 15, 2015 by Shire Development LLC only re-enforced Lucerne Biosciences, LLC as the "Patent Owner" of the '813 Patent, and the Lucerne Biosciences March 6, 2015 press release featured in Exhibit 1090 (see pp. 82-82) also re-enforces the same. In this light, the Board's egregious "misrepresentation behavior" in its own Order (of materially important and relevant information in filings and Exhibits made in the IPR proceeding it has been charged to oversee), at such a critical time that its own prospective "adverse judgment" stands to cause Lucerne Biosciences, LLC severe harm, can only be rationally explained on the basis that the Board itself (as a "three-person unit" functioning on behalf of the Patent Trial & Appeal Board to oversee an IPR) is **EITHER** collectively incompetent (and/or psychotic) or sociopathic **OR** a collectively "knowing participant" in a "behavioral/business intelligence experiment" designed like the one published in 2013. Though its own "misrepresentation behavior" on the public IPR record (for any reasonable person to see) is the telltale sign that this "behavioral/business intelligence experiment" has gone "catastrophically bad" because its own "cover" as the IPR's "law enforcement agent" has now been blown as it has relegated itself to perpetrate "deception" (like the others) to avoid blowing its "cover," only for its "deception" to be detected and also be made public by this email (vis-à-vis the two reporters cc'd on the thread).

Of course all of this explains why "The Patent 813 Story, Part II" is imminently about to enter the national public consciousness unlike any other story in recent times, because how many stories like this ever happen in real-life? Yet everything in this story has happened and all the documentation is there to prove its having happened. To put it another way, the public-at-large will be profoundly intrigued and fascinated, for years to come, by something so remarkable as a "behavioral/business intelligence experiment" jointly sponsored by an elite academic institution and a federally-supported intelligence agency that has colossally failed its most important objectives, to the point that everything it didn't want to accomplish actually takes place and everything it sought to accomplish doesn't even happen. That said, the "final resolution" of "The Patent 813 Story, Part II" has yet to take place -- and it will surely be the most extraordinary feature of this real-life story because of the way it's been designed to happen by a very skilled behavioral intelligence team that has been closely (and lawfully) collaborating with the '813 Patent's owner "Lucerne Biosciences, LLC" and its exclusive licensee "LCS Group, LLC." The purpose of that collaboration is to make this an unforgettable story that people of all walks of life will be talking about for some time to come, because it's a story so sensational and so far-reaching in its myriad implications that it's practically impossible to grasp. Yet it's a real-life story that is all documented for any reasonable person to read and understand, with perhaps the most remarkable thing of all being that its "real-time documentation" **is the very story itself**, "The Patent '813 Story, Part II."

Lastly, this email has bcc'd three persons at their respective institutional/company email addresses. One of these bcc'd persons is an attorney with a unique blend of special skills in matters related to intellectual property and anti-competitive conduct.

**Lucerne Biosciences, LLC**

**Tuesday May 26, 2015:**

## The Patent '813 Story, Part II -- Version 2

### 10 AM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 10 AM EDT**" is available as a merged PDF: [http://www.4shared.com/download/K-uA2yR5ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/K-uA2yR5ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Kellogg, Andrew" <Andrew.Kellogg@USPTO.GOV>  
**Subject:** IPR2014-00739 Decision, Motion to Withdraw  
**Date:** May 26, 2015 4:30:36 PM EDT  
**To:** "lucernebio@lucernebio.com" <lucernebio@lucernebio.com>  
**Cc:** "jlucchi@bakerlaw.com" <jlucchi@bakerlaw.com>, "EHaug@filhlaw.com" <EHaug@filhlaw.com>

Attached, please find an order recently entered into IPR2014-00739. If you have any questions, please feel free to contact me.

Thanks,

Thanks,

Andrew Kellogg,  
Paralegal  
Patent Trial and Appeal Board  
USPTO  
andrew.kellogg@uspto.gov  
Direct: XXX-XXX-XXXX  
Patent Trial and Appeal Board: XXX-XXX-XXXX

**ATTACHMENT:** "**IPR2014-00739 Order Motion to Withdraw.PDF**" is available at:  
[http://www.4shared.com/download/xxOXgoHnba/IPR2014-00739\\_order\\_Motion\\_to\\_.pdf?lgfp=3000](http://www.4shared.com/download/xxOXgoHnba/IPR2014-00739_order_Motion_to_.pdf?lgfp=3000)

### Wednesday May 27, 2015:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Shire's One-Week Deadline  
**Date:** May 27, 2015 7:01:19 AM EDT  
**To:** fornskov@shire.com  
**Cc:** lohr@nytimes.com, ed.silverman@wsj.com, john@fiercemarkets.com, susan.mcelroy@uc.edu  
**Bcc:** [Restricted Information]

Dear Dr. Ornskov,

On behalf of Lucerne Biosciences, LLC, I am writing to inform you/Shire of a critically important matter that warrants your immediate attention because of its extremely serious and time-sensitive implications for you, Shire and Shire's shareholders. **At this point in time**, any reasonable person in view of the now "public record" would see that how you respond to this email will certainly become -- in very short order -- **either** a catastrophic liability **or** an unexpected boon for Shire and its shareholders (and you too). Because of the extraordinary and unprecedented nature of these rapidly unfolding events, cc'd on this email are the two journalists who were cc'd

## The Patent '813 Story, Part II -- Version 2

on this week's email from Lucerne Biosciences to the Patent Trial & Appeal Board, Steve Lohr of the New York Times and Ed Silverman of the Wall Street Journal. In addition, John Carroll of FiercePharma and Shire's own "Vyvanse/BED expert" Susan McElroy MD are cc'd. There are well over fifty people bcc'd on this email, including at least a dozen investment analysts from the U.S. and U.K. familiar with Shire, half a dozen journalists/reporters, a good handful of attorneys (including from law firms representing Kyle Bass' Coalition for Affordable Drugs LLC), those you'd expect on the email from prior communications and some others.

As you've been central to the recent communication loop, let me get right to the point. Yesterday the Patent Board granted Mr. Lucci's motion to withdraw as counsel for Lucerne Biosciences, LLC in the IPR of the '813 Patent. That gives Shire only five business days (that includes today) until the Board can be expected to invalidate the '813 Patent based on yesterday's Order. It goes without saying that invalidating what may be among the most non-obvious "method patents" in pharmaceutical history, that encompasses Shire's marketing of Vyvanse to treat BED (based on its clinical trial data/FDA approval), will surely bring unprecedented attention to Shire and particularly your role as the company's CEO for allowing all those countless misrepresentations in the company's IPR petition that then supported all that unchecked anti-competitive conduct in the IPR proceeding of the '813 Patent. That, of course, will bring unprecedented attention to you/Shire as to why you/Shire preferred "behaving unlawfully" over "acquiring rights" to what may be the most valuable "aggregate intellectual property" ever to enter the pharma space. After all, where else in pharma history can you find an example of one company obtaining rights to a virtually "perfect patent" (on account of its diagnostic and therapeutic specificity coupled with its radical non-obvious teaching) whose novel features and validity are documented by a virtually "perfect story" (with non-stop captivating legal, behavioral and intelligence drama even involving matters of national security) that itself sets the stage for a paradigm-shifting marketing campaign to help educate "any reasonable person" on the treatment of "Binge Eating Disorder" with "lisdexamfetamine dimesylate/Vyvanse" -- all easily accessible "electronically"?

But there's always more to the story, even more than that, which is the reason for this email to you/Shire and the many others who you can't "see" because they're hidden from your view by this email's bcc delivery method for its many communicants. For one, there's some additional "intellectual property" involved in "The Patent '813 Story, Part II" that it's finally time for you/Shire (and others) to see, because it greatly enhances the "marketing value" of the story and also further supports the patentability of the '813 Patent and any patents that may follow from the '249 Application. That additional "intellectual property" comes directly from Lucerne Biosciences' strategic collaborator and exclusive licensee, LCS Group, LLC. You will recall that on September 4, 2014, LCS Group, via its CEO Dr. Louis Sanfilippo, informed you/Shire that there was some "additional analysis" on Shire's IPR petition and the declaration on which it was based that would surely resolve any doubts that you/Shire might have about the '813 Patent's uniqueness and value. However, neither you/Shire, nor your outside counsel of Frommer, Lawrence & Haug, ever accepted the invitation to see it. Yet these two versions of additional analysis are clearly the simplest and most effective way to tell any reasonable person why the '813 Patent is a perfectly valid patent on account of its high "non-obviousness." And it's also the simplest and most effective way to tell any reasonable person why Shire's IPR petition seeking to invalidate the '813 Patent is essentially irrational and illogical, which is easily explained by the massive scope and extent of its misrepresentations.

When LCS Group and its CEO first invited you to see this "additional analysis" on September 4, 2014, any reasonable person in view of the written record would appreciate that it was a discreet and rather polite invitation for you/Shire to deal with a massive "representation problem" (as it was called then) off-the-public-record in the presence of Shire's in-house counsel. However, you/Shire ignored/rejected the invitation. We're at that point in "The Patent '813 Story, Part II" where it's

## The Patent '813 Story, Part II -- Version 2

time for you and Shire to deal with that same massive “representation problem” again (and many more) on-the-public-record and with many witnesses in view. After all, “now” is that critical time on-the-public-record because the '813 Patent is expectedly one week from being invalidated because of Shire’s relentless engagement in misrepresentation for the purpose of harming “the competition” that has been the '813 Patent owner, LCS Group first and then Lucerne Biosciences, when all either '813 Patent owner tried to do is “tell the truth” about the eating disorder art (and Shire’s IPR petition), however creatively or inventively, so that you/Shire could “see the light” of the “aggregate '813 Patent IP package” that has only grown brighter as a function of the “inter-company writing” of “The Patent '813 Story, Part II.”

There are a few brief points worth making about these two versions of analysis Lucerne Biosciences has received from LCS Group before you and Shire representatives (and others) would read them. For one, they are “narratively stylized” in different ways but effectively walk the reader “through the art” (of eating disorders, obesity and stimulants) to the same conclusion. That conclusion is that Shire’s three core IPR petition arguments to invalidate the '813 Patent were exclusively based on the “knowledge and reasoning” of a “Person **Without Any Skill in the Art**” (of eating disorder diagnosis and treatment) and therefore are completely illogical and irrational (at least to a “person of ordinary skill” as used to determine such things as “obviousness”). This explains Shire’s IPR petition’s countless misrepresentations (including its “misrepresented and undifferentiated clinical reasoning”), which itself goes to prove just how radical and paradigm-shifting the '813 Patent would have been at the time of its filing on September 13, 2007. In other words, it required countless acts of misrepresentations by an “eating disorder expert” and a “global pharmaceutical company” -- years later with positive Phase III trial results and an FDA-approval on the horizon -- to “reason” to an allegation of the '813 Patent’s “obviousness” because the patent’s claims were so radical and novel for their time.

To this effect, these two versions of “additional analysis” conclusively show how the '813 Patent’s inventor -- to have actually made the invention as claimed in the '813 Patent -- would have had to be (i) a “Person **Without Any Skill in the Art**” of eating disorder diagnosis and treatment and therefore essentially without any “knowledge and reasoning” in the art of eating disorders (i.e., “illogical and irrational” by the standard of a “Person with Ordinary Skill in the Eating Disorder Art”) **while also being** (ii) a “Person **With Exceptionally High Skill in the Art**” of ADHD diagnosis and treatment and therefore with highly sophisticated “knowledge and reasoning” in the use of stimulants (such as Vyvanse), to even “get to” the '813 Patent’s claims. That, or the '813 Patent’s inventor would have had to be the beneficiary of providential timing and circumstance so extraordinary and unlikely that it’s virtually impossible to believe. That’s how radical the '813 Patent was at the time of its invention. Conversely, any reasonable person in view of these two versions of analysis would understand that the only way anyone could logically and rationally get to the “obviousness” of the '813 Patent “as of May 9, 2014” (when Shire’s IPR petition was filed) would be to willfully misrepresent the art of eating disorders from the “position of hindsight,” because it’s only through profoundly “misrepresented knowledge and reasoning” (as in Shire’s IPR petition and the declaration on which it is based) with a pre-determined conclusion from the outset that anyone could arrive at lisdexamfetamine dimesylate/Vyvanse as an “obvious” pharmacotherapy for Binge Eating Disorder “as of September 13, 2007.”

Dr. Ornskov, you/Shire have one week to decide which side of this extraordinary real-life story you/Shire would like to be on for “eating disorder history,” because this story is only going to get much bigger in the public consciousness as a function of time, regardless of your choice. Though by now you ought to know better than anyone that “The Patent 813 Story, Part II” is a story so sensational that it’s virtually impossible to believe that it’s a real-life story. Even so, its biggest surprises have yet to take place because you/Shire still don’t know what that “secret agreement”

## The Patent '813 Story, Part II -- Version 2

was all about that took place on October 1, 2014 involving LCS Group, nor do you know what "Part I" of "The Patent '813 Story" is all about. Those are the biggest surprises of all. Surely, this story will no doubt become a public springboard for countless more stories as its own remarkable details make themselves known in the greater public consciousness in the days, weeks, months and years to come. In this respect, "The Patent '813 Story" has two sides, one of which you/Shire must now choose to be on: "one side" features one of most novel paradigm-shifting marketing platforms in pharma history, on the foundation of one of the best documented non-obvious method of treatment patents in pharma history, while the "other side" features a catastrophic liability so well-documented for its legal and scientific implications that you'd have to not care about Shire and its shareholders, or the art of eating disorder diagnosis and treatment, to choose it. But it's your choice, Dr. Ornskov. And you'll have many public witnesses -- and Shire shareholders -- and eating disorder patients and experts -- and investment analysts -- and reporters -- scrutinizing the consequences of your behavior for some time to come.

"The Story of Obesity Treatment and BED (Version 1)" is available at:  
<https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg>

"The Story of Stimulants and BN Treatment (Version 2)" is available at:  
<https://app.box.com/s/u28n8hxdrwmb98h4y6oglque0n2ict00>

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813): Regarding Board's Decision (Paper 32)  
**Date:** May 27, 2015 2:18:25 PM EDT  
**To:** trials@uspto.gov  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com, fornskov@shire.com, drtimothybrewerton@gmail.com

IPR2014-00739 (U.S. Patent No. 8,318,813)  
Petitioner: Shire Development, LLC  
Patent Owner: Lucerne Biosciences, LLC

Dear Patent Board Judges Gaudette, Green and Kalan:

This email from Lucerne Biosciences, LLC is to confirm that the company is in receipt of the Board's Decision yesterday (Paper 32). It is also to establish a written record of informing and highlighting for the Board, as well as all the persons/parties cc'd on this email thread, certain features of yesterday's Order in the event that this case is brought before the Federal Circuit Court of Appeals.

With respect to the Board's Order yesterday that the company "is required to update its mandatory notices," it is duly noted here that there is nothing to update. The "real party in interest" and sole "Patent Owner" of the '813 Patent is still "Lucerne Biosciences, LLC," as

## The Patent '813 Story, Part II -- Version 2

represented in the company's "Supplemental Mandatory Notices" filed in the IPR proceeding on January 27, 2015 IPR by Mr. Lucci (Paper 17). If there would be any question as to the matter of "real party in interest" (based on already presented evidence that various involved parties in the IPR of the '813 Patent appear to have willfully conflated LCS Group, LLC and Lucerne Biosciences, LLC to cause the current '813 Patent Owner harm), it is duly noted here that an Exclusive License between Lucerne Biosciences, LLC and LCS Group, LLC effective January 22, 2015 distinctly clarified such boundaries of "real party in interest" in any IPR proceeding including, but not limited to, the '813 Patent. This Exclusive License was provided to Mr. Lucci shortly after its mutual execution, which would explain why he himself never updated such "mandatory notices" nor ever identified "LCS Group, LLC" as a "real party in interest" in this IPR proceeding. The Exclusive License is available as a PDF at: <https://app.box.com/s/dbpxzf7g4u2zt78aj15dzgyadxgng10d>.

With respect to designating a registered counsel as lead (and back-up) counsel to represent the company in the IPR proceeding, until Mr. Lucci and Mr. Farisiou accept the Board's "permission" to withdraw as counsel (according to yesterday's Order) by making it a matter of the public IPR record that they have "formally withdrawn" as Lucerne Biosciences' counsel in the proceeding, Lucerne Biosciences' position is that they are still the company's counsel **in the IPR proceeding** and therefore they are currently ("as of now") representing the company (**only**) **in the IPR proceeding**.

With respect to filing a response to the Order to show cause why adverse judgment should not be entered against the company (within five business days), that matter is addressed in the self-explanatory email below which provides hyperlinks to two documents. Mr. Lucci, who is currently on record for representing the company as its lead counsel in this IPR proceeding, has refused to file these documents with proper prefatory comments (for what could only be construed as a third-party conflict of interest), yet they provide clear and convincing proof why the Board should not issue an adverse judgment against the company. Moreover, these two documents have been written for any reasonable person to understand for their implications on the '813 Patent, as well as for Shire's IPR petition that is the basis for this **entirely baseless IPR proceeding**. It would only take a few hours of your time to read, which in the interest of justice, truth and accountability, doesn't seem like a lot to ask in view of the kind of effort that clearly went into producing them last summer (by LCS Group, LLC and its CEO, as noted in the email below). That, of course, also applies to the Petitioner and its outside counsel.

In this light, while the Board has indicated that the company's failure to (i) update its mandatory notices, (ii) designate registered counsel as lead (and back-up) counsel to represent it and (iii) file a response to show cause why adverse judgment should not be entered against it within five business days from yesterday's Order will be construed as abandoning the contest, the company's position is quite the opposite. That's because the company's position is that with this email and the email below (with its two hyperlinked documents), **in view of the Board and Petitioner Shire Development LLC (via Mr. Banchik) receiving it**, both the Board and Petitioner Shire Development LLC have all the information needed for each entity to fully recognize (within five business days of yesterday's Order) that **there's never been any contest to begin with**, because the IPR petition itself and therefore the IPR proceeding itself has been an act of fraud and misrepresentation that any reasonable person would recognize in view of the eating disorder and stimulant art. There can't be a "real contest" for something that's effectively "fictitious," nor can an entity "abandon" something that itself does not have any basis "in reality" (because it is premised on a profound degree of deception/misrepresentation).

To this effect, should the Board issue an adverse judgment against Lucerne Biosciences, LLC to invalidate its patent, U.S. Patent No. 8,318,813, its decision to do so would be entirely premised on act of deception (i.e., "fiction"), as explained in the two hyperlinked documents below (but also

## The Patent '813 Story, Part II -- Version 2

in Exhibit 1090). Another way to put it is that the Board's adverse judgment would necessarily be "a lie" because it would be wholly premised on "the lie" that has defined this IPR proceeding from its outset -- that of Shire's IPR petition and the declaration on which it was based. Lucerne Biosciences, LLC asks each of you --- Judge Gaudette, Judge Green and Judge Kalan -- to reflect on that, as this real-life experience will only grow in each of you individual consciences as a function of time, because this real-life story will only reveal more and more of its truth as a function of its public exposure. That's the way it's been intentionally written, even for you.

### Lucerne Biosciences, LLC

---

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Shire's One-Week Deadline  
**Date:** May 27, 2015 7:01:19 AM EDT  
**To:** fornskov@shire.com  
**Cc:** lohr@nytimes.com, ed.silverman@wsj.com, john@fiercemarkets.com, susan.mcelroy@uc.edu  
**Bcc:** [Restricted Information]

Dear Dr. Ornskov,

On behalf of Lucerne Biosciences, LLC, I am writing to inform you/Shire of a critically important matter that warrants your immediate attention because of its extremely serious and time-sensitive implications for you, Shire and Shire's shareholders. **At this point in time**, any reasonable person in view of the now "public record" would see that how you respond to this email will certainly become -- in very short order -- **either** a catastrophic liability **or** an unexpected boon for Shire and its shareholders (and you too). Because of the extraordinary and unprecedented nature of these rapidly unfolding events, cc'd on this email are the two journalists who were cc'd on this week's email from Lucerne Biosciences to the Patent Trial & Appeal Board, Steve Lohr of the New York Times and Ed Silverman of the Wall Street Journal. In addition, John Carroll of FiercePharma and Shire's own "Vyvanse/BED expert" Susan McElroy MD are cc'd. There are well over fifty people bcc'd on this email, including at least a dozen investment analysts from the U.S. and U.K. familiar with Shire, half a dozen journalists/reporters, a good handful of attorneys (including from law firms representing Kyle Bass' Coalition for Affordable Drugs LLC), those you'd expect on the email from prior communications and some others.

As you've been central to the recent communication loop, let me get right to the point. Yesterday the Patent Board granted Mr. Lucci's motion to withdraw as counsel for Lucerne Biosciences, LLC in the IPR of the '813 Patent. That gives Shire only five business days (that includes today) until the Board can be expected to invalidate the '813 Patent based on yesterday's Order. It goes without saying that invalidating what may be among the most non-obvious "method patents" in pharmaceutical history, that encompasses Shire's marketing of Vyvanse to treat BED (based on its clinical trial data/FDA approval), will surely bring unprecedented attention to Shire and particularly your role as the company's CEO for allowing all those countless misrepresentations in the company's IPR petition that then supported all that unchecked anti-competitive conduct in the IPR proceeding of the '813 Patent. That, of course, will bring unprecedented attention to you/Shire as to why you/Shire preferred "behaving unlawfully" over "acquiring rights" to what may be the most valuable "aggregate intellectual property" ever to enter the pharma space. After all, where else in pharma history can you find an

## The Patent '813 Story, Part II -- Version 2

example of one company obtaining rights to a virtually “perfect patent” (on account of its diagnostic and therapeutic specificity coupled with its radical non-obvious teaching) whose novel features and validity are documented by a virtually “perfect story” (with non-stop captivating legal, behavioral and intelligence drama even involving matters of national security) that itself sets the stage for a paradigm-shifting marketing campaign to help educate “any reasonable person” on the treatment of “Binge Eating Disorder” with “lisdexamfetamine dimesylate/Vyvanse” -- all easily accessible “electronically”?

But there’s always more to the story, even more than that, which is the reason for this email to you/Shire and the many others who you can’t “see” because they’re hidden from your view by this email’s bcc delivery method for its many communicants. For one, there’s some additional “intellectual property” involved in “The Patent ‘813 Story, Part II” that it’s finally time for you/Shire (and others) to see, because it greatly enhances the “marketing value” of the story and also further supports the patentability of the ‘813 Patent and any patents that may follow from the ‘249 Application. That additional “intellectual property” comes directly from Lucerne Biosciences’ strategic collaborator and exclusive licensee, LCS Group, LLC. You will recall that on September 4, 2014, LCS Group, via its CEO Dr. Louis Sanfilippo, informed you/Shire that there was some “additional analysis” on Shire’s IPR petition and the declaration on which it was based that would surely resolve any doubts that you/Shire might have about the ‘813 Patent’s uniqueness and value. However, neither you/Shire, nor your outside counsel of Frommer, Lawrence & Haug, ever accepted the invitation to see it. Yet these two versions of additional analysis are clearly the simplest and most effective way to tell any reasonable person why the ‘813 Patent is a perfectly valid patent on account of its high “non-obviousness.” And it’s also the simplest and most effective way to tell any reasonable person why Shire’s IPR petition seeking to invalidate the ‘813 Patent is essentially irrational and illogical, which is easily explained by the massive scope and extent of its misrepresentations.

When LCS Group and its CEO first invited you to see this “additional analysis” on September 4, 2014, any reasonable person in view of the written record would appreciate that it was a discreet and rather polite invitation for you/Shire to deal with a massive “representation problem” (as it was called then) off-the-public-record in the presence of Shire’s in-house counsel. However, you/Shire ignored/rejected the invitation. We’re at that point in “The Patent ‘813 Story, Part II” where it’s time for you and Shire to deal with that same massive “representation problem” again (and many more) on-the-public-record and with many witnesses in view. After all, “now” is that critical time on-the-public-record because the ‘813 Patent is expectedly one week from being invalidated because of Shire’s relentless engagement in misrepresentation for the purpose of harming “the competition” that has been the ‘813 Patent owner, LCS Group first and then Lucerne Biosciences, when all either ‘813 Patent owner tried to do is “tell the truth” about the eating disorder art (and Shire’s IPR petition), however creatively or inventively, so that you/Shire could “see the light” of the “aggregate ‘813 Patent IP package” that has only grown brighter as a function of the “inter-company writing” of “The Patent ‘813 Story, Part II.”

There are a few brief points worth making about these two versions of analysis Lucerne Biosciences has received from LCS Group before you and Shire representatives (and others) would read them. For one, they are “narratively stylized” in different ways but effectively walk the reader “through the art” (of eating disorders, obesity and stimulants) to the same conclusion. That conclusion is that Shire’s three core IPR petition arguments

## The Patent '813 Story, Part II -- Version 2

to invalidate the '813 Patent were exclusively based on the "knowledge and reasoning" of a "Person **Without** Any Skill in the Art" (of eating disorder diagnosis and treatment) and therefore are completely illogical and irrational (at least to a "person of ordinary skill" as used to determine such things as "obviousness"). This explains Shire's IPR petition's countless misrepresentations (including its "misrepresented and undifferentiated clinical reasoning"), which itself goes to prove just how radical and paradigm-shifting the '813 Patent would have been at the time of its filing on September 13, 2007. In other words, it required countless acts of misrepresentations by an "eating disorder expert" and a "global pharmaceutical company" -- years later with positive Phase III trial results and an FDA-approval on the horizon -- to "reason" to an allegation of the '813 Patent's "obviousness" because the patent's claims were so radical and novel for their time.

To this effect, these two versions of "additional analysis" conclusively show how the '813 Patent's inventor -- to have actually made the invention as claimed in the '813 Patent -- would have had to be (i) a "Person **Without Any Skill** in the Art" of eating disorder diagnosis and treatment and therefore essentially without any "knowledge and reasoning" in the art of eating disorders (i.e., "illogical and irrational" by the standard of a "Person with Ordinary Skill in the Eating Disorder Art") **while also being** (ii) a "Person **With Exceptionally High Skill** in the Art" of ADHD diagnosis and treatment and therefore with highly sophisticated "knowledge and reasoning" in the use of stimulants (such as Vyvanse), to even "get to" the '813 Patent's claims. That, or the '813 Patent's inventor would have had to be the beneficiary of providential timing and circumstance so extraordinary and unlikely that it's virtually impossible to believe. That's how radical the '813 Patent was at the time of its invention. Conversely, any reasonable person in view of these two versions of analysis would understand that the only way anyone could logically and rationally get to the "obviousness" of the '813 Patent "as of May 9, 2014" (when Shire's IPR petition was filed) would be to willfully misrepresent the art of eating disorders from the "position of hindsight," because it's only through profoundly "misrepresented knowledge and reasoning" (as in Shire's IPR petition and the declaration on which it is based) with a pre-determined conclusion from the outset that anyone could arrive at lisdexamfetamine dimesylate/Vyvanse as an "obvious" pharmacotherapy for Binge Eating Disorder "as of September 13, 2007."

Dr. Ornskov, you/Shire have one week to decide which side of this extraordinary real-life story you/Shire would like to be on for "eating disorder history," because this story is only going to get much bigger in the public consciousness as a function of time, regardless of your choice. Though by now you ought to know better than anyone that "The Patent 813 Story, Part II" is a story so sensational that it's virtually impossible to believe that it's a real-life story. Even so, its biggest surprises have yet to take place because you/Shire still don't know what that "secret agreement" was all about that took place on October 1, 2014 involving LCS Group, nor do you know what "Part I" of "The Patent '813 Story" is all about. Those are the biggest surprises of all. Surely, this story will no doubt become a public springboard for countless more stories as its own remarkable details make themselves known in the greater public consciousness in the days, weeks, months and years to come. In this respect, "The Patent '813 Story" has two sides, one of which you/Shire must now choose to be on: "one side" features one of most novel paradigm-shifting marketing platforms in pharma history, on the foundation of one of the best documented non-obvious method of treatment patents in pharma history, while the "other side" features a catastrophic liability so well-documented for its legal and scientific implications that you'd have to not care about Shire and its shareholders, or the art of eating disorder diagnosis and treatment, to choose it. But it's your choice, Dr. Ornskov. And you'll have many public witnesses -- and Shire shareholders -- and eating

## The Patent '813 Story, Part II -- Version 2

disorder patients and experts -- and investment analysts -- and reporters -- scrutinizing the consequences of your behavior for some time to come.

["The Story of Obesity Treatment and BED \(Version 1\)"](https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg) is available at:  
<https://app.box.com/s/72130fyquxcten5ki0p4u1noz64pawg>

["The Story of Stimulants and BN Treatment \(Version 2\)"](https://app.box.com/s/u28n8hxdrwmb98h4y6og1que0n2ict00) is available at:  
<https://app.box.com/s/u28n8hxdrwmb98h4y6og1que0n2ict00>

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **4 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 4:30 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/VXjy90A7ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/VXjy90A7ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Subject: RE: IPR2014-00739 (U.S. Patent No. 8,318,813): Regarding Board's Decision (Paper 32)**  
**Date:** May 27, 2015 5:00:46 PM EDT  
**To:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

Louis

I wanted to point out that we identified LCS Group, LLC as a real party in interest in the IPR, specifically, at the outset of the proceeding. We identified Lucerne Biosciences, LLC as a real party in interest when it became owner of the '831 patent.

Also, it is our understanding that the Board no longer regards Dave or me as Lucerne's counsel in the IPR. It is our understanding that our withdrawal became effective when the Board issued yesterday's Order, and that Lucerne needs to designate new counsel to represent it in the proceeding.

Joe

**Joseph Lucci | BakerHostetler**

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject: Re: IPR2014-00739 (U.S. Patent No. 8,318,813): Regarding Board's Decision (Paper 32)**  
**Date:** May 27, 2015 10:13:02 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lcsgrupp11c@lcsgrupp11c.com

## The Patent '813 Story, Part II -- Version 2

**THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO EDUCATE A PROSPECTIVE JUDGE OR JUROR ON HOW MR. JOSEPH LUCCI'S "THIRD-PARTY CONFLICT OF INTEREST" CAN BE IDENTIFIED IN HIS COMMUNICATION BEHAVIOR.**

Dear Mr. Lucci,

This email from Lucerne Biosciences, LLC is to highlight features of your 5:00 pm EDT email that "flag" it as motivated to advance "third party interests" whose objective is to harm Lucerne Biosciences, LLC. In this respect, your "attorney behavior" is not only unethical, unprofessional and a "conflict of interest" but also may be unlawful, especially in view of increasing clarity on the nature of your "third-party conflict of interest" and how it has harmed your two respective clients, first LCS Group, LLC and then Lucerne Biosciences, LLC.

To begin with, your email responds to a "direct company email" to the Board by opening "Louis," as if the email came "from him" (in his manager/member capacity for the company), rather than responding "to" the company itself that would have been most suitable because (i) your comments deal with that "direct company email" to the Board (ii) you have been identified as exploiting "Louis Sanfilippo personally" to harm, first, LCS Group and then Lucerne Biosciences (just as Shire and FLH have done) and (iii) the company itself has been your client in the IPR and is the "communicant" of your email. Andrew Kellogg, paralegal for the PTAB, had the communication protocol right in his email of May 26, 2015 at 4:30 pm EDT that opened up, "Attached, please find an order recently entered into IPR2014-00739. If you have any questions, please feel free to contact me." You have the communication protocol wrong, or to put it another way your "communication behavior" lends yet further support that you are unethically and unprofessionally involved in a "third party conflict of interest" that has motivated you to "personalize" today's communication for the purpose of harming Lucerne Biosciences, as you've been increasingly inclined of late.

Your "communication behavior" is just **how** Shire and FLH's Sandra Kuzmich (in her email of Sept. 4, 2014) sought to unlawfully and unethically "personalize" business negotiations by leveraging communications with "Dr. Sanfilippo personally" for "business" while "LCS Group," the "patent owner" and then-authorized entity to "do business," was "in the IPR." Your "communication behavior" is also just **how** Shire and FLH's Ed Haug sought to "personalize" the "Byan Haygins" emails in that March 20, 2015 "letter via email" you received from him in which he sought to misrepresent your client as "Dr. Sanfilippo personally." Any reasonable person would see that your "communication behavior" is looking more and more like that of Shire's and FLH's. That, of course, speaks to you and Shire/FLH as being aligned with the same shared "third-party conflict of interest" whose "source" must now be more vigilant than ever to make sure you act according to its own interests even if it stands to cause catastrophic harm to your client ("as of yesterday"), as well as potentially cause you serious legal and professional harm.

Further, you state "I wanted to point out that we identified LCS Group, LLC as a real party in interest in the IPR, specifically, at the outset of the proceeding. We identified Lucerne Biosciences, LLC as a real party in interest when it became owner of the '831 patent." That's obvious but it subtly and deceptively mis-frames the obvious "temporal context" featured in the Lucerne's email to the Board today, which is that the email is indicating that LCS Group was not ever identified as a real party in interest **after** the January 27, 2015 filing that identified Lucerne Biosciences as the real party in interest -- and that's the time frame during which the Exclusive License was in effect (as also reflected in the email's context). That's why Lucerne's email to the Board also says no "updated notices" were made during that time. The company's email is clearly focused on that "post Jan. 22-27, 2015 timeframe," though your comment seems motivated to conflate that self-evident point, **as if** Lucerne's email to the Board is grossly

## The Patent '813 Story, Part II -- Version 2

misrepresenting that LCS Group was “never ever” a real party in interest in the IPR. Just read paragraph No. 2 again to see how misleading your email is. In this respect, your comment also leaves vague another self-evident and important reality, which is that LCS Group was the only “real party in interest” from the outset of the IPR to its last filing on January 7, 2015, and Lucerne Bioscience was the only “real party in interest” from January 27, 2015 to present. Reading your email, which is thin on context, might lead one to think that you might be suggesting some kind of overlap of “real party in interest” when there was none. You received the Exclusive License and did not ever think it appropriate to update any mandatory notices with “LCS Group” as a “real-party in interest” after that January 27, 2015 IPR filing that you yourself made on behalf of Lucerne Biosciences.

**Joe: who or what is your third-party conflict of interest?** You refuse to answer that question but it's obvious that you have one and that it's really big. It's now become profoundly obvious that you've been complicit and aligned with Shire and FLH for awhile, and that can only be explained by you, Shire and FLH having the **same** “shared third-party conflict of interest.” When you look back on the record, there are certain things that give it away. For instance, you have downplayed or disregarded the most important steps aimed at resolving your own third-party conflict of interest, like the “functional split” featured in the Exclusive License between the company and LCS Group. You weren't even curious as to the “behavioral/business aspects” of that agreement and how, or who, may have been involved in its creation and strategic implementation, which strongly suggests that the Exclusive License may have significantly interfered with your own “third party conflict of interest” in which you have ever-so-subtly sought to misidentify your client in alignment with Shire and FLH -- and in a way that harmed your client. Moreover, you have downplayed or disregarded important steps aimed at clarifying and making a record of Shire's and FLH's clearly deceptive representation behavior seeking to harm, first, LCS Group and then Lucerne Biosciences. Specifically, you were resistant to seek clarification from Ed Haug on the attached document “4C.v3 Questions.” Any competent, ethical and lawful practicing attorney would have made sure that those “representation questions” were answered in “real-time” from the outset of communications you had with Shire and/or FLH so that they wouldn't become a burden for their client -- just ask an “independent attorney” hired to review your behavior for its professional, ethical and legal implications. Another example supporting a “third party conflict of interest” was the “LCS Group-Shire LLC CDA” that you similarly resisted discussing or commenting on (for the written record) for its unusual details that placed an undue burden on LCS Group.

Joe, can't you see that you're in some deep legal and professional trouble? Lucerne Biosciences and its strategic collaborator LCS Group (cc'd) would like the attached questions answered from you. Are you prepared to answer these questions under oath? Clearly, Joe, you either failed to identify that Shire and FLH were “playing you” at a very basic level of “representation” (as most dramatically manifest in the dual CDA/IPR situation) or you were “playing your client” in collusion with Shire, FLH and your “third party conflict of interest.” Either way that leaves your “attorney behavior” in a troubling place, because it suggests that you're **either** incompetent and engaged in legal malpractice **or** you may have perpetrated a felony for which incarceration could be deemed a suitable punishment.

What's keeping you from coming clean or at least going to those parties that have put you “in the middle” to tell them they better get their act together very fast or they'll all be going “straight to hell” (metaphorically intended to represent a very bad outcome for them).

**Lucerne Biosciences, LLC**

## The Patent '813 Story, Part II -- Version 2

**ATTACHMENT: "4C.v3 Questions.pdf"** is available in PDF at:  
[http://www.4shared.com/download/j0ibHMuuba/4Cv3\\_Questions.pdf?lgfp=3000](http://www.4shared.com/download/j0ibHMuuba/4Cv3_Questions.pdf?lgfp=3000)

**Thursday May 28, 2015:**

**11 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 11:33 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/5iVsb5x8ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/5iVsb5x8ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** tpp\_eu@vwr.com  
**Subject:** Regarding the Email "Price enquiry on behalf of VWR Germany (4917467461) \*JI"  
**Date:** May 28, 2015 5:33:45 AM EDT  
**To:** lucernebio@lucernebio.com

Dear Team,

Could you please help us with the below enquiry?

Thank you.

Best Regards,  
Jenifer Issac

-----  
VWR International  
Department : TPP Services Europe.  
Tel: +44 (0)203 051 6869 (Extn: 879)  
Email: tpp\_eu@vwr.com

"We Enable Science"

**"Louis Sanfilippo, MD"**  
**<lsanfilippo@lcsgroupllc.com>**  
05/21/2015 09:25 PM

To:pp\_eu@vwr.com,  
cc:lucernebio@lucernebio.com  
Subject:Regarding the Email "Price enquiry  
on behalf of VWR Germany  
(4917467461) \*JI"

Dear Jenifer,

On behalf of LCS Group, LLC, I am writing to inform you that the email you sent today (below) to "[info@lcsgroupllc.com](mailto:info@lcsgroupllc.com)" was flagged as part of an ongoing legal investigation into anti-competetive and other unlawful conduct that involves a global pharmaceutical company. Specifically, the email you sent was flagged because of its highly unusual content compared to emails characteristically sent to LCS Group that itself fits a pattern

## The Patent '813 Story, Part II -- Version 2

of highly unusual communications to the company's CEO "Louis Sanfilippo" at various of his emails in recent months. These "highly unusual communications" have been linked to "third party interference" in the business and trade practice of LCS Group's strategic business partner Lucerne Biosciences, LLC (as cc'd on this email to ensure timely coordination of this ongoing investigation by both companies). That VWR's headquarters is located in Radnor, PA USA has also raised additional suspicions about potential links to the suspected pharmaceutical company.

To this effect, LCS Group would like for you to explain the nature of your email and why it was sent to LCS Group, LLC? There's nothing about LCS Group's company details that would make it in any way a logical recipient of such an email, under any circumstance. Also, if sending the email was not solely your own intention, can you identify specific individual(s) and their company affiliations who were involved in your decision to send the email to LCS Group today and how they were involved?

Your prompt attention on this matter would be appreciated as it involves time sensitive issues of significant importance that now may also include you and VWR International.

Thank you,

Louis Sanfilippo  
CEO, LCS Group, CEO

**From:** [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)

**Subject:** Price enquiry on behalf of VWR Germany (4917467461) \*JI

**Date:** May 21, 2015 5:01:28 AM EDT

**To:** [info@lcsgrupp.com](mailto:info@lcsgrupp.com)

Dear Supplier,

We would like to enquire the pricing details for the below mentioned item on behalf of VWR Germany. The End-user is Roche Diagnostics GmbH Germany.

Product Description : Pferdeplasma

Product code : **HS020**

Quantity required : 6 packs of 1 L

**Also kindly provide us the below information.**

- List Price
- Delivery conditions if any for VWR Germany
- Carriage Charges for Germany
- Lead Time for Germany (shipping direct from your company to the enduser)
- Minimum order Value, if any
- Selling unit
- Validity of price
- MSDS
- Country of origin

**An early reply would be highly appreciated.**

Thank you.

## The Patent '813 Story, Part II -- Version 2

Best Regards,  
Jenifer Issac

-----  
VWR International  
Department : TPP Services Europe.  
Tel: +44 (0)203 051 6869 (Extn: 879)  
Email: [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)

"We Enable Science"

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: [FWD: Regarding the Email "Price enquiry on behalf of VWR Germany (4917467461) \*JI"]  
**Date:** May 28, 2015 12:32:48 PM EDT  
**To:** [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)

**THE PURPOSE OF THIS EMAIL FROM LCS GROUP, LLC IS TO EDUCATE A PROSPECTIVE JURY OR JUDGE, AND/OR THE FEDERAL CIRCUIT COURT OF APPEALS (IN THE EVENT THAT U.S. PATENT NO. 8,318,813 IS INVALIDATED BY THE PATENT TRIAL AND APPEAL BOARD AND AN APPEAL IS MADE BY LUCERNE BIOSCIENCES, LLC), ON HOW "VWR INTERNATIONAL" CAN BE IDENTIFIED THROUGH THE COMMUNICATION BEHAVIOR OF ITS REPRESENTATIVE AS A "THIRD PARTY INTERFERER" THAT IS SUPPORTING SHIRE'S ENGAGEMENT IN ANTI-COMPETITIVE CONDUCT AND UNFAIR AND DECEPTIVE TRADE PRACTICE DURING A VERY SENSITIVE TIME IN THE INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813. IN THIS RESPECT, ANOTHER PURPOSE OF THIS EMAIL FROM LCS GROUP, LLC IS TO FOREWARN POTENTIAL "THIRD-PARTY INTERFERERS" OF THE IMPLICATIONS OF ANY SUCH INVOLVEMENT. THIS EMAIL SHOULD ONLY BE READ IN THAT CONTEXT.**

Dear Ms. Isaac,

On behalf of LCS Group, LLC, I'd like to point out a few things in your email that strongly support that you (or someone directing you), on behalf of VWR international, have been actively engaged in "third-party interference" for anti-competitive purposes to support a global pharmaceutical company in its efforts to invalidate U.S. Patent No. 8,318,813 and to therefore cause harm to LCS Group's licensor of U.S. Patent No. 8,318,813, Lucerne Biosciences, LLC. U.S. Patent No. 8,318,813 claims methods of treating Binge Eating Disorder with lisdexamfetamine dimesylate ("Vyvanse," marketed by Shire U.S. Inc.). In fairness to you and VWR international, you/VWR may not be aware of you're role in such unlawful behavior but, rather, may be unknowing "exploitees" by virtue of being guided to take certain actions that have serious legal implications of which you/VWR would not be aware. Regardless, any such "third party interference" for anti-competitive purposes would be unlawful and could involve you and/or representatives of VWR to give depositions and/or testify in a U.S. court of law should this matter reach that point. In this respect, this email (as prefaced above in its "black box header") has the objective of helping a prospective judge or jury, and/or the Federal Circuit Court of Appeals, understand how the "communication features" of your email on behalf of VWR international suggest complicity of in "third party anti-competitive conduct."

**Communication Feature No. 1:** Take note that Ms. Isaac's email is a response to an email that was sent "**from [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)**" but she sends it "**to [lucerne@lucernebio.com](mailto:lucerne@lucernebio.com)**." This is highly deviant "communication behavior," particularly in view

## The Patent '813 Story, Part II -- Version 2

that Ms. Isaac's original inquiry was to "[info@lcsgrupp.com](mailto:info@lcsgrupp.com)" about certain business/trade matters that were specifically directed to "LCS Group, LLC."

**Communication Feature No. 2:** Take note that Ms. Isaac sends the email "to" the party that is "cc'd" on the email to which she is responding ("[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)") **while she clearly willfully omits the very person/party to which she is directly responding** ("[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)"). This is highly deviant "communication behavior."

**Communication Feature No. 3:** Take note that Ms. Isaac writes "Dear Team" but she has omitted "LCS Group, LLC" and its "CEO Dr. Sanfilippo" as part of that "team" even when her email is actually a response to "LCS Group, LLC" and its "CEO Dr. Sanfilippo" and her original inquiry was to "LCS Group, LLC" (at "[info@lcsgrupp.com](mailto:info@lcsgrupp.com)"). This semantic feature of her email's introduction is highly deviant communication behavior, particularly in view of "Communication Features No. 1 and 2," which makes it highly revealing for its motivation to advance certain ulterior objectives such as "third-party interference."

**Communication Feature No. 4:** Take note of Ms. Isaac's question, "Could you please help us with the below enquiry?" The "below inquiry" is the email sent **from LCS Group, LLC** via its CEO Louis Sanfilippo that asks Ms. Isaac to explain why LCS Group would be a "logical recipient" of the rather bizarre email she sent the company on May 21, 2015 at 5:01 am EDT (as explained in the email she is responding to) and also asking if she was guided into sending it who specifically advised her and what company were they affiliated with. Remarkably, her email asks "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" to "help us" answer the two simple self-explanatory questions that were asked **on behalf of LCS Group** while **omitting from the email's "communication frame" the very person/party asking the two questions** (i.e., LCS Group, LLC via its CEO Sanfilippo, from the email address "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)"). That is highly deviant "communication behavior," **unless** Ms. Isaac/VWR are involved in "third-party interference" that is actively motivating her to conflate representations through the same kind of "misrepresentation and representation re-framing techniques" repeatedly evidenced in the "communication behavior" of persons/parties representing Shire in the *inter partes* review of U.S. Patent No. 8,318,813, as evidenced in IPR2014-00739's Exhibit 3001 (see p. 7, "'Email from LCS Group, LLC sent on May 15, 2015' is available at: [http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000)") and Exhibit 1090 (see p. 8, Ms. Kuzmich's email of September 4, 2014 at 12:56 pm EDT; p. 89, Mr. Haug's "Ltr to Lucci 3-20-15.pdf" in the attachment; p. 90, Mr. Haug's email of March 23 at 8:48 am).

In view of the communications transcript entitled "The Patent '813 Story, Part II" (Exhibit 1090 in IPR2014-00739) and the emails **sent from "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" on behalf of Lucerne Biosciences, LLC** to the Patent Trial and Appeal Board (at "[trials@uspto.gov](mailto:trials@uspto.gov)") on May 18, 2015 (at 7:08 pm EDT), May 19 (at 7:08 pm EDT), May 22 (at 12:39 pm EDT), May 25 (at 11:42 pm EDT) and May 17, 2015 (at 2:18 pm EDT) regarding IPR2014-00739, Ms. Isaac's two emails on behalf of VWR International sent on May 21 (at 5:01 pm EDT) and May 28 (at 5:33 pm EDT) strongly supports her/VWR's collusionary "third-party interference" to abet Shire Development LLC and other Shire affiliates to willfully engage in anti-competitive conduct and unfair and deceptive trade practice at a very sensitive time in the *inter partes* review of U.S. Patent 8,318,813 whose objective is to harm Lucerne Biosciences, LLC.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** [FWD: Regarding the Email "Price enquiry on behalf of VWR Germany (4917467461) \*JI"]  
**Date:** May 28, 2015 9:15:36 AM EDT  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)

See message below, received this morning. -BH

----- Original Message -----

Subject: Regarding the Email "Price enquiry on behalf of VWR Germany (4917467461) \*JI"  
From: [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)  
Date: Thu, May 28, 2015 2:33 am  
To: [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Dear Team,

Could you please help us with the below enquiry?

Thank you.

Best Regards,  
Jenifer Issac

-----  
VWR International  
Department : TPP Services Europe.  
Tel: +44 (0)203 051 6869 (Extn: 879)  
Email: [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)

"We Enable Science"

**"Louis Sanfilippo, MD"**  
**<[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>**  
05/21/2015 09:25 PM

[Totpp\\_eu@vwr.com](mailto:Totpp_eu@vwr.com),  
[cclucernebio@lucernebio.com](mailto:cclucernebio@lucernebio.com)  
Subject: Regarding the Email "Price enquiry  
on behalf of VWR Germany  
(4917467461) \*JI"

Dear Jenifer,

On behalf of LCS Group, LLC, I am writing to inform you that the email you sent today (below) to "[info@lcsgrupp.com](mailto:info@lcsgrupp.com)" was flagged as part of an ongoing legal investigation into anti-competitive and other unlawful conduct that involves a global pharmaceutical company. Specifically, the email you sent was flagged because of its highly unusual content compared to emails characteristically sent to LCS Group that itself fits a pattern of highly unusual communications to the company's CEO "Louis Sanfilippo" at various of his emails in recent months. These "highly unusual communications" have been linked to "third party interference" in the business and trade practice of LCS Group's strategic

## The Patent '813 Story, Part II -- Version 2

business partner Lucerne Biosciences, LLC (as cc'd on this email to ensure timely coordination of this ongoing investigation by both companies). That VWR's headquarters is located in Radnor, PA USA has also raised additional suspicions about potential links to the suspected pharmaceutical company.

To this effect, LCS Group would like for you to explain the nature of your email and why it was sent to LCS Group, LLC? There's nothing about LCS Group's company details that would make it in any way a logical recipient of such an email, under any circumstance. Also, if sending the email was not solely your own intention, can you identify specific individual(s) and their company affiliations who were involved in your decision to send the email to LCS Group today and how they were involved?

Your prompt attention on this matter would be appreciated as it involves time sensitive issues of significant importance that now may also include you and VWR International.

Thank you,

Louis Sanfilippo  
CEO, LCS Group, CEO

**From:** [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)  
**Subject:** Price enquiry on behalf of VWR Germany (4917467461) \*JI  
**Date:** May 21, 2015 5:01:28 AM EDT  
**To:** [info@lcsgrupp.com](mailto:info@lcsgrupp.com)

Dear Supplier,

We would like to enquire the pricing details for the below mentioned item on behalf of VWR Germany. The End-user is Roche Diagnostics GmbH Germany.

Product Description : Pferdeplasma

Product code : **HS020**

Quantity required : 6 packs of 1 L

**Also kindly provide us the below information.**

1. List Price
2. Delivery conditions if any for VWR Germany
3. Carriage Charges for Germany
4. Lead Time for Germany (shipping direct from your company to the enduser)
5. Minimum order Value, if any
6. Selling unit
7. Validity of price
8. MSDS
9. Country of origin

**An early reply would be highly appreciated.**

Thank you.

Best Regards,  
Jenifer Issac

---

## The Patent '813 Story, Part II -- Version 2

VWR International  
Department : TPP Services Europe.  
Tel: +44 (0)203 051 6869 (Extn: 879)  
Email: [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com)

"We Enable Science"

**Friday May 29, 2015:**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** **Critically Time Sensitive Legal Matter From Lucerne Biosciences**  
**Date:** May 29, 2015 1:20:19 AM EDT  
**To:** Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>  
**Cc:** Derek Denhart <[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>

Dear Anne,

On behalf of Lucerne Biosciences, LLC, I'm writing to update you on the latest developments regarding the '813 Patent and '249 Application and to let you know that there's a critical **highly time-sensitive** matter involving your representation of the company.

To begin with, "final resolution" is very close at hand and its "resolving process" is going surprisingly better than expected for the company as it works very closely with its strategic collaborators and counsel. That includes "final resolution" for your own (and Cantor Colburn's) "third-party conflict of interest" that required the company to terminate your own (and Cantor Colburn's) legal representation of it, at least until there was "further information and actions" (as referenced in the April 27 email below). This email is to provide you that "further information and actions," to explain to you why "termination" was necessary at that time, as well why "re-engagement" **now (as in today)** is also equally necessary, namely, to help resolve that "third party conflict of interest" of yours and Cantor Colburn's for which the company's strategic collaborator, LCS Group, LLC, has not yet paid its outstanding invoice for your legal services, as it's same "third party conflict of interest" that has been -- and still is -- actively harming Lucerne Biosciences.

With respect to the '813 Patent and the IPR, "as of now" the '813 Patent is expected to be "effectively invalidated" by the Patent Board "as of Wednesday June 3, 2015" by virtue of the company's "abandonment of contest" for **failing to comply** with the Board's May 21 Order (Paper 30) asking that the company (i) update its mandatory notices, (ii) designate registered counsel as lead (and back-up) counsel to represent it in the IPR and (iii) file a response to show cause why adverse judgment should not be entered against it following Shire's May 6 Motion for Sanctions that sought entry of judgment against the company on account of allegedly "harassing emails" that various representatives of Shire received from "Lucerne Biosciences" and its Manager/Member "Louis Sanfilippo." Importantly, the invalidation of the '813 Patent under these conditions has nothing whatsoever to do with matters of patentability, as would have led to the patent being issued in the first place by the USPTO. In this respect, the Board's "adverse judgment against the company" would simply be a matter of the company's "non-compliance" to

## The Patent '813 Story, Part II -- Version 2

follow the Board's procedural rules as "ordered" on May 21.

**The Board's invalidation of the '813 Patent under these "boundary conditions" is an integral feature of Lucerne Biosciences' strategic plan for "final resolution" that the company has been actively implementing with its counsel and strategic collaborators. In other words, "as of next Wednesday June 3" -- when Lucerne Biosciences will have failed to comply with the Board's Order -- the "effective invalidation" of the '813 Patent will be a "very good thing" for the company, in view of the rest of the company's well-planned "final resolution strategy."**

In this context, Lucerne Biosciences is requesting to re-engage you/Cantor Colburn **today**, for perhaps half-an-hour of your time, for the purpose of not only securing its own best interests (and therefore also those of its exclusive licensee LCS Group, LLC, as well as two other collaborators, "Louis Sanfilippo, personally" and "Louis C. Sanfilippo, MD, LLC") but also **convincingly prove** that you/Cantor Colburn are not actively engaged in a "third-party conflict of interest" that has been actively causing Lucerne Biosciences serious harm. That, of course, would be in your own and Cantor Colburn's best interests too. FYI, Joe Lucci quite dramatically "failed" the "third-party conflict of interest test" put to him, as reflected in an email Lucerne Biosciences directly sent to the Patent Board earlier this week, on May 25. If you're interested in seeing how he "failed" (and thus effectively aligned his own interests with that of Shire and Frommer, Lawrence & Haug at a most sensitive time in the IPR of the '813 Patent), you can find a PDF of the May 25 email at: <https://app.box.com/s/t53ksnw7yo1z1nag55wn7au6o90ppsla>. But then again, his "failure," while disappointing, has allowed for you to "succeed" in freeing yourself from that "third-party conflict of interest" that clearly motivated his own actions over some time to harm, first, LCS Group and then Lucerne Biosciences.

Given the highly time-sensitive and dynamic events involving the company's intellectual property, Lucerne Biosciences is requesting that you promptly -- **as in today, Friday May 29, 2015** -- file the attached self-explanatory letter from the company on the PAIR system for the '249 Application, with whatever formal attorney filings would be needed to request allowance of the **identical** 13 claims represented in the '813 Patent (in their exact order) **for the '249 Application**. Once that is completed, it would probably make most sense to leave a message for Examiner Robinson to alert her of the claims change and that it's all explained in your filing, as made on PAIR. If you directly speak with her, that's even better. **But you need to make the filing first to PAIR, before you speak to her**, to ensure that you've convincingly proven that you're not seeking to harm the company vis-à-vis your involvement in a "third-party conflict of interest" that you failed to disclose to the company.

While the attached letter explains the rationale for this change in claims, you were on the April 2 phone interview with Examiner Robinson when she indicated that she would treat the '249 Application the same way she treated the '813 Patent in its prosecution. That, of course, means that she will allow for the '249 Application the 13 claims she allowed for the '813 Patent. In view of the explanation for why the company is making this unusual change (as stated in the attached letter and in any comments that you might add from your side of the filing), she would also understand that this is a simple procedural matter that makes moot any issues related to the restriction requirement -- unless she, too, has a "third party conflict of interest" of the kind identified in the Patent Board's behavior in the hyperlinked May 25 email above. But if that's the case, which will certainly reveal itself soon enough, you can be certain that its public disclosure will have unprecedented implications on the U.S. legal system. As the undisclosed patent litigation attorney bcc'd on that May 25 email stated in a private communication, the Board's involvement in a "third party conflict of interest" (as explained for its "'813 Patent IPR proceeding features" in the May 25 email) would have profound, unprecedented legal implications on the U.S. judicial system, perhaps unlike anything ever before seen because it would open up Pandora's

## The Patent '813 Story, Part II -- Version 2

box for how the USPTO involves itself in the kinds of matters discussed in the email. Add to that the USPTO's "third-party conflict of interest" in a patent prosecution (as in the '249 Application), you might just trigger national anarchy because such behavior would be such an egregious and unprecedented breach of judicial independence that it would violate the most basic and essential principles of accountable constitutional governance.

Anne, by now it should be obvious to you that Lucerne Biosciences has some very formidable help and resources supporting its strategic plans to optimize the value of the '813 Patent and '249 Application, albeit it through highly novel and unconventional means. In this respect, the management and membership of the company is highly restricted information at this point in time, which explains why the attached letter from the company is written as it is. But you know that I am an authorized representative of the company, so its representation "to you" "from me" in my capacity as a Manager/Member of the company (in this email) legitimizes it, as well as legitimizes its entry into the patent prosecution record as a representation from the company. This method of communication in which you are the "legal intermediary" is a critical feature of the company's "final resolution" strategy that also is designed to vindicate you and Cantor Colburn from what the record reveals is your complicity in a massive "third-party conflict of interest" that is unlawful, unethical and unprofessional.

If you decide not to do this **very minor procedural work for the company** that involves submitting the attached letter in PAIR which additionally would include whatever attorney filings/explanation is required to effectively "set the stage" for the '249 Application to issue with the claims of the '813 Patent upon its "formal invalidation," particularly in the time-sensitive temporal window of **today** (absent that you may be away on vacation and don't see this email today), it will convincingly prove your active involvement in a "third-party conflict of interest" whose "source" is actively seeking to harm Lucerne Biosciences at a particularly sensitive time in its history. That would mean that you, too, are actively seeking to harm the company. After all, the company's strategy makes perfect sense, as if it were strategically planned to happen this way from the time it entered into its "strategic collaboration" with LCS Group. In the event that you don't make this filing today, the company will promptly have it made by another registered patent attorney, but that would leave you and Cantor Colburn with a massive liability for which the company would have little option than to seek legal action against you and Cantor Colburn for failing to disclose materially important conflict of interest information in representing it in its patent prosecution of the '249 Application, provable for its willful intent to harm the company by your failing to take a few simple time-sensitive actions (taking little of your time) that would have convincingly vindicated you and Cantor.

Surely, Anne, you must see the moving parts and that the only way for you and Cantor Colburn to have a meaningful and successful "final resolution" to "The Patent '813 Story" -- and also help the many others stuck with the same "third party conflict of interest" -- is to take the timely actions indicated above to resolve that "third party conflict of interest" before it becomes the basis for legal action against you and others. For Lucerne Biosciences, it will find a meaningful and successful "final resolution" regardless of what you do, but the company would strongly prefer that you take this first important step to finally resolve matters completely for you, Cantor Colburn and other involved "third-party interferers." That is one critical objective of Lucerne Biosciences' "final resolution," as it also is for its strategic collaborators who have closely worked with the company to achieve it, along with a fascinating story that tells how it happened in "real-time." In this light, the company would also strongly prefer that this email to you today doesn't make it on the public record, which it won't if you timely execute the above-stated actions. That would only leave Joe Lucci "looking bad" as the company's counsel "on the public record" for his unlawful, unprofessional and unethical behavior driven by his "third-party conflict of interest." But that choice is yours.

## The Patent '813 Story, Part II -- Version 2

Lastly, should you have any questions or comments, please communicate with me only in writing and via email at this email address. At this point in time and in view of all the communication evidence the company has amassed in recent months, you'll regret communicating any other way.

Sincerely,

Louis

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT:** "Lucerne Biosciences 5.29.15 USPTO Letter for 249 Application.pdf" is available at:  
[http://www.4shared.com/download/wzm\\_DCrZce/Lucerne\\_Biosciences\\_52915\\_USPT.pdf?lgfp=3000](http://www.4shared.com/download/wzm_DCrZce/Lucerne_Biosciences_52915_USPT.pdf?lgfp=3000)

**From:** Louis Sanfilippo <louiscsan@aol.com>  
**Subject:** Lucerne Biosciences, LLC/Termination of Cantor Colburn Representation  
**Date:** April 27, 2015 4:00:05 PM EDT  
**To:** Maxwell Anne <AMaxwell@CantorColburn.com>  
**Cc:** Derek Denhart <DDenhart@CantorColburn.com>

Dear Anne,

In my capacity as a Manager of Lucerne Biosciences, LLC, I am writing to inform you that effectively immediately Lucerne Biosciences, LLC is represented by new counsel in all its legal affairs. Therefore, neither Cantor Colburn, LLP, nor any of the law firm's representatives, is authorized to represent the company. Further information and actions are imminently forthcoming.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **11 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "Transaction History" and "Image File Wrapper" for US Patent Application 14/464,249 "as of 11:07 AM EDT" is available as a merged PDF:  
[http://www.4shared.com/download/iBJapnX\\_ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/iBJapnX_ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Dever, Chad" <CDever@CantorColburn.com>  
**Subject:** Termination of attorney-client relationship  
**Date:** May 29, 2015 1:19:23 PM EDT  
**To:** "lsanfilippo@lucernebio.com" <lsanfilippo@lucernebio.com>  
**Cc:** "Cantor, Michael" <MCantor@CantorColburn.com>, "Maxwell, Anne" <AMaxwell@CantorColburn.com>, "Hutchings, Carol" <chutchings@CantorColburn.com>,"

## The Patent '813 Story, Part II -- Version 2

"Bousquet, Lauren" <LBousquet@CantorColburn.com>, "Mayhew, Dawn"  
<DMayhew@CantorColburn.com>

Dr. Sanfilippo,

My name is Chad Dever, an attorney at Cantor Colburn LLP. I am an associate of Anne Maxwell. Our letter memorializing the termination of our attorney-client relationship is en route. As you may recall, you previously disengaged our law firm for all legal representation. In addition, our invoices to you for past legal services rendered have been outstanding for quite a while. Accordingly, we regretfully formally terminate our relationship with you and your businesses.

We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience.

I am now your contact person from the transfer of your files. Please feel free to contact me directly. We wish you luck in your future endeavors.

Kind Regards,

-Chad Dever

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** the '249 application

**Date:** May 29, 2015 3:33:18 PM EDT

**To:** Ed Haug <EHaug@flhlaw.com>

**Cc:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Mr. Haug,

On behalf of Lucerne Biosciences, LLC, please let me know as soon as possible if Shire would like to seek "final resolution" to "The Patent '813 Story" vis-à-vis the '249 Application. As you know, the '813 Patent will effectively invalidate as of Wednesday June 3, 2015 if the company fails to comply with the Board's Order of May 21, 2015 (Paper 30). You and Shire should know that the company has absolutely no intention to comply with the Board's Order.

Insofar as Shire has any interest in seeking a fast and meaningful final resolution to the obvious, it would seem befitting that you provide the company a CDA at your earliest convenience. Attorney Lucci is cc'd. As he has withdrawn as the company's counsel in the IPR of the '813 Patent, there is no conflict of interest in his involvement on the '249 Application. Also, there is no one at all bcc'd on this email thread.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**Monday June 1, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: Re: Termination of attorney-client relationship**

**Date:** June 1, 2015 7:07:20 AM EDT

**To:** Chad Dever <CDever@CantorColburn.com>

**Cc:** Michael Cantor <MCantor@CantorColburn.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Lauren Bousquet <LBousquet@CantorColburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, skestner@bakerlaw.com, lsanfilippo@lcsgrupp.com

**THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO EDUCATE A PROSPECTIVE JUDGE OR JUROR, AND/OR THE FEDERAL CIRCUIT COURT OF APPEALS, ON HOW MR. DEVER'S COMMUNICATION BEHAVIOR EXPLAINS WHY "CANTOR COLBURN LLP" IS HIGHLY LIKELY TO BE INVOLVED IN THE SAME "THIRD-PARTY CONFLICT OF INTEREST" AS (I) "SHIRE," (II) "FROMMER, LAWRENCE & HAUG" (III) "BAKER HOSTETLER" AND EVEN (IV) THE PATENT TRIAL AND APPEAL BOARD ITSELF, AND TO ADDRESS THE BROADER LEGAL, FINANCIAL AND PROFESSIONAL IMPLICATIONS OF THIS COLLUSIVE ALIGNMENT. ANOTHER PURPOSE OF THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO FURTHER CLARIFY "ROOT-CAUSE SOURCING" AND "FINAL RESOLVING" OF THIS "THIRD-PARTY CONFLICT OF INTEREST" THAT HAS NOT ONLY SUPPORTED SHIRE'S PERPETRATION OF A FRAUDULENT INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813 BUT ALSO SHIRE'S REPEATED ENGAGEMENT IN ANTI-COMPETITIVE CONDUCT AND DECEPTIVE TRADE PRACTICE, NOTABLY THROUGH A "THIRD-PARTY INTERFERENCE NETWORK" COORDINATED BY TWO "PRIMARY SOURCE ENTITIES." THIS EMAIL SHOULD BE READ IN THAT CONTEXT ONLY.**

Dear Mr. Dever,

On behalf of Lucerne Biosciences, LLC, I would like to highlight several revealing features of your email. But it's important to preface them with a few important background comments that help explain their significance and implications.

To begin with, your email's "communication features" strongly support Cantor Colburn's "firm-wide involvement" (i.e., at the named partner level) in a "third-party conflict of interest" stemming from a Cantor Colburn "client." The nature of this "third-party conflict of interest," based on all the evidence the company has accumulated in its collaboration with (i) "LCS Group, LLC," (ii) "Louis Sanfilippo - personally" and (iii) "Louis C. Sanfilippo, MD, LLC" is of such an extraordinary and unprecedented dimension that it's hard to believe, except that its details are in "public view" by virtue of the large number of "third-party interferers" involved, as supported by the coordinated effort of two "primary source entities." One of these "primary source entities" (as identified and characterized below) must surely be one of Cantor Colburn's "clients," and the nature of this "attorney-client relationship" must also surely be unlawful, unethical and unprofessional because it supports Shire's unlawful anti-competitive conduct to invalidate U.S. Patent No. 8,318,813 through repeated acts of fraud and misrepresentation. It may be, though, that you are completely unaware of any of this because someone at Cantor Colburn guided you into how to write your email, who to cc on it, etc....In other words, you may have been "used" to abet "third-party

## The Patent '813 Story, Part II -- Version 2

interference” to support anti-competitive conduct in a way in which you were not even made aware. This modus operandi appears to be the case for a fairly significant number of “third-party interferers” who have been exploited in this way. For a recent example of how a person, in their representative role for a particular company, appears to be “used” (even unknowingly) to engage in “Shire anti-competitive conduct” (as likely coordinated through two “primary source entities”), take a look at the self-explanatory May 21-28 email thread between VWR International and Lucerne Biosciences’ strategic partner and exclusive licensee LCS Group, LLC (in PDF at: [http://www.4shared.com/download/98b5F5Tdba/LCS\\_Group\\_--\\_VWR\\_International.pdf?lgfp=3000](http://www.4shared.com/download/98b5F5Tdba/LCS_Group_--_VWR_International.pdf?lgfp=3000), care of LCS Group).

You can find many more such “third-party interference” examples in “The Patent ‘813 Story, Part II,” available in PDF in the “Inquiries/Business Development” Section of a May 13, 2015 Press Release from LCS Group at: <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>. Among such examples and their respective explanations for their “third-party interference” role that aims to interfere in Lucerne Biosciences’ business practice involving its wholly owned ‘813 Patent and U.S. Patent Application No. 14/464,249, you can find the following involved persons/companies beginning as early as January 20, 2015: (i) **Lifetime Television’s “The Balancing Act”** (pp. 69, 73-75), (ii) **“The FDA Group”** and its representative Susan Walsh (pp. 81-82, 120-121, 132-133, 136-139), (iii) **“Aegis Capital Ventures”** and its managing partners Michael Siek and Steven Nicholson (pp. 85-86, 122-123), (iv) **“Charles River Labs”** and its representatives Toni Wolinski and Gina Mullane (pp. 86-87, 92-93, 96, 110, 123-125, 131-132, 133-135), (v) **“MTS Health Partners”** and its partner Andrew Fineberg (pp. 100, 144-152), (vi) **“Pearson”** and its representative Evan Skoures (pp. 101, 113-117, 133, 135-136, 142-143), (vii) **“Assurgent Medical Solutions”** and its representative Christine Jordan (pp. 107-108, 126-130), (viii) **“Guidepoint Global”** and its representative Sarah Wade (pp. 161-162), (ix) **“Rosaasen Group”** and its representative Harry Rosaasen (pp. 171-173), and (x) **“Primary-i-Research, LLC”** and its CEO Dr. Anna Kazanchyan (pp. 175-183).

To this effect, if Mr. Michael Cantor (or Ms. Anne Maxwell) is aware of his firm’s involvement with such a “client” for which there is now massive evidence that supports ongoing active “third-party interference” to harm, or otherwise unduly interfere with, Lucerne Biosciences including, but not limited to, the examples above, it would befit him and Cantor Colburn to understand the implications of this email and the actions that are recommended at its end. That’s because it should be clear that Lucerne Biosciences and its collaborators have planned very well to take action against that presumed “client” and its own “primary source collaborator” to finally and equitably end its longstanding engagement in unlawful, unethical and unprofessional behavior.

With respect to your “communication behavior” (as characterized below), Mr. Dever, it is revealingly consistent with not only the “third-party interference” examples above but also with the pervasive “misrepresentation behavior” that has taken place in the *inter partes* review of the ‘813 Patent. It therefore strongly supports that the IPR of the ‘813 Patent was a staged “behavioral/business intelligence experiment” that has involved the broad collusive participation of (i) Shire and its outside law firm of Frommer, Lawrence & Haug, (ii) Baker Hostetler, (iii) the Patent Board itself and (iv) **Cantor Colburn**, as driven and coordinated by two “primary source entities” (through a “third-party interference” network) of which one is highly likely to be a client of Cantor Colburn. The nature of this “behavioral/business intelligence experiment” and its relationship to “third party interference” in the IPR of the ‘813 Patent (as driven and coordinated by “two primary source entities”) can be found in a recent Lucerne Biosciences’ email sent directly to the Patent Board on May 25, 2015, available in PDF at: <https://app.box.com/s/t53ksnw7yo1z1nag55wn7au6o90ppsla>. It doesn’t take long to see that the IPR of the ‘813 Patent would have profoundly far-reaching implications if it’s exposed for its

## The Patent '813 Story, Part II -- Version 2

“collusive experimental basis” (to develop and apply “deception-based intelligence technology”), not only on account of the scope and egregiousness of unlawful behavior involved to support it (i.e., misrepresentation, unfair and deceptive trade practice, anti-competitive conduct) but also its profound interference in judicial independence, really unprecedented in U.S. legal history (as stated by an independent patent and anti-competition litigation attorney familiar with this matter). Additional background, including details and evidentiary support for the nature and objectives of this dual-pronged “behavioral/business intelligence experiment” can be found in “The Patent '813 Story, Part II” (see pp. 162-171, 179-183, 202-204, 224-225, 232-245).

Remarkably, Mr. Dever, your “deceptive communication behavior” (or that of the person who guided the writing of your email) is also revealingly consistent with “third-party interference” communication behavior evidenced in a number of highly aberrant emails to “Louis Sanfilippo” at his “aol.com” and “yale.edu” emails since lisdexamfetamine dimesylate (“Vyvanse,” marketed by Shire) was FDA approved on January 30, 2015 to treat Binge Eating Disorder according to the '813 Patent's claims. This highly aberrant communication notably intensified in late March 2015 when the company filed its “Supplemental Amendment Prior to Examiner Interview” with the USPTO (by Ms. Maxwell). Evidentiary support for the “timing” and “content” of these emails as “third-party interference” during the company's prosecution of the '249 Application (as made public on PAIR) and the IPR of the '813 Patent can be found in “The Patent '813 Story, Part II” following the March 24, 2015 entry “Supplemental Amendment Prior to Examiner Interview” (see p. 91). In view of such “third-party interference” during a highly sensitive time for the company's handling of both the '813 Patent and '249 Patent Application in their respective legal venues, it goes without saying that the legal, financial and professional implications for many individuals and companies is likely unprecedented in U.S. “legal/business history” (including for Cantor Colburn in its own history).

With your respect to your email, Mr. Dever, you indicate that “you [Louis Sanfilippo] previously disengaged our law firm for all legal representation” and “we regretfully formally terminate our relationship with you and your businesses.” **These are mutually incompatible representations.** In other words, one of them is a misrepresentation. “LCS Group, LLC” and “Lucerne Biosciences, LLC” each respectively terminated their relationship with Anne Maxwell and Cantor Colburn via email in April 2015, LCS Group on April 24 (at 7:00 pm EDT) and Lucerne Biosciences on April 27 (at 4:00 pm EDT), with each email PDF'd below for reference. These two “termination notices” clearly relate to two different “businesses,” as represented in your email's linguistic use of the word “businesses.” Yet you state that “you [Louis Sanfilippo] previously disengaged our law firm for all legal representation” and “regretfully formally terminate our [Cantor Colburn's] relationship with you and your businesses,” as if “Louis Sanfilippo personally” actually “disengaged” Cantor Colburn's representation for “himself personally.” **But there's no such “termination notice” email or letter or communication of any kind disengaging “Louis Sanfilippo personally,” because “Louis Sanfilippo personally” was not actively engaged as a client of Cantor Colburn anytime recently (and therefore “Louis Sanfilippo - personally” did not need to make any such “disengagement”).** Lucerne Biosciences knows this because it is closely collaborating with “Louis Sanfilippo - personally,” as well as “LCS Group, LLC” and “Louis C. Sanfilippo, MD, LLC,” to identify and resolve the massive “third-party conflict of interest” that is causing massive (and unlawful) “third-party interference” (as disclosed on p. 225-226 of “The Patent '813 Story, Part II” for the “collaborative four-entity team”).

To this effect, Cantor Colburn has been engaged for work on behalf of (i) “LCS Group, LLC” (for its IPR involving its then-wholly owned U.S. Patent No. 8,318,813 and for which the company has an outstanding balance for “invoices to you for past legal services” as referenced in your email) and (ii) “Lucerne Biosciences, LLC” (to prosecute U.S. Patent Application 14/464,249, wholly owned by the company). The last time that “Louis Sanfilippo -- personally” would have effectively been a “client of,” or “engaged by,” Ms. Maxwell (and therefore Cantor Colburn) would have been

## The Patent '813 Story, Part II -- Version 2

well before 2010, perhaps in the vicinity of April 14, 2008. That's the day before the executed assignment of U.S. Provisional Patent Application 60/972,046 took place that gave rise to the IP lineage for the '813 Patent and '249 Application. You can find the details of this assignment in "The Patent '813 Story, Part II" by following its chronological order. Which raises an important question: why would your email work so hard to deceptively seek to (i) misrepresent "Louis Sanfilippo -personally" as a client of, or engaged by, Ms. Maxwell and Cantor Colburn when he's not and hasn't been in a long time and also (ii) misrepresent that "Louis Sanfilippo - personally" terminated his own representation of "himself personally" by presumably having given notice like LCS Group and Lucerne Biosciences (and for which you or Ms. Maxwell will be hard pressed to find any such "termination or disengagement notice" because there is none)?

In this respect, Mr. Dever, you (or whoever guided the writing of your email) conflate matters of legal representation so as to actually make a serious misrepresentation, of just the kind Shire's outside counsel Sandra Kuzmich made on September 4, 2014 in an email to LCS Group attorney Mr. Joe Lucci identifying "Dr. Sanfilippo" as Mr. Lucci's client when she clearly knew that Mr. Lucci was representing "LCS Group, LLC" by virtue of the IPR certificate of service served to her on June 2, 2014 (see p. 8, "The Patent '813 Story, Part II"), not to mention that "LCS Group, LLC" was in a CDA with Shire "to discuss a potential business opportunity involving the '813 Patent and related patent applications" for which Mr. Lucci had represented the company in discussions (see p. 12 and p. 51, "The Patent '813 Story, Part II"). Your "conflationary misrepresentation" is also strikingly similar to the way Shire's outside counsel Ed Haug misrepresents Mr. Lucci's "client" on May 20 and May 23, 2015 by misidentifying Mr. Lucci's client as "Dr. Sanfilippo" when Mr. Haug clearly knows, from the certificate of service he received on January 27, 2015 in the IPR, that Lucerne Biosciences was Mr. Lucci's client at that time, as also affirmed in Mr. Lucci's emails at that time that directly identified his client as an "it" rather than a "he" (see pp. 89-91, "The Patent '813 Story, Part II").

This kind of "deceptive communication behavior" (that closely resembles your own email's "deceptive communication behavior") is more extensively characterized for its nature, methodology and implications in (i) a May 15 Shire IPR filing in support of invalidating the '813 Patent (see p. 3, parag. 3 of Lucerne's May 25 email to the Patent Board, "Email from LCS Group, LLC sent on May 15, 2015" is available at:

[http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000)), (ii) an email Lucerne Biosciences sent to named partners William Lawrence and William Frommer of Frommer, Lawrence & Haug that directly references the "client misrepresentation behavior" of Mr. Haug and Ms. Kuzmich (see pp. 183-185 of "The Patent '813 Story, Part II) and (iii) Mr. Lucci's own "deceptive communication behavior" to his own client (see Lucerne's May 25 email to the Patent Board, hyperlink in last line of p. 3). That extreme degree of consistency is a remarkable thing and it strongly supports your own, and Cantor Colburn's, collusive involvement with the same "third-party conflict of interest" shared by Shire and Frommer, Lawrence & Haug, as well as Baker Hostetler, to engage in anti-competitive conduct by misrepresentation (notably by failure to disclose materially important information to any Patent Owner in the history of the '813 Patent from the time of its provisional filing on September 13, 2007 or even before then for any work Ms. Maxwell might have done involving the collaboration of "Louis Sanfilippo - personally" and "Louis C. Sanfilippo, MD, LLC" as there are cited patients treated in that practice used to enable the patent's claims). Or you can frame it differently, namely, as your own, and Cantor Colburn's, collusive involvement in a "behavioral/business intelligence experiment" of colossal proportions whose "business objective" has been to interfere with LCS Group, first, and then Lucerne Biosciences by targeting "Louis Sanfilippo - personally" through various kinds of misrepresentations as supported by "third-party interferers."

Further, Mr. Dever, you indicate that ["We do advise that you retain an attorney as soon as](#)

## The Patent '813 Story, Part II -- Version 2

convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience.” However, take note that in the two “termination notices” attached below, both Lucerne Biosciences and LCS Group **specifically informed** Ms. Maxwell that each company was “represented by new counsel.” As it stands to reason that Ms. Maxwell herself (or at least someone familiar with those two “termination notices”) must have had a hand in helping you craft your email that provided such guidance to “**retain an attorney as soon as possible,**” any reasonable person would wonder why Cantor Colburn (vis-à-vis your communication) seems to have such a vested interest which specific counsel the ‘813 Patent Owner and ‘249 Application Owner goes to (especially as Lucerne Biosciences already stated it had new counsel), to the point of even providing guidance on “relative expense” and assigning a seemingly neutral “intermediary” not directly involved in the company’s intellectual property to handle the file transfer (that is you, Mr. Dever).

In this respect, your “communication behavior” (on behalf of Cantor Colburn) supports a possible ulterior motivation, of the kind that seems to explain an important connection to certain unusual events that took place in February - March 2013 when Mr. Lucci began representation of LCS Group (then-owner of the ‘813 Patent) in communications with Shire, as referenced for their implications in an email sent to Ms. Maxwell and Mr. Lucci by LCS Group on May 10, 2015 that had a PDF attachment (“Document 3”) of some highly unusual business filings made on February 28, 2013 by a CT-based company called “Center for Research and Development, Inc” (see pp. 229-231 “The Patent ‘813 Story, Part II”). While “Document 3” was stripped in “The Patent ‘813 Story, Part II,” it is available for you to look at ([http://www.4shared.com/download/nMlfiTb-ba/Document\\_3.pdf?lgfp=3000](http://www.4shared.com/download/nMlfiTb-ba/Document_3.pdf?lgfp=3000), care of LCS Group’s strategic collaboration in writing this email with Lucerne Biosciences for you). In this temporal context, take note of another remarkable “communication event” in that February-March 2013 time frame, as evidenced in an email from LCS Group (via its CEO Louis Sanfilippo) to Dr. Anna Kazanchyan of Primary-i-Research LLC on May 2, 2015 that comments on the unique timing of her emails, particularly the “new string” that began in March 2013 (see pp. 177-179 of “The Patent ‘813 Story, Part II”). This supports a pattern of “third-party interference” that appears to have begun with Mr. Lucci’s representation of the company and its discussions with Shire in early 2013, temporally connected with highly aberrant business filings for the “Center for Research and Development, Inc.” Add to that the highly aberrant “third-party communication behavior” to “Louis Sanfilippo” at his (i) “yale.edu” email just as the IPR petition of the ‘813 Patent was filed in May-July 2014 (see p. 162 “The Patent ‘813 Story, Part II,” the attachment “4.29.15 LB Letter to Wade GG.pdf”) and (ii) “aol.com” and “yale.edu” emails after Vyvanse was FDA-approved for the treatment of BED (according to the ‘813 Patent’s claims) with an “intensification” in March - April 2015 as things “intensified” in the IPR of the ‘813 Patent and the prosecution of the ‘249 Application (see paragraph 3 above), you can easily “see” how such “third party interference” works: it tries to involve “Louis Sanfilippo - personally” in decisions for which “Louis Sanfilippo - personally” is not authorized to decide, notably through “deceptive and oddly-framed communications.”

So how does one explain all this bizarre highly aberrant “third-party interference” and its timing? If you consider that the IPR was a staged “behavioral/business intelligence experiment” of the kind characterized in the Lucerne Biosciences May 25 email to the Patent Board, it becomes rather clear: its “behavioral objective” has been to profile/target “Louis Sanfilippo -- **personally**” and its business objective has been to interfere in any legitimate business entity that “Louis Sanfilippo” is associated with (i.e., in the IPR: first “LCS Group, LLC” and then “Lucerne Biosciences, LLC”) through “personal interference” (i.e., “invasion of privacy”). And as the “business stakes” for any of these “legitimate business entities” increase such that they threaten to harm Shire, so too does the “personal interference” with “Louis Sanfilippo” to attempt to harm

## The Patent '813 Story, Part II -- Version 2

the respective business in which he is involved (i.e., the patent owner of the '813 Patent or '249 Application). But who would be motivated to profile/target "Louis Sanfilippo - personally" and seek to engage in such "personal interference" (tantamount to anti-competitive conduct based on deceptive communication behavior) that aims to harm legitimate business entities of which "Louis Sanfilippo" is involved - and why would anyone want to do that?

To find clues to that question, take a look at an email sent from LCS Group to Ms. Maxwell and Mr. Lucci on May 17, 2015 (at 12:29 am EDT) and its attachment, a 2006 publication titled "Consulting to Government Agencies -- Indirect Assessment," available at [http://www.4shared.com/download/D-iPIVQKce/LCS\\_Group\\_May\\_17\\_Update\\_Email\\_.pdf?lgfp=3000](http://www.4shared.com/download/D-iPIVQKce/LCS_Group_May_17_Update_Email_.pdf?lgfp=3000) (again care of LCS Group). You can see how a "behavioral/business intelligence experiment" of unprecedented scope (as characterized in the May 25 Lucerne Biosciences' email to the Patent Board) that seeks to "indirectly assess" a "profiled subject" (i.e., "Louis Sanfilippo") involved in various "businesses" (i.e., LCS Group, Lucerne Biosciences) could recruit "volunteers" (or "third-party interferers"). And you can see that the objective of these "volunteers" (or "third-party interferers") would be to exploit communications that, while on the surface might be used for "indirect assessment," actually seriously interfere in his capacity to practice business in his authorized role(s) and/or even unduly attempt to influence him in a manner that attempts to cause harm to the very company which he is authorized to represent. Such an experiment would be, by its nature, unlawful "anti-competitive conduct" because the "experiment" could only take place so long as its "personal target" of "Louis Sanfilippo" conducts business **outside** his "authorized roles" (i.e., in an un-authorized personal capacity).

In this light, the "experiment" would likely seek to justify its unlawfulness under the pretense of achieving certain important "intelligence objectives," perhaps for national security purposes. Such "intelligence objectives," for instance, might be to enhance the methodology for "indirect assessment," develop and apply "deception-based intelligence technology" and experiment with behaviorally-based interventions like "tactical leveraged splitting," as obviously applied by Shire in its engaging LCS Group in a CDA to discuss a business opportunity involving '813 Patent" but concurrently pursuing an IPR that alleged the '813 Patent was unpatentable and therefore valueless. In view of the May 17 LCS Group email to Ms. Maxwell and Mr. Lucci, it's also easy to see how an experiment of this kind could go "catastrophically bad" when its "planners" and "implementers" are completely incompetent and have no idea what to do when it rapidly falls apart through a deteriorating group dynamic involving heavy regressive "projective identification" and "acting out" in the face of its increasing public exposure. If you consider that May 17 email in view of the May 25 email (from Lucerne Biosciences to the Patent Board), you begin to see how "third-party interference" would be "sourced" in the coordinated efforts of an elite academic institution and a federally-supported intelligence agency under the cover of a "behavioral/business intelligence experiment" to motivate people to behave just as they have during the timeframe of the IPR of the '813 Patent and the prosecution of the '249 Application (as featured in "The Patent '813 Story, Part II").

With respect to identifying specific "primary sources," take note that there are two co-authors on the 2006 "Consulting to Government Agencies -- Indirect Assessments" article (from the May 17 email) who are also co-authors on that 2013 "deception detection study" published in the Journal of Strategic Security (from the May 25 email) that so uncannily resembles the behavior of the two different sides of the IPR for the '813 Patent, Shire/FLH on one side (i.e., the "liar side") and LCS Group/Lucerne at different times on the other side (i.e., the "truth teller side"). Remarkably, one of those co-authors found on both the 2006 and 2013 intelligence studies is a named representative ("President") of the "Center for Research and Development, Inc." that had those highly unusual business filings in February 2013, at the time that Mr. Lucci began representing LCS Group in discussions with Shire and that aberrant pattern of emails began from "Primary-i-Research." The

## The Patent '813 Story, Part II -- Version 2

timing of these things is extraordinary because it links certain “persons” involved in “intelligence work” (involving “profiling,” “indirect assessment,” “deception detection in liar vs. truth telling groups”) with important events involving the patent owner of the '813 Patent and the timing of certain “third-party interference” behavior in a way that helps explain the connection.

But what's even more extraordinary is that “Louis Sanfilippo” personally knows these two co-authors and they know him. One of them is well known for his work in the intelligence community, notably for the Central Intelligence Agency. His name is “Charles A. Morgan,” known by his friends and colleagues as “Andy.” You can find details of his professional background, including his work for the CIA, at:

[http://www.4shared.com/download/Nrq8sHEace/University\\_of\\_New\\_Haven\\_\\_\\_Morg.pdf?lgfp=3000](http://www.4shared.com/download/Nrq8sHEace/University_of_New_Haven___Morg.pdf?lgfp=3000)). The other of these co-authors is “Vladimir Coric.” He's the “President” of the “Center for Research and Development, Inc.,” as identified in the company's state filing history (at: [http://www.4shared.com/download/ivYgJ2Uuba/CT\\_Sec\\_of\\_State\\_-\\_Center\\_for\\_R.pdf?lgfp=3000](http://www.4shared.com/download/ivYgJ2Uuba/CT_Sec_of_State_-_Center_for_R.pdf?lgfp=3000)). This, of course, sheds light on the identity of one of the two “primary source entities” that seems to be at the center of this “behavioral/business intelligence experiment” that is driving all that “deception-based representation behavior” in the IPR of the '813 Patent, namely, it must surely be connected to a federally supported “intelligence agency,” like the CIA or an entity supporting its work, perhaps something like the “Center for Research and Development, Inc.” itself (as even identified by name in that 2013 deception-detection study). Further, anyone familiar with the CIA's history would know that it historically had its own “Office of Research and Development.” That places the work of the CT-based “Center for Research and Development, Inc.” in its rather obvious “intelligence perspective,” in view of its own publicly available work (on-line) and its “re-engaged” business activity (vis-à-vis its five years of business filings in one day) at just about the same time that Mr. Lucci was making plans to reach out to Shire on behalf of the '813 Patent's owner LCS Group.

But who, then, would be the other “primary source entity”? In other words, how do you get to the involvement of an “elite academic institution” (as noted on p. 5 of the May 25 Lucerne Biosciences email to the Patent Board)? For one, an “elite academic institution” is where you find the “behavioral experts” identified in that May 17 LCS Group email to Ms. Maxwell and Mr. Lucci. Surely, any “behavioral/business intelligence experiment” of such colossal scope would need institutional support of some kind involving, at least, self-identified “behavioral experts” who have experience conducting behavioral research on human subjects. But which “elite academic institution”? Harvard? Yale? Princeton? Or perhaps Stanford? Or the University of Chicago? To answer that question, consider that besides the fact that “Charles A. Morgan” and “Vladimir Coric” are both (i) associated with “intelligence-related academic work” whose timing and nature is extraordinary for its '813 Patent implications (ii) personally acquainted with “Louis Sanfilippo” and (iii) Yale (voluntary) faculty members just as “Louis Sanfilippo,” it stands to reason that “Yale” would be the most logical other “primary source entity.” At least if the objective is to have a coordinated and seamless infrastructure between the two “primary source entities” based on already existent “primary source intermediaries” (i.e., “Charles A. Morgan” and “Vladimir Coric”) and a particularly “personal subject” known to that “elite academic institution” which would have its own motivational dynamics.

In this context, you and the others at Cantor Colburn (particularly Mr. Cantor and Ms. Maxwell) should know that there's plenty of communication evidence that Lucerne Biosciences, in its strategic collaboration with (i) “LCS Group, LLC” (ii) “Louis Sanfilippo - personally” and (iii) “Louis Sanfilippo, MD, LLC,” has amassed under the umbrella of shared counsel that puts “Yale” squarely in the middle of this colossal failure of a “behavioral/business intelligence experiment.” That, then, also puts Yale squarely in the middle of one of the most egregious and persistent acts of willfully perpetrated fraud and misrepresentation for anti-competitive purposes perhaps ever seen in U.S. legal/business history. The evidence of “Yale's” involvement as a

## The Patent '813 Story, Part II -- Version 2

“primary source entity” in such egregious misconduct is most dramatically evidenced by certain highly aberrant communications made to “Louis Sanfilippo” at his “yale.edu” email address, particularly “Yale-specific” communications in April and May 2015. To provide one easy-to-understand example of “deception-based communication behavior” of the kind repeatedly evidenced by Shire, FLH, Dr. Brewerton in the IPR proceedings of the ‘813 Patent (as documented in “The Patent ‘813 Story, Part II), take a look at the following email thread involving “Louis Sanfilippo” (in his role as a Yale School of Medicine voluntary faculty member dealing with a teaching matter) and “Michelle Silva” (also a Yale School of Medicine faculty member, Dept. of Psychiatry) at:

[http://www.4shared.com/download/HqWaGL\\_dce/Email\\_Thread\\_involving\\_\\_Louis\\_.pdf?lgfp=3000](http://www.4shared.com/download/HqWaGL_dce/Email_Thread_involving__Louis_.pdf?lgfp=3000) (care of “Louis Sanfilippo - personally”). Specifically, take note of Dr. Silva’s egregious misrepresentation and how she “reasons” on its “misrepresented basis.” Such “communication behavior” from a reputable person like Dr. Silva can only be rationally explained one way: that she is misrepresenting certain things in an effort to tailor her representations to a different unstated “frame of reference,” **as if** her communication might make sense to “Louis Sanfilippo” in that unstated different “frame of reference” and/or influence his behavior for that unstated different “frame of reference.” But that’s egregiously and willfully deceptive behavior by which she, whether for herself or for someone who’s asked her to communicate this way, seeks to evade any accountability for her misrepresented statement to “Louis Sanfilippo.” That’s unlawful if it’s motivated to engage in deceptive trade practice which, given its “timing” in the IPR of the ‘813 Patent and the prosecution of the ‘249 Application, is a dead-give-away for its motivational intent to interfere in Lucerne Biosciences’ business affairs. That kind of “deception-based behavior” is the sine quo non of Shire’s and its outside counsel’s behavior in the IPR of the ‘813 Patent.

Anne --- does any of this sound familiar? Surely, you were there “at the beginning” of what would seem from Dr. Silva’s email to be the “first” of “two sessions” (as apparently “referenced” for its context in another unstated different “frame of reference” that Dr. Silva omits from her April 21 email)? In other words, Anne, you were there “at the beginning” of that “first session” that began at the time of that 2006 article “Consulting to Government Agencies -- Indirect Assessments” and another company whose IP you’re familiar with was just getting itself going (as featured for its implications in “Document 1” and “Document 2” of the LCS Group email you received on May 10, “stripped” in “The Patent ‘813 Story, Part II” for security reasons). Perhaps you and/or Michael Cantor have even had experience dealing with a Yale Associate VP of Research Administration named Andrew Rudczynski, as identified in the following PDF announcing his imminent retirement (at: [http://www.4shared.com/download/HLLcr9pace/Research\\_Adminstration\\_Yale\\_-\\_pdf?lgfp=3000](http://www.4shared.com/download/HLLcr9pace/Research_Adminstration_Yale_-_pdf?lgfp=3000)). After all, if Yale were the “elite academic institution” involved in a “behavioral/business intelligence experiment” of such unprecedented scope as to centrally involve “Louis Sanfilippo - personally” in matters from his “business life” to his “personal life,” **as if** his “person” and “business” were the “property” of Yale itself -- and “Yale” is one of the “primary source entities” that has been Cantor Colburn’s “third-party interferer” client -- then Mr. Rudczynski certainly would have known about it and also would have interfaced with various involved Cantor attorneys supporting the legal aspects of the intelligence experiment.

A “behavioral/business intelligence experiment” of such unprecedented scope, as coordinated by a federally-supported intelligence agency and an elite academic institution, is really about the only rational way to explain all the profoundly odd “misrepresentation behavior” within “The Patent ‘813 Story, Part II,” including Mr. Dever’s email that comes at a particularly sensitive time in the story. It’s also the only rational way to explain why Shire, vis-à-vis its outside counsel, clearly sought to do “business” but has now run the other way in order to hide that reality because it exposes just how catastrophically bad this “behavioral/business intelligence experiment” has actually gone. It’s also the only rational way to explain why Ms. Maxwell and Mr. Lucci -- and many others -- have been completely silent when this issue of a “behavioral/business intelligence experiment” has been brought up, like in that April 24 “termination notice” email from LCS Group

## The Patent '813 Story, Part II -- Version 2

(below). After all, if it weren't true, any reasonable person (though especially a thoughtful attorney like Ms. Maxwell or Mr. Lucci) would be telling "Louis Sanfilippo" in any of his representative capacities that he's "off the wall" and that it's important to take steps to get some help. But no one does that. Rather, everyone stays silent or brings up matters that seem to be insignificant in comparison, most notably the attorney that's been most involved in the IPR - Joe Lucci. Mr. Lucci's behavior by itself proves that the IPR of the '813 Patent has been a staged "behavioral/business intelligence experiment" of unprecedented scope, because if it weren't, any reasonably-minded and competent attorney would have sought to support "Louis Sanfilippo" and the company he's representing at a time in which the "pressure of it all" was making him "crazy" -- but Mr. Lucci does the opposite, which is to get out as fast as he can to presumably avoid harming Baker Hostetler's "primary source client." In other words, Mr. Lucci's behavior supports one of two things: he's either a cold sociopathic man who couldn't care less about his clients or he (and Baker Hostetler) have another client that's causing a massive conflict of interest and he's looking for a way to get out "looking as clean as possible" on the record as things are falling part in this "behavioral/business intelligence experiment." There's an extensive written record that shows how this all unfolds and any reasonable person would see it because it's become so obvious. That Dr. Silva never responded to Louis Sanfilippo's analysis of her own misrepresented email, in view of the fact that "Dr. Sanfilippo" has been teaching that seminar for many years, itself goes to show that he's clearly identified some "willful lying" on her part that has significant implications and she doesn't want to go near it but would rather hide from any accountability of her (or others') misrepresentations.

All of this itself is remarkable, because no one asked "Louis Sanfilippo" for his informed consent to participate in such a "behavioral/business intelligence experiment," whether for "himself personally" or for his LLC businesses, but it's clear that he continues to be a "subject" in it even after repeated protests he has made in any number of "representative capacities" that it needs to stop because it's perhaps one of the most unlawful and unethical experiments in the past century given the scope of its deceptive communication practice and interference in business activity. Perhaps this explains why Mr. Rudczynski is retiring on June 30, so that he can "get out" before anyone makes him accountable for putting so many people in harm's way for the serious legal, financial and professional implications of such an "experiment," including potential loss of federal funding for human research, suspension of physician licensures, and irreparable damage to institutional reputation. Then again, calling it an "experiment" might be a euphemism. It might better be called one of the most unconscionable invasions of privacy, misrepresentation and deceptive trade practice ever undertaken in human history, under the pretense that if all the involved "third parties" were looking out for the "best interests" of "Louis Sanfilippo - personally" by "keeping an eye on him" (i.e., indirect assessment) it would all work out in time. That itself would be an extraordinarily presumptuous thing, as if such people who behave this way could even be in a position to make such paternalistic assessments that completely violate the most basic human rights that the U.S. Constitution is supposed to protect.

What is most striking, perhaps, is that no one seems to have a clue as to who is helping "Lucerne Biosciences, LLC" and its collaborators (i) "LCS Group, LLC" (ii) "Louis Sanfilippo - personally" and (iii) "Louis Sanfilippo, MD, LLC" to put this extraordinary story together so that it can become one of the biggest public stories in recent time given its fascinating intersection of law, medicine, behavioral and intelligence matters. It's obvious that it can't be "Louis Sanfilippo" in whatever authorized capacity he is working, because he's not superhuman to do all these things. Clearly, there's some formidable help behind-the-scenes that's very well-coordinated and highly responsive to the dynamic events unfolding in "The Patent '813 Story, Part II." So who's the help and in what manner is the help helping? For one, the membership and management of Lucerne Biosciences, LLC is highly restricted information, so perhaps its "membership" and "management" involves more people and a communication infrastructure of which no one on "the other side" even knows? Further, "The Patent '813 Story, Part II" repeatedly discloses that there is a

## The Patent '813 Story, Part II -- Version 2

“behavioral intelligence team” supporting (i) Lucerne Biosciences, LLC (ii) LCS Group, LLC, (iii) Louis Sanfilippo - personally” and (iv) “Louis C. Sanfilippo, MD, LLC” to expose the “truth of the matter” so that “final resolution” can take place. So who’s the team and its individual participants? Could that team be an NSA behavioral intelligence unit, like “LA-7” (i.e., “linguistic analysis” that uses a seven-tiered algorithm in its CRAY supercomputing analysis)? Or could it be two psychiatrists from New York University School of Medicine’s forensic department who routinely consult on intelligence matters and run a highly secretive profiling program that monitors world figures for psychological instability? Or could that team be “the favor of God,” as “Louis Sanfilippo’s” Nanny likes to say about how things always seem to go well for him regardless of how bad the circumstances seem to be? There is a very definitive answer and its public disclosure is coming very soon, because it was documented in an email dated October 1, 2014 (at 7:00 pm EDT) in the presence of three named witnesses -- and none of those three named witnesses are “Louis Sanfilippo” (in any capacity).

So whether Cantor Colburn’s “client” at the center of this “third party conflict of interest” is the CIA or some “intelligence intermediary,” or “Yale,” then Lucerne Biosciences strongly advises that Cantor Colburn’s senior leadership directly contact the accountable leadership of that “client entity” to inform them that it is **strongly in their best interests** to seek “final resolution” of “The Patent '813 Story, Part II” in the manner featured in the company’s email (below), as sent to Mr. Ed Haug this past Friday, May 29, by the company’s Member/Manager Louis Sanfilippo. While on the surface it would seem Cantor Colburn has no connection to Shire or its outside counsel of Frommer, Lawrence & Haug in the IPR of the '813 Patent, all the behavioral evidence strongly supports that its client at the center of its own “third party conflict of interest” is also the same entity (or its “collaborator”) supporting Shire’s and Frommer, Lawrence & Haug’s unlawful behavior in the IPR, which is also the same entity (or its “collaborator”) that is a client of Baker Hostetler. That’s why Joe Lucci and Chairman of the Baker Hostetler’s Policy Committee Steven Kestner are cc’d on this email.

To this effect, Lucerne Biosciences strongly advises Cantor Colburn and Baker Hostetler to directly inform this presumed “third-party interferer client” of this particular email, including even by showing it to them. This way, that “primary source entity” can know what Lucerne Biosciences and its collaborators know. And it can also know first-hand from Lucerne Biosciences itself that the company will keep this particular email **permanently confidential** (on Lucerne’s and its collaborator’s side of things that does involve a patent litigation with expertise in deceptive trade practice and anti-competition law) **only if a sufficiently equitable “final resolution” can be reached on, or by, 7:00 pm EDT Tuesday June 9, 2015**. After that time, this email will surely end up in the broader public arena, as well as in the hands of the NY Times, WSJ and countless other parties and journalists.

Lastly, based on currently accumulated evidence that the above-named parties (i.e., “Yale,” a federally-supported “intelligence entity,” Shire, Frommer, Lawrence & Haug, Baker Hostetler and Cantor Colburn) have supported this unlawful “third-party interference network,” Lucerne Biosciences and its counsel now estimate a financial settlement to be in the range of \$10 Billion, approximately a 30% increase over estimates made in the last month by Lucerne Biosciences and LCS Group respectively in their collaborative effort to establish conditions to organize a class for legal action (see p. 182 and 185 in “The Patent '813 Story, Part II”). On the basis of 100 “third-party interferers” who would support a class of “third-party exploitees” (after 1/3 of settlement proceeds go to Lucerne Biosciences and its counsel), that could lead to a financial settlement of approximately \$70 Million per “third-party exploitee.” Even with 1000 “third-party interferers,” that would support a financial settlement of approximately \$7 Million per “third-party exploitee.” Of course, with this email in the public record that brings together the multi-layered “The Patent '813 Story, Part II” for any reasonable person to understand, soliciting the support of these “third-party exploitees” who were unknowingly made subjects in a “behavioral/business

## The Patent '813 Story, Part II -- Version 2

intelligence experiment" that recruited them to unlawfully interfere in business through the coordinated efforts of two "primary source entities," it should be very easy to organize a class and to take action **very quickly**. But any reasonable person would also readily see that any "leadership representative" of either "primary source entity" waiting for that to happen would have to be incompetent or seriously mentally ill, which may explain why things have gotten to this point where Mr. Dever is receiving an email like this **at this point in time, less than 48 hours before the '813 Patent will be effectively invalidated on account of something so trivial as "harassing emails," as is the basis for Shire's second motion for sanctions. But the very objective of those allegedly "harassing emails" was to "get to the truth," albeit it through highly unconventional means.**

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **ATTACHMENTS:**

**"LCS Group LLC Termination of Representation.pdf"** is available at:  
[http://www.4shared.com/download/9FcvLoavba/LCS\\_Group\\_LLC\\_Termination\\_of\\_R.pdf?lgfp=3000](http://www.4shared.com/download/9FcvLoavba/LCS_Group_LLC_Termination_of_R.pdf?lgfp=3000)

**"Lucerne Biosciences, LLC-Termination of Cantor Colburn Representation.pdf"** is available at: [http://www.4shared.com/download/D7I7eO5Sba/Lucerne\\_Biosciences\\_LLC-Termin.pdf?lgfp=3000](http://www.4shared.com/download/D7I7eO5Sba/Lucerne_Biosciences_LLC-Termin.pdf?lgfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** the '249 application  
**Date:** May 29, 2015 3:33:18 PM EDT  
**To:** Ed Haug <[EHAug@filhlaw.com](mailto:EHAug@filhlaw.com)>  
**Cc:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Mr. Haug,

On behalf of Lucerne Biosciences, LLC, please let me know as soon as possible if Shire would like to seek "final resolution" to "The Patent '813 Story" vis-à-vis the '249 Application. As you know, the '813 Patent will effectively invalidate as of Wednesday June 3, 2015 if the company fails to comply with the Board's Order of May 21, 2015 (Paper 30). You and Shire should know that the company has absolutely no intention to comply with the Board's Order.

Insofar as Shire has any interest in seeking a fast and meaningful final resolution to the obvious, it would seem befitting that you provide the company a CDA at your earliest convenience. Attorney Lucci is cc'd. As he has withdrawn as the company's counsel in the IPR of the '813 Patent, there is no conflict of interest in his involvement on the '249 Application. Also, there is no one at all bcc'd on this email thread.

Sincerely,

Louis Sanfilippo, MD

## The Patent '813 Story, Part II -- Version 2

Manager/Member, Lucerne Biosciences, LLC

**From:** "Dever, Chad" <CDever@CantorColburn.com>  
**Subject:** Termination of attorney-client relationship  
**Date:** May 29, 2015 1:19:23 PM EDT  
**To:** "Isanfilippo@lucernebio.com" <Isanfilippo@lucernebio.com>  
**Cc:** "Cantor, Michael" <MCantor@CantorColburn.com>, "Maxwell, Anne" <AMaxwell@CantorColburn.com>, "Hutchings, Carol" <chutchings@CantorColburn.com>, "Bousquet, Lauren" <LBousquet@CantorColburn.com>, "Mayhew, Dawn" <DMayhew@CantorColburn.com>

Dr. Sanfilippo,

My name is Chad Dever, an attorney at Cantor Colburn LLP. I am an associate of Anne Maxwell. Our letter memorializing the termination of our attorney-client relationship is en route. As you may recall, you previously disengaged our law firm for all legal representation. In addition, our invoices to you for past legal services rendered have been outstanding for quite a while. Accordingly, we regretfully formally terminate our relationship with you and your businesses.

We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience.

I am now your contact person from the transfer of your files. Please feel free to contact me directly. We wish you luck in your future endeavors.

Kind Regards,

-Chad Dever

**From:** Louis Sanfilippo <Isanfilippo@lucernebio.com>  
**Subject:** Latest Developments on the '813 Patent - for Dr. Brewerton  
**Date:** June 1, 2015 1:11:45 PM EDT  
**To:** drtimothybrewerton@gmail.com  
**Cc:** fornskov@shire.com, lohr@nytimes.com, ed.silverman@wsj.com

Dear Dr. Brewerton,

On behalf of Lucerne Biosciences, LLC, I am writing to inform you that the company reserves the right to pursue all legal remedies for the expected invalidation of U.S. Patent No. 8,318,813 "as of Wednesday June 3, 2015," including to take legal actions against you **personally** for engaging in fraud and misrepresentation in your Declaration on which Shire Development LLC's **entire** *inter partes* review petition of the '813 Patent is **exclusively based**. The company's position is that the IPR of the '813 Patent has been nothing but an egregious, willfully perpetrated fraud of extraordinary scope from its outset because its exclusive basis is an egregious, willfully perpetrated fraudulent Declaration of extraordinary scope from you, which is one important reason that the company has determined it is not in its best interests to comply with the Board's May 21 and May 26 Orders. In other words, the company's position is that it has publicly made its case proving your egregious, willfully perpetrated fraud in a way that any reasonable person

## The Patent '813 Story, Part II -- Version 2

would understand it and therefore should not have to bear its burden. And it won't, because it has made extensive plans to take action in a way that centrally involves you.

To this effect, Lucerne Biosciences, LLC strongly advises that you immediately retain personal counsel. The company also strongly advises that you immediately communicate with Dr. Ornskov about the nature of your egregious "misrepresentation behavior" and its implications before it's too late for him, Shire and Shire's shareholders. If you (or Dr. Ornskov, cc'd here) are interested in "timing," you should know that Lucerne Biosciences informed a number of partners across two different law firms this morning that the company's deadline for a sufficiently equitable "final resolution" is **on, or by, 7:00 pm EDT Tuesday June 9, 2015**. After that time, short of a sufficiently equitable "final resolution," certain actions will be taken that will make things highly unpleasant for a number of people, including you, that may last for some time. If you (and Dr. Ornskov) want to know how Lucerne Biosciences strongly advises such "final resolution," please see the email below sent on behalf of the company to Ed Haug this past Friday, May 29.

Cc'd here are journalists Ed Silverman (WSJ) and Steve Lohr (NYT). This is in expectation of "The Patent '813 Story" (including its still undisclosed "Part I") becoming one of the most sensational stories of this generation, because there's a whole lot more to the story than what's on its surface, including who comprises (i) the "membership" and "management" of Lucerne Biosciences, LLC and (ii) the "behavioral intelligence team" that has supported the company and its collaborators to bring things to where they are now: you receiving this email at this point in time, approximately 36 hours before the '813 Patent effectively invalidates because you made a conscious decision to engage in fraud and misrepresentation but failed to set the record straight despite many opportunities to do so created by the company's strategic collaborator LCS Group, LLC last November and December. Also, bcc'd on this email is a CEO of another company and a patent litigation attorney with expertise in anti-competitive conduct, deceptive trade practice, and all the kinds of things that have taken place **on the foundation of your very own Declaration** in which you stated, "I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code."

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** the '249 application  
**Date:** May 29, 2015 3:33:18 PM EDT  
**To:** Ed Haug <[EHAug@flhlaw.com](mailto:EHAug@flhlaw.com)>  
**Cc:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Mr. Haug,

On behalf of Lucerne Biosciences, LLC, please let me know as soon as possible if Shire would like to seek "final resolution" to "The Patent '813 Story" vis-à-vis the '249 Application. As you know, the '813 Patent will effectively invalidate as of Wednesday June 3, 2015 if the company fails to comply with the Board's Order of May 21, 2015 (Paper 30). You and Shire should know that the company has absolutely no intention to comply with the Board's Order.

## The Patent '813 Story, Part II -- Version 2

Insofar as Shire has any interest in seeking a fast and meaningful final resolution to the obvious, it would seem befitting that you provide the company a CDA at your earliest convenience. Attorney Lucci is cc'd. As he has withdrawn as the company's counsel in the IPR of the '813 Patent, there is no conflict of interest in his involvement on the '249 Application. Also, there is no one at all bcc'd on this email thread.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**1:15 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 1:15 PM EDT**" is available as a merged PDF:  
[http://www.4shared.com/download/NXTGei\\_Sba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/NXTGei_Sba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Jonathan Ezer <jonathan@kindealabs.com>  
**Subject:** Disseminating your work  
**Date:** June 1, 2015 2:33:34 PM EDT  
**To:** <louis.sanfilippo@yale.edu>

Dear Dr. Sanfilippo,

My name is Jonathan Ezer, and I recently founded a startup to promote academic research. We create and disseminate unique videos using animation.

We would like to create a **compelling video to disseminate your work**.

We work with research institutes and thought leaders - those that are looking to share their mission and findings. We help them get the word out through catchy videos that resonate.

You can see some samples at [www.KindeaLabs.com](http://www.KindeaLabs.com)

Please let me know if you're interested in having a great video to disseminate your work.

Best wishes,

Jonathan

--

**Jonathan Ezer, PhD**  
Founder, Kindea Labs  
[Jonathan@kindealabs.com](mailto:Jonathan@kindealabs.com)  
[212.786.2920](tel:212.786.2920)  
[www.KindeaLabs.com](http://www.KindeaLabs.com)

**From:** "Dever, Chad" <CDever@CantorColburn.com>

## The Patent '813 Story, Part II -- Version 2

**Subject: RE: Termination of attorney-client relationship**

**Date:** June 1, 2015 2:53:16 PM EDT

**To:** 'Louis Sanfilippo' <lsanfilippo@lucernebio.com>

**Cc:** "Cantor, Michael" <MCantor@CantorColburn.com>, "Maxwell, Anne" <AMaxwell@CantorColburn.com>, "Hutchings, Carol" <chutchings@CantorColburn.com>, "Bousquet, Lauren" <LBousquet@CantorColburn.com>, "Mayhew, Dawn" <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, "skestner@bakerlaw.com" <skestner@bakerlaw.com>, "lsanfilippo@lcsgruopluc.com" <lsanfilippo@lcsgruopluc.com>

Dr. Sanfilippo,

Thank you for your email dated June 1, 2015. We respectfully disagree with most of the issues raised in your email and the characterization of the past events.

This email is to make sure there is no confusion with respect to the termination of our attorney-client relationship. **CANTOR COLBURN LLP IS NOT YOUR ATTORNEY. OUR FIRM DOES NOT REPRESENT YOU OR YOUR BUSINESSES, INCLUDING, BUT NOT LIMITED TO, LCS GROUP LLC AND LUCERNE BIOSCIENCES, LLC IN ANY CAPACITY WHATSOEVER.**

Kind Regards,

-Chad Dever

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: Re: Termination of attorney-client relationship**

**Date:** June 1, 2015 7:07:20 AM EDT

**To:** Chad Dever <CDever@CantorColburn.com>

**Cc:** Michael Cantor <MCantor@CantorColburn.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Lauren Bousquet <LBousquet@CantorColburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, skestner@bakerlaw.com, lsanfilippo@lcsgruopluc.com

**THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO EDUCATE A PROSPECTIVE JUDGE OR JUROR, AND/OR THE FEDERAL CIRCUIT COURT OF APPEALS, ON HOW MR. DEVER'S COMMUNICATION BEHAVIOR EXPLAINS WHY "CANTOR COLBURN LLP" IS HIGHLY LIKELY TO BE INVOLVED IN THE SAME "THIRD-PARTY CONFLICT OF INTEREST" AS (I) "SHIRE," (II) "FROMMER, LAWRENCE & HAUG" (III) "BAKER HOSTETLER" AND EVEN (IV) THE PATENT TRIAL AND APPEAL BOARD ITSELF, AND TO ADDRESS THE BROADER LEGAL, FINANCIAL AND PROFESSIONAL IMPLICATIONS OF THIS COLLUSIVE ALIGNMENT. ANOTHER PURPOSE OF THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO FURTHER CLARIFY "ROOT-CAUSE SOURCING" AND "FINAL RESOLVING" OF THIS "THIRD-PARTY CONFLICT OF INTEREST" THAT HAS NOT ONLY SUPPORTED SHIRE'S PERPETRATION OF A FRAUDULENT INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813 BUT ALSO SHIRE'S REPEATED ENGAGEMENT IN ANTI-COMPETITIVE CONDUCT AND DECEPTIVE TRADE PRACTICE, NOTABLY THROUGH A "THIRD-PARTY INTERFERENCE NETWORK" COORDINATED BY TWO "PRIMARY SOURCE ENTITIES." THIS EMAIL SHOULD BE READ IN THAT CONTEXT ONLY.**

Dear Mr. Dever,

## The Patent '813 Story, Part II -- Version 2

On behalf of Lucerne Biosciences, LLC, I would like to highlight several revealing features of your email. But it's important to preface them with a few important background comments that help explain their significance and implications.

To begin with, your email's "communication features" strongly support Cantor Colburn's "firm-wide involvement" (i.e., at the named partner level) in a "third-party conflict of interest" stemming from a Cantor Colburn "client." The nature of this "third-party conflict of interest," based on all the evidence the company has accumulated in its collaboration with (i) "LCS Group, LLC," (ii) "Louis Sanfilippo - personally" and (iii) "Louis C. Sanfilippo, MD, LLC" is of such an extraordinary and unprecedented dimension that it's hard to believe, except that its details are in "public view" by virtue of the large number of "third-party interferers" involved, as supported by the coordinated effort of two "primary source entities." One of these "primary source entities" (as identified and characterized below) must surely be one of Cantor Colburn's "clients," and the nature of this "attorney-client relationship" must also surely be unlawful, unethical and unprofessional because it supports Shire's unlawful anti-competitive conduct to invalidate U.S. Patent No. 8,318,813 through repeated acts of fraud and misrepresentation. It may be, though, that you are completely unaware of any of this because someone at Cantor Colburn guided you into how to write your email, who to cc on it, etc....In other words, you may have been "used" to abet "third-party interference" to support anti-competitive conduct in a way in which you were not even made aware. This modus operandi appears to be the case for a fairly significant number of "third-party interferers" who have been exploited in this way. For a recent example of how a person, in their representative role for a particular company, appears to be "used" (even unknowingly) to engage in "Shire anti-competitive conduct" (as likely coordinated through two "primary source entities"), take a look at the self-explanatory May 21-28 email thread between VWR International and Lucerne Biosciences' strategic partner and exclusive licensee LCS Group, LLC (in PDF at: [http://www.4shared.com/download/98b5F5Tdba/LCS\\_Group\\_-\\_VWR\\_International.pdf?lgfp=3000](http://www.4shared.com/download/98b5F5Tdba/LCS_Group_-_VWR_International.pdf?lgfp=3000), care of LCS Group).

You can find many more such "third-party interference" examples in "The Patent '813 Story, Part II," available in PDF in the "Inquiries/Business Development" Section of a May 13, 2015 Press Release from LCS Group at: <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>. Among such examples and their respective explanations for their "third-party interference" role that aims to interfere in Lucerne Biosciences' business practice involving its wholly owned '813 Patent and U.S. Patent Application No. 14/464,249, you can find the following involved persons/companies beginning as early as January 20, 2015: (i) **Lifetime Television's "The Balancing Act"** (pp. 69, 73-75), (ii) **"The FDA Group"** and its representative Susan Walsh (pp. 81-82, 120-121, 132-133, 136-139), (iii) **"Aegis Capital Ventures"** and its managing partners Michael Siek and Steven Nicholson (pp. 85-86, 122-123), (iv) **"Charles River Labs"** and its representatives Toni Wolinski and Gina Mullane (pp. 86-87, 92-93, 96, 110, 123-125, 131-132, 133-135), (v) **"MTS Health Partners"** and its partner Andrew Fineberg (pp. 100, 144-152), (vi) **"Pearson"** and its representative Evan Skoures (pp. 101, 113-117, 133, 135-136, 142-143), (vii) **"Assurgent Medical Solutions"** and its representative Christine Jordan (pp. 107-108, 126-130), (viii) **"Guidepoint Global"** and its representative Sarah Wade (pp. 161-162), (ix) **"Rosaasen Group"** and its representative Harry Rosaasen (pp. 171-173), and (x) **"Primary-i-Research, LLC"** and its CEO Dr. Anna Kazanchyan (pp. 175-183).

To this effect, if Mr. Michael Cantor (or Ms. Anne Maxwell) is aware of his firm's

## The Patent '813 Story, Part II -- Version 2

involvement with such a “client” for which there is now massive evidence that supports ongoing active “third-party interference” to harm, or otherwise unduly interfere with, Lucerne Biosciences including, but not limited to, the examples above, it would befit him and Cantor Colburn to understand the implications of this email and the actions that are recommended at its end. That’s because it should be clear that Lucerne Biosciences and its collaborators have planned very well to take action against that presumed “client” and its own “primary source collaborator” to finally and equitably end its longstanding engagement in unlawful, unethical and unprofessional behavior.

With respect to your “communication behavior” (as characterized below), Mr. Dever, it is revealingly consistent with not only the “third-party interference” examples above but also with the pervasive “misrepresentation behavior” that has taken place in the *inter partes* review of the ‘813 Patent. It therefore strongly supports that the IPR of the ‘813 Patent was a staged “behavioral/business intelligence experiment” that has involved the broad collusive participation of (i) Shire and its outside law firm of Frommer, Lawrence & Haug, (ii) Baker Hostetler, (iii) the Patent Board itself and (iv) **Cantor Colburn**, as driven and coordinated by two “primary source entities” (through a “third-party interference” network) of which one is highly likely to be a client of Cantor Colburn. The nature of this “behavioral/business intelligence experiment” and its relationship to “third party interference” in the IPR of the ‘813 Patent (as driven and coordinated by “two primary source entities”) can be found in a recent Lucerne Biosciences’ email sent directly to the Patent Board on May 25, 2015, available in PDF at:

<https://app.box.com/s/t53ksnw7yo1z1nag55wn7au6o90ppsla>. It doesn’t take long to see that the IPR of the ‘813 Patent would have profoundly far-reaching implications if it’s exposed for its “collusive experimental basis” (to develop and apply “deception-based intelligence technology”), not only on account of the scope and egregiousness of unlawful behavior involved to support it (i.e., misrepresentation, unfair and deceptive trade practice, anti-competitive conduct) but also its profound interference in judicial independence, really unprecedented in U.S. legal history (as stated by an independent patent and anti-competition litigation attorney familiar with this matter). Additional background, including details and evidentiary support for the nature and objectives of this dual-pronged “behavioral/business intelligence experiment” can be found in “The Patent ‘813 Story, Part II” (see pp. 162-171, 179-183, 202-204, 224-225, 232-245).

Remarkably, Mr. Dever, your “deceptive communication behavior” (or that of the person who guided the writing of your email) is also revealingly consistent with “third-party interference” communication behavior evidenced in a number of highly aberrant emails to “Louis Sanfilippo” at his “aol.com” and “yale.edu” emails since lisdexamfetamine dimesylate (“Vyvanse,” marketed by Shire) was FDA approved on January 30, 2015 to treat Binge Eating Disorder according to the ‘813 Patent’s claims. This highly aberrant communication notably intensified in late March 2015 when the company filed its “Supplemental Amendment Prior to Examiner Interview” with the USPTO (by Ms. Maxwell). Evidentiary support for the “timing” and “content” of these emails as “third-party interference” during the company’s prosecution of the ‘249 Application (as made public on PAIR) and the IPR of the ‘813 Patent can be found in “The Patent ‘813 Story, Part II” following the March 24, 2015 entry “Supplemental Amendment Prior to Examiner Interview” (see p. 91). In view of such “third-party interference” during a highly sensitive time for the company’s handling of both the ‘813 Patent and ‘249 Patent Application in their respective legal venues, it goes without saying that the legal, financial and professional implications for many individuals and companies is likely unprecedented in U.S. “legal/business history” (including for Cantor Colburn in its own history).

With your respect to your email, Mr. Dever, you indicate that “you [Louis Sanfilippo]

## The Patent '813 Story, Part II -- Version 2

previously disengaged our law firm for all legal representation” and “we regretfully formally terminate our relationship with you and your businesses.” **These are mutually incompatible representations.** In other words, one of them is a misrepresentation. “LCS Group, LLC” and “Lucerne Biosciences, LLC” each respectively terminated their relationship with Anne Maxwell and Cantor Colburn via email in April 2015, LCS Group on April 24 (at 7:00 pm EDT) and Lucerne Biosciences on April 27 (at 4:00 pm EDT), with each email PDF'd below for reference. These two “termination notices” clearly relate to two different “businesses,” as represented in your email’s linguistic use of the word “businesses.” Yet you state that “you [Louis Sanfilippo] previously disengaged our law firm for **all** legal representation” and “regretfully formally terminate our [Cantor Colburn’s] relationship with **you** and your businesses,” **as if** “Louis Sanfilippo *personally*” actually “disengaged” Cantor Colburn’s representation for “himself personally.” **But there’s no such “termination notice” email or letter or communication of any kind disengaging “Louis Sanfilippo personally,” because “Louis Sanfilippo personally” was not actively engaged as a client of Cantor Colburn anytime recently (and therefore “Louis Sanfilippo - personally” did not need to make any such “disengagement”).** Lucerne Biosciences knows this because it is closely collaborating with “Louis Sanfilippo - personally,” as well as “LCS Group, LLC” and “Louis C. Sanfilippo, MD, LLC,” to identify and resolve the massive “third-party conflict of interest” that is causing massive (and unlawful) “third-party interference” (as disclosed on p. 225-226 of “The Patent ‘813 Story, Part II” for the “collaborative four-entity team”).

To this effect, Cantor Colburn has been engaged for work on behalf of (i) “**LCS Group, LLC**” (for its IPR involving its then-wholly owned U.S. Patent No. 8,318,813 and for which the company has an outstanding balance for “invoices to you for past legal services” as referenced in your email) and (ii) “**Lucerne Biosciences, LLC**” (to prosecute U.S. Patent Application 14/464,249, wholly owned by the company). The last time that “Louis Sanfilippo -- personally” would have effectively been a “client of,” or “engaged by,” Ms. Maxwell (and therefore Cantor Colburn) would have been well before 2010, perhaps in the vicinity of April 14, 2008. That’s the day before the executed assignment of U.S. Provisional Patent Application 60/972,046 took place that gave rise to the IP lineage for the ‘813 Patent and ‘249 Application. You can find the details of this assignment in “The Patent ‘813 Story, Part II” by following its chronological order. Which raises an important question: why would your email work so hard to deceptively seek to (i) misrepresent “Louis Sanfilippo -personally” as a client of, or engaged by, Ms. Maxwell and Cantor Colburn when he’s not and hasn’t been in a long time and also (ii) misrepresent that “Louis Sanfilippo - personally” terminated his own representation of “himself personally” by presumably having given notice like LCS Group and Lucerne Biosciences (and for which you or Ms. Maxwell will be hard pressed to find any such “termination or disengagement notice” because there is none)?

In this respect, Mr. Dever, you (or whoever guided the writing of your email) conflate matters of legal representation so as to actually make a serious misrepresentation, of just the kind Shire’s outside counsel Sandra Kuzmich made on September 4, 2014 in an email to LCS Group attorney Mr. Joe Lucci identifying “Dr. Sanfilippo” as Mr. Lucci’s client when she clearly knew that Mr. Lucci was representing “LCS Group, LLC” by virtue of the IPR certificate of service served to her on June 2, 2014 (see p. 8, “The Patent ‘813 Story, Part II”), not to mention that “LCS Group, LLC” was in a CDA with Shire “to discuss a potential business opportunity involving the ‘813 Patent and related patent applications” for which Mr. Lucci had represented the company in discussions (see p. 12 and p. 51, “The Patent ‘813 Story, Part II”). Your “conflationary misrepresentation” is also strikingly similar to the way Shire’s outside counsel Ed Haug misrepresents Mr. Lucci’s “client” on

## The Patent '813 Story, Part II -- Version 2

May 20 and May 23, 2015 by misidentifying Mr. Lucci's client as "Dr. Sanfilippo" when Mr. Haug clearly knows, from the certificate of service he received on January 27, 2015 in the IPR, that Lucerne Biosciences was Mr. Lucci's client at that time, as also affirmed in Mr. Lucci's emails at that time that directly identified his client as an "it" rather than a "he" (see pp. 89-91, "The Patent '813 Story, Part II").

This kind of "deceptive communication behavior" (that closely resembles your own email's "deceptive communication behavior") is more extensively characterized for its nature, methodology and implications in (i) a May 15 Shire IPR filing in support of invalidating the '813 Patent (see p. 3, parag. 3 of Lucerne's May 25 email to the Patent Board, "Email from LCS Group, LLC sent on May 15, 2015" is available at:

[http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000)"), (ii) an email Lucerne Biosciences sent to named partners William Lawrence and William Frommer of Frommer, Lawrence & Haug that directly references the "client misrepresentation behavior" of Mr. Haug and Ms. Kuzmich (see pp. 183-185 of "The Patent '813 Story, Part II) and (iii) Mr. Lucci's own "deceptive communication behavior" to his own client (see Lucerne's May 25 email to the Patent Board, hyperlink in last line of p. 3). That extreme degree of consistency is a remarkable thing and it strongly supports your own, and Cantor Colburn's, collusive involvement with the same "third-party conflict of interest" shared by Shire and Frommer, Lawrence & Haug, as well as Baker Hostetler, to engage in anti-competitive conduct by misrepresentation (notably by failure to disclose materially important information to any Patent Owner in the history of the '813 Patent from the time of its provisional filing on September 13, 2007 or even before then for any work Ms. Maxwell might have done involving the collaboration of "Louis Sanfilippo - personally" and "Louis C. Sanfilippo, MD, LLC" as there are cited patients treated in that practice used to enable the patent's claims). Or you can frame it differently, namely, as your own, and Cantor Colburn's, collusive involvement in a "behavioral/business intelligence experiment" of colossal proportions whose "business objective" has been to interfere with LCS Group, first, and then Lucerne Biosciences by targeting "Louis Sanfilippo - personally" through various kinds of misrepresentations as supported by "third-party interferers."

Further, Mr. Dever, you indicate that "We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onga in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience." However, take note that in the two "termination notices" attached below, both Lucerne Biosciences and LCS Group **specifically informed** Ms. Maxwell that each company was "represented by new counsel." As it stands to reason that Ms. Maxwell herself (or at least someone familiar with those two "termination notices") must have had a hand in helping you craft your email that provided such guidance to "retain an attorney as soon as possible," any reasonable person would wonder why Cantor Colburn (vis-à-vis your communication) seems to have such a vested interest which specific counsel the '813 Patent Owner and '249 Application Owner goes to (especially as Lucerne Biosciences already stated it had new counsel), to the point of even providing guidance on "relative expense" and assigning a seemingly neutral "intermediary" not directly involved in the company's intellectual property to handle the file transfer (that is you, Mr. Dever).

In this respect, your "communication behavior" (on behalf of Cantor Colburn) supports a

## The Patent '813 Story, Part II -- Version 2

possible ulterior motivation, of the kind that seems to explain an important connection to certain unusual events that took place in February - March 2013 when Mr. Lucci began representation of LCS Group (then-owner of the '813 Patent) in communications with Shire, as referenced for their implications in an email sent to Ms. Maxwell and Mr. Lucci by LCS Group on May 10, 2015 that had a PDF attachment ("Document 3") of some highly unusual business filings made on February 28, 2013 by a CT-based company called "Center for Research and Development, Inc" (see pp. 229-231 "The Patent '813 Story, Part II"). While "Document 3" was stripped in "The Patent '813 Story, Part II," it is available for you to look at ([http://www.4shared.com/download/nMlfiTb-ba/Document\\_3.pdf?lgfp=3000](http://www.4shared.com/download/nMlfiTb-ba/Document_3.pdf?lgfp=3000), care of LCS Group's strategic collaboration in writing this email with Lucerne Biosciences for you). In this temporal context, take note of another remarkable "communication event" in that February-March 2013 time frame, as evidenced in an email from LCS Group (via its CEO Louis Sanfilippo) to Dr. Anna Kazanchyan of Primary-i-Research LLC on May 2, 2015 that comments on the unique timing of her emails, particularly the "new string" that began in March 2013 (see pp. 177-179 of "The Patent '813 Story, Part II"). This supports a pattern of "third-party interference" that appears to have begun with Mr. Lucci's representation of the company and its discussions with Shire in early 2013, temporally connected with highly aberrant business filings for the "Center for Research and Development, Inc." Add to that the highly aberrant "third-party communication behavior" to "Louis Sanfilippo" at his (i) "yale.edu" email just as the IPR petition of the '813 Patent was filed in May-July 2014 (see p. 162 "The Patent '813 Story, Part II," the attachment "4.29.15 LB Letter to Wade GG.pdf") and (ii) "aol.com" and "yale.edu" emails after Vyvanse was FDA-approved for the treatment of BED (according to the '813 Patent's claims) with an "intensification" in March - April 2015 as things "intensified" in the IPR of the '813 Patent and the prosecution of the '249 Application (see paragraph 3 above), you can easily "see" how such "third party interference" works: it tries to involve "Louis Sanfilippo - personally" in decisions for which "Louis Sanfilippo - personally" is not authorized to decide, notably through "deceptive and oddly-framed communications."

So how does one explain all this bizarre highly aberrant "third-party interference" and its timing? If you consider that the IPR was a staged "behavioral/business intelligence experiment" of the kind characterized in the Lucerne Biosciences May 25 email to the Patent Board, it becomes rather clear: its "behavioral objective" has been to profile/target "Louis Sanfilippo -- **personally**" and its business objective has been to interfere in any legitimate business entity that "Louis Sanfilippo" is associated with (i.e., in the IPR: first "LCS Group, LLC" and then "Lucerne Biosciences, LLC") through "personal interference" (i.e., "invasion of privacy"). And as the "business stakes" for any of these "legitimate business entities" increase such that they threaten to harm Shire, so too does the "personal interference" with "Louis Sanfilippo" to attempt to harm the respective business in which he is involved (i.e., the patent owner of the '813 Patent or '249 Application). But who would be motivated to profile/target "Louis Sanfilippo - personally" and seek to engage in such "personal interference" (tantamount to anti-competitive conduct based on deceptive communication behavior) that aims to harm legitimate business entities of which "Louis Sanfilippo" is involved - and why would anyone want to do that?

To find clues to that question, take a look at an email sent from LCS Group to Ms. Maxwell and Mr. Lucci on May 17, 2015 (at 12:29 am EDT) and its attachment, a 2006 publication titled "Consulting to Government Agencies -- Indirect Assessment," available at [http://www.4shared.com/download/D-iPIVQKce/LCS\\_Group\\_May\\_17\\_Update\\_Email\\_.pdf?lgfp=3000](http://www.4shared.com/download/D-iPIVQKce/LCS_Group_May_17_Update_Email_.pdf?lgfp=3000) (again care of LCS Group). You can see how a "behavioral/business intelligence experiment" of unprecedented scope (as characterized in the May 25 Lucerne Biosciences' email to the

## The Patent '813 Story, Part II -- Version 2

Patent Board) that seeks to “indirectly assess” a “profiled subject” (i.e., “Louis Sanfilippo”) involved in various “businesses” (i.e., LCS Group, Lucerne Biosciences) could recruit “volunteers” (or “third-party interferers”). And you can see that the objective of these “volunteers” (or “third-party interferers”) would be to exploit communications that, while on the surface might be used for “indirect assessment,” actually seriously interfere in his capacity to practice business in his authorized role(s) and/or even unduly attempt to influence him in a manner that attempts to cause harm to the very company which he is authorized to represent. Such an experiment would be, by its nature, unlawful “anti-competitive conduct” because the “experiment” could only take place so long as its “personal target” of “Louis Sanfilippo” conducts business **outside** his “authorized roles” (i.e., in an un-authorized personal capacity).

In this light, the “experiment” would likely seek to justify its unlawfulness under the pretense of achieving certain important “intelligence objectives,” perhaps for national security purposes. Such “intelligence objectives,” for instance, might be to enhance the methodology for “indirect assessment,” develop and apply “deception-based intelligence technology” and experiment with behaviorally-based interventions like “tactical leveraged splitting,” as obviously applied by Shire in its engaging LCS Group in a CDA to discuss a business opportunity involving ‘813 Patent” but concurrently pursuing an IPR that alleged the ‘813 Patent was unpatentable and therefore valueless. In view of the May 17 LCS Group email to Ms. Maxwell and Mr. Lucci, it’s also easy to see how an experiment of this kind could go “catastrophically bad” when its “planners” and “implementers” are completely incompetent and have no idea what to do when it rapidly falls apart through a deteriorating group dynamic involving heavy regressive “projective identification” and “acting out” in the face of its increasing public exposure. If you consider that May 17 email in view of the May 25 email (from Lucerne Biosciences to the Patent Board), you begin to see how “third-party interference” would be “sourced” in the coordinated efforts of an elite academic institution and a federally-supported intelligence agency under the cover of a “behavioral/business intelligence experiment” to motivate people to behave just as they have during the timeframe of the IPR of the ‘813 Patent and the prosecution of the ‘249 Application (as featured in “The Patent ‘813 Story, Part II”).

With respect to identifying specific “primary sources,” take note that there are two co-authors on the 2006 “Consulting to Government Agencies -- Indirect Assessments” article (from the May 17 email) who are also co-authors on that 2013 “deception detection study” published in the Journal of Strategic Security (from the May 25 email) that so uncannily resembles the behavior of the two different sides of the IPR for the ‘813 Patent, Shire/FLH on one side (i.e., the “liar side”) and LCS Group/Lucerne at different times on the other side (i.e., the “truth teller side”). Remarkably, one of those co-authors found on both the 2006 and 2013 intelligence studies is a named representative (“President”) of the “Center for Research and Development, Inc.” that had those highly unusual business filings in February 2013, at the time that Mr. Lucci began representing LCS Group in discussions with Shire and that aberrant pattern of emails began from “Primary-i-Research.” The timing of these things is extraordinary because it links certain “persons” involved in “intelligence work” (involving “profiling,” “indirect assessment,” “deception detection in liar vs. truth telling groups”) with important events involving the patent owner of the ‘813 Patent and the timing of certain “third-party interference” behavior in a way that helps explain the connection.

But what’s even more extraordinary is that “Louis Sanfilippo” personally knows these two co-authors and they know him. One of them is well known for his work in the intelligence community, notably for the Central Intelligence Agency. His name is “Charles A. Morgan,” known by his friends and colleagues as “Andy.” You can find details of his

## The Patent '813 Story, Part II -- Version 2

professional background, including his work for the CIA, at: [http://www.4shared.com/download/Nrq8sHEace/University\\_of\\_New\\_Haven\\_\\_\\_Morg.pdf?lgfp=3000](http://www.4shared.com/download/Nrq8sHEace/University_of_New_Haven___Morg.pdf?lgfp=3000)). The other of these co-authors is "Vladimir Coric." He's the "President" of the "Center for Research and Development, Inc.," as identified in the company's state filing history (at: [http://www.4shared.com/download/ivYgJ2Uuba/CT\\_Sec\\_of\\_State\\_-\\_Center\\_for\\_R.pdf?lgfp=3000](http://www.4shared.com/download/ivYgJ2Uuba/CT_Sec_of_State_-_Center_for_R.pdf?lgfp=3000)). This, of course, sheds light on the identity of one of the two "primary source entities" that seems to be at the center of this "behavioral/business intelligence experiment" that is driving all that "deception-based representation behavior" in the IPR of the '813 Patent, namely, it must surely be connected to a federally supported "intelligence agency," like the CIA or an entity supporting its work, perhaps something like the "Center for Research and Development, Inc." itself (as even identified by name in that 2013 deception-detection study). Further, anyone familiar with the CIA's history would know that it historically had its own "Office of Research and Development." That places the work of the CT-based "Center for Research and Development, Inc." in its rather obvious "intelligence perspective," in view of its own publicly available work (on-line) and its "re-engaged" business activity (vis-à-vis its five years of business filings in one day) at just about the same time that Mr. Lucci was making plans to reach out to Shire on behalf of the '813 Patent's owner LCS Group.

But who, then, would be the other "primary source entity"? In other words, how do you get to the involvement of an "elite academic institution" (as noted on p. 5 of the May 25 Lucerne Biosciences email to the Patent Board)? For one, an "elite academic institution" is where you find the "behavioral experts" identified in that May 17 LCS Group email to Ms. Maxwell and Mr. Lucci. Surely, any "behavioral/business intelligence experiment" of such colossal scope would need institutional support of some kind involving, at least, self-identified "behavioral experts" who have experience conducting behavioral research on human subjects. But which "elite academic institution"? Harvard? Yale? Princeton? Or perhaps Stanford? Or the University of Chicago? To answer that question, consider that besides the fact that "Charles A. Morgan" and "Vladimir Coric" are both (i) associated with "intelligence-related academic work" whose timing and nature is extraordinary for its '813 Patent implications (ii) personally acquainted with "Louis Sanfilippo" and (iii) Yale (voluntary) faculty members just as "Louis Sanfilippo," it stands to reason that "Yale" would be the most logical other "primary source entity." At least if the objective is to have a coordinated and seamless infrastructure between the two "primary source entities" based on already existent "primary source intermediaries" (i.e., "Charles A. Morgan" and "Vladimir Coric") and a particularly "personal subject" known to that "elite academic institution" which would have its own motivational dynamics.

In this context, you and the others at Cantor Colburn (particularly Mr. Cantor and Ms. Maxwell) should know that there's plenty of communication evidence that Lucerne Biosciences, in its strategic collaboration with (i) "LCS Group, LLC" (ii) "Louis Sanfilippo - personally" and (iii) "Louis Sanfilippo, MD, LLC," has amassed under the umbrella of shared counsel that puts "Yale" squarely in the middle of this colossal failure of a "behavioral/business intelligence experiment." That, then, also puts Yale squarely in the middle of one of the most egregious and persistent acts of willfully perpetrated fraud and misrepresentation for anti-competitive purposes perhaps ever seen in U.S. legal/business history. The evidence of "Yale's" involvement as a "primary source entity" in such egregious misconduct is most dramatically evidenced by certain highly aberrant communications made to "Louis Sanfilippo" at his "yale.edu" email address, particularly "Yale-specific" communications in April and May 2015. To provide one easy-to-understand example of "deception-based communication behavior" of the kind repeatedly evidenced by Shire, FLH, Dr. Brewerton in the IPR proceedings of the '813 Patent (as documented in "The Patent '813 Story, Part II), take a look at the following email thread

## The Patent '813 Story, Part II -- Version 2

involving “Louis Sanfilippo” (in his role as a Yale School of Medicine voluntary faculty member dealing with a teaching matter) and “Michelle Silva” (also a Yale School of Medicine faculty member, Dept. of Psychiatry) at:  
[http://www.4shared.com/download/HqWaGL\\_dce/Email\\_Thread\\_involving\\_\\_Louis\\_.pdf?lgfp=3000](http://www.4shared.com/download/HqWaGL_dce/Email_Thread_involving__Louis_.pdf?lgfp=3000) (care of “Louis Sanfilippo - personally”). Specifically, take note of Dr. Silva’s egregious misrepresentation and how she “reasons” on its “misrepresented basis.” Such “communication behavior” from a reputable person like Dr. Silva can only be rationally explained one way: that she is misrepresenting certain things in an effort to tailor her representations to a different unstated “frame of reference,” **as if** her communication might make sense to “Louis Sanfilippo” in that unstated different “frame of reference” and/or influence his behavior for that unstated different “frame of reference.” But that’s egregiously and willfully deceptive behavior by which she, whether for herself or for someone who’s asked her to communicate this way, seeks to evade any accountability for her misrepresented statement to “Louis Sanfilippo.” That’s unlawful if it’s motivated to engage in deceptive trade practice which, given its “timing” in the IPR of the ‘813 Patent and the prosecution of the ‘249 Application, is a dead-give-away for its motivational intent to interfere in Lucerne Biosciences’ business affairs. That kind of “deception-based behavior” is the sine quo non of Shire’s and its outside counsel’s behavior in the IPR of the ‘813 Patent.

Anne --- does any of this sound familiar? Surely, you were there “at the beginning” of what would seem from Dr. Silva’s email to be the “first” of “two sessions” (as apparently “referenced” for its context in another unstated different “frame of reference” that Dr. Silva omits from her April 21 email)? In other words, Anne, you were there “at the beginning” of that “first session” that began at the time of that 2006 article “Consulting to Government Agencies -- Indirect Assessments” and another company whose IP you’re familiar with was just getting itself going (as featured for its implications in “Document 1” and “Document 2” of the LCS Group email you received on May 10, “stripped” in “The Patent ‘813 Story, Part II” for security reasons). Perhaps you and/or Michael Cantor have even had experience dealing with a Yale Associate VP of Research Administration named Andrew Rudczynski, as identified in the following PDF announcing his imminent retirement (at:  
[http://www.4shared.com/download/HLLcr9pace/Research\\_Adminstration\\_Yale\\_-.pdf?lgfp=3000](http://www.4shared.com/download/HLLcr9pace/Research_Adminstration_Yale_-.pdf?lgfp=3000)). After all, if Yale were the “elite academic institution” involved in a “behavioral/business intelligence experiment” of such unprecedented scope as to centrally involve “Louis Sanfilippo - personally” in matters from his “business life” to his “personal life,” **as if** his “person” and “business” were the “property” of Yale itself -- and “Yale” is one of the “primary source entities” that has been Cantor Colburn’s “third-party interferer” client -- then Mr. Rudczynski certainly would have known about it and also would have interfaced with various involved Cantor attorneys supporting the legal aspects of the intelligence experiment.

A “behavioral/business intelligence experiment” of such unprecedented scope, as coordinated by a federally-supported intelligence agency and an elite academic institution, is really about the only rational way to explain all the profoundly odd “misrepresentation behavior” within “The Patent ‘813 Story, Part II,” including Mr. Dever’s email that comes at a particularly sensitive time in the story. It’s also the only rational way to explain why Shire, vis-à-vis its outside counsel, clearly sought to do “business” but has now run the other way in order to hide that reality because it exposes just how catastrophically bad this “behavioral/business intelligence experiment” has actually gone. It’s also the only rational way to explain why Ms. Maxwell and Mr. Lucci -- and many others -- have been completely silent when this issue of a “behavioral/business intelligence experiment” has been brought up, like in that April 24 “termination notice”

## The Patent '813 Story, Part II -- Version 2

email from LCS Group (below). After all, if it weren't true, any reasonable person (though especially a thoughtful attorney like Ms. Maxwell or Mr. Lucci) would be telling "Louis Sanfilippo" in any of his representative capacities that he's "off the wall" and that it's important to take steps to get some help. But no one does that. Rather, everyone stays silent or brings up matters that seem to be insignificant in comparison, most notably the attorney that's been most involved in the IPR - Joe Lucci. Mr. Lucci's behavior by itself proves that the IPR of the '813 Patent has been a staged "behavioral/business intelligence experiment" of unprecedented scope, because if it weren't, any reasonably-minded and competent attorney would have sought to support "Louis Sanfilippo" and the company he's representing at a time in which the "pressure of it all" was making him "crazy" -- but Mr. Lucci does the opposite, which is to get out as fast as he can to presumably avoid harming Baker Hostetler's "primary source client." In other words, Mr. Lucci's behavior supports one of two things: he's either a cold sociopathic man who couldn't care less about his clients or he (and Baker Hostetler) have another client that's causing a massive conflict of interest and he's looking for a way to get out "looking as clean as possible" on the record as things are falling part in this "behavioral/business intelligence experiment." There's an extensive written record that shows how this all unfolds and any reasonable person would see it because it's become so obvious. That Dr. Silva never responded to Louis Sanfilippo's analysis of her own misrepresented email, in view of the fact that "Dr. Sanfilippo" has been teaching that seminar for many years, itself goes to show that he's clearly identified some "willful lying" on her part that has significant implications and she doesn't want to go near it but would rather hide from any accountability of her (or others') misrepresentations.

All of this itself is remarkable, because no asked "Louis Sanfilippo" for his informed consent to participate in such a "behavioral/business intelligence experiment," whether for "himself personally" or for his LLC businesses, but it's clear that he continues to be a "subject" in it even after repeated protests he has made in any number of "representative capacities" that it needs to stop because it's perhaps one of the most unlawful and unethical experiments in the past century given the scope of its deceptive communication practice and interference in business activity. Perhaps this explains why Mr. Rudczynski is retiring on June 30, so that he can "get out" before anyone makes him accountable for putting so many people in harm's way for the serious legal, financial and professional implications of such an "experiment," including potential loss of federal funding for human research, suspension of physician licensures, and irreparable damage to institutional reputation. Then again, calling it an "experiment" might be a euphemism. It might better be called one of the most unconscionable invasions of privacy, misrepresentation and deceptive trade practice ever undertaken in human history, under the pretense that if all the involved "third parties" were looking out for the "best interests" of "Louis Sanfilippo - personally" by "keeping an eye on him" (i.e., indirect assessment) it would all work out in time. That itself would be an extraordinarily presumptuous thing, as if such people who behave this way could even be in a position to make such paternalistic assessments that completely violate the most basic human rights that the U.S. Constitution is supposed to protect.

What is most striking, perhaps, is that no one seems to have a clue as to who is helping "Lucerne Biosciences, LLC" and its collaborators (i) "LCS Group, LLC" (ii) "Louis Sanfilippo - personally" and (iii) "Louis Sanfilippo, MD, LLC" to put this extraordinary story together so that it can become one of the biggest public stories in recent time given its fascinating intersection of law, medicine, behavioral and intelligence matters. It's obvious that it can't be "Louis Sanfilippo" in whatever authorized capacity he is working, because he's not superhuman to do all these things. Clearly, there's some formidable help behind-the-scenes that's very well-coordinated and highly responsive to the dynamic

## The Patent '813 Story, Part II -- Version 2

events unfolding in “The Patent ‘813 Story, Part II.” So who’s the help and in what manner is the help helping? For one, the membership and management of Lucerne Biosciences, LLC is highly restricted information, so perhaps its “membership” and “management” involves more people and a communication infrastructure of which no one on “the other side” even knows? Further, “The Patent ‘813 Story, Part II” repeatedly discloses that there is a “behavioral intelligence team” supporting (i) Lucerne Biosciences, LLC (ii) LCS Group, LLC, (iii) Louis Sanfilippo - personally” and (iv) “Louis C. Sanfilippo, MD, LLC” to expose the “truth of the matter” so that “final resolution” can take place. So who’s the team and its individual participants? Could that team be an NSA behavioral intelligence unit, like “LA-7” (i.e., “linguistic analysis” that uses a seven-tiered algorithm in its CRAY supercomputing analysis)? Or could it be two psychiatrists from New York University School of Medicine’s forensic department who routinely consult on intelligence matters and run a highly secretive profiling program that monitors world figures for psychological instability? Or could that team be “the favor of God,” as “Louis Sanfilippo’s” Nanny likes to say about how things always seem to go well for him regardless of how bad the circumstances seem to be? There is a very definitive answer and its public disclosure is coming very soon, because it was documented in an email dated October 1, 2014 (at 7:00 pm EDT) in the presence of three named witnesses -- and none of those three named witnesses are “Louis Sanfilippo” (in any capacity).

So whether Cantor Colburn’s “client” at the center of this “third party conflict of interest” is the CIA or some “intelligence intermediary,” or “Yale,” then Lucerne Biosciences strongly advises that Cantor Colburn’s senior leadership directly contact the accountable leadership of that “client entity” to inform them that it is **strongly in their best interests** to seek “final resolution” of “The Patent ‘813 Story, Part II” in the manner featured in the company’s email (below), as sent to Mr. Ed Haug this past Friday, May 29, by the company’s Member/Manager Louis Sanfilippo. While on the surface it would seem Cantor Colburn has no connection to Shire or its outside counsel of Frommer, Lawrence & Haug in the IPR of the ‘813 Patent, all the behavioral evidence strongly supports that its client at the center of its own “third party conflict of interest” is also the same entity (or its “collaborator”) supporting Shire’s and Frommer, Lawrence & Haug’s unlawful behavior in the IPR, which is also the same entity (or its “collaborator”) that is a client of Baker Hostetler. That’s why Joe Lucci and Chairman of the Baker Hostetler’s Policy Committee Steven Kestner are cc’d on this email.

To this effect, Lucerne Biosciences strongly advises Cantor Colburn and Baker Hostetler to directly inform this presumed “third-party interferer client” of this particular email, including even by showing it to them. This way, that “primary source entity” can know what Lucerne Biosciences and its collaborators know. And it can also know first-hand from Lucerne Biosciences itself that the company will keep this particular email **permanently confidential** (on Lucerne’s and its collaborator’s side of things that does involve a patent litigation with expertise in deceptive trade practice and anti-competition law) **only if a sufficiently equitable “final resolution” can be reached on, or by, 7:00 pm EDT Tuesday June 9, 2015.** After that time, this email will surely end up in the broader public arena, as well as in the hands of the NY Times, WSJ and countless other parties and journalists.

Lastly, based on currently accumulated evidence that the above-named parties (i.e., “Yale,” a federally-supported “intelligence entity,” Shire, Frommer, Lawrence & Haug, Baker Hostetler and Cantor Colburn) have supported this unlawful “third-party interference network,” Lucerne Biosciences and its counsel now estimate a financial settlement to be in the range of \$10 Billion, approximately a 30% increase over estimates made in the last month by Lucerne Biosciences and LCS Group respectively in their

## The Patent '813 Story, Part II -- Version 2

collaborative effort to establish conditions to organize a class for legal action (see p. 182 and 185 in "The Patent '813 Story, Part II"). On the basis of 100 "third-party interferers" who would support a class of "third-party exploiters" (after 1/3 of settlement proceeds go to Lucerne Biosciences and its counsel), that could lead to a financial settlement of approximately \$70 Million per "third-party exploiter." Even with 1000 "third-party interferers," that would support a financial settlement of approximately \$7 Million per "third-party exploiter." Of course, with this email in the public record that brings together the multi-layered "The Patent '813 Story, Part II" for any reasonable person to understand, soliciting the support of these "third-party exploiters" who were unknowingly made subjects in a "behavioral/business intelligence experiment" that recruited them to unlawfully interfere in business through the coordinated efforts of two "primary source entities," it should be very easy to organize a class and to take action **very quickly**. But any reasonable person would also readily see that any "leadership representative" of either "primary source entity" waiting for that to happen would have to be incompetent or seriously mentally ill, which may explain why things have gotten to this point where Mr. Dever is receiving an email like this **at this point in time, less than 48 hours before the '813 Patent will be effectively invalidated on account of something so trivial as "harassing emails," as is the basis for Shire's second motion for sanctions. But the very objective of those allegedly "harassing emails" was to "get to the truth," albeit it through highly unconventional means.**

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** "Sam Miller" <updates@updates.couponhunters.net>  
**Subject:** #1 Method To Restore Your Hearing  
**Date:** June 1, 2015 11:44:13 PM EDT  
**To:** <louiscsan@aol.com>  
**Reply-To:** updates@updates.couponhunters.net

### Weird Hearing Loss Method Forbidden For Being Too Good?!

There are so many scam products out there, you feel like locking your credit card in a safe.



But when something REALLY good comes out (and we both know how rare that is)... **it gets BANNED!**

This is exactly what happened to this natural remedy for hearing loss **that's already helped**

## The Patent '813 Story, Part II -- Version 2

45,657 people!

[>> Check out the forbidden hearing loss formula here <<](#)

And if you think it was banned because it's too dangerous... you couldn't be more wrong.

It was forbidden because it was TOO good and **hearing aids producers started losing massive profits**. So they sent their lawyers to hunt down the owner of this website:

[Click here to see the website now\(I hope it's still up\)](#)

Now the guy who made this natural remedy public is facing lawsuit threats and might actually lose the battle, [...read more...]

**Forbidden formula - step by step instructions**

**Make sure you watch the presentation until it's over, because the end will blow your mind!**

This is an email advertisement that was sent to you by Reverse Hearing Loss. If you wish to no longer receive messages, please click here to unsubscribe  
44 Main Street, Douglas, South Lanarkshire, U.K.



Coupon Hunters respects your privacy. If you would like to unsubscribe from our future mailings, please click here.

Coupon Hunters | 3 Church Circle, Suite 246 | Annapolis, MD 21401

You were added to the system on April 1, 2015. For More information, [click here](#).[Update your preferences](#) | [Unsubscribe](#)

**Tuesday June 2, 2015:**

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>

**Subject:** Re: Termination of attorney-client relationship

**Date:** June 2, 2015 4:51:29 PM EDT

**To:** Chad Dever <CDever@CantorColburn.com>

**Cc:** lsanfilippo@lucernebio.com, Michael Cantor <MCantor@CantorColburn.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Lauren Bousquet <LBousquet@CantorColburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, skestner@bakerlaw.com, lucernebio@lucernebio.com

**THIS EMAIL FROM LCS GROUP, LLC IS TO HIGHLIGHT IMPORTANT FEATURES OF MR. CHAD DEVER'S EMAIL THAT FURTHER SUPPORT CANTOR COLBURN'S INVOLVEMENT**

## The Patent '813 Story, Part II -- Version 2

**IN THE SAME THIRD-PARTY “CONFLICT OF INTEREST” AND “INTERFERENCE NETWORK” AS (I) “SHIRE” (II) “FROMMER, LAWRENCE & HAUG,” (III) “BAKER HOSTETLER” AND (IV) THE “PATENT TRIAL AND APPEAL BOARD.” THIS EMAIL FROM LCS GROUP, LLC IS ALSO TO PROVIDE CONCLUSIVE PROOF THAT THE “MISREPRESENTED AND CONFLATIONARY COMMUNICATION BEHAVIOR” OF MR. DEVER’S EMAIL IS MOTIVATED BY THE SAME OBJECTIVE AS THAT REPEATEDLY EVIDENCED IN SHIRE AND ITS OUTSIDE COUNSEL FROMMER, LAWRENCE & HAUG DURING THE INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813, NAMELY, TO ENGAGE IN ANTI-COMPETITIVE CONDUCT BY “THIRD-PARTY INTERFERENCE” COORDINATED BY AT LEAST TWO “PRIMARY SOURCE ENTITIES.” THIS EMAIL SHOULD ONLY BE READ IN THAT CONTEXT.**

Dear Chad,

On behalf of LCS Group, LLC, it's important that I comment on your email response yesterday (at 2:53 pm EDT) to Lucerne Biosciences' 7:07 am EDT email also sent yesterday (by its Manager/Member Louis Sanfilippo). As you may or may not know, LCS Group is a “strategic collaborator” with Lucerne Biosciences, LLC, as first publicly announced by the company in a December 26, 2014 press release. LCS Group is also the exclusive licensee of the '813 Patent and '249 Application and has the important role of “commercializing” Lucerne's wholly owned intellectual property, as first publicly announced in LCS Group's recent May 13, 2015 press release.

In this respect, you should know that “The Patent '813 Story, Part II” featured in the company's May 13 Press Release (as identified in the Lucerne Biosciences' “June 1 7:07 am EDT email”) is what's called a **“self-referential real-time narrative.”** It builds on itself through “recursive communication patterning” that itself is designed to drive certain “boundary conditions” for its own “final resolution.” Even more specifically, “The Patent '813 Story, Part II” utilizes a communication technique known (to those with skill in this art) as **“non-projective recursive framing”** and its purpose is to drive its communicants to a position that's called a **“terminal non-recursive boundary condition.”** To put it simply, “non-projective recursive framing” is based on repeatedly confronting primitive distortion-based defense mechanisms such as “projection” and “splitting” in persons/groups motivated to engage in deceptive communication behavior (i.e., misrepresentation, baseless representation, conflationary framing and reasoning, and distraction), whether consciously (as for unlawful behaviors like fraud) or not (as for satisfying inner needs unconsciously). It's **“non-projective”** nature simply refers to its substantive basis “in reality” rather than “in intrapsychic fiction,” the latter as might be communicated by baseless-type statements whose purpose is to merely ease unacceptable emotional states by “projecting” them onto others (characteristic of “scapegoating”). A **“terminal non-recursive boundary condition”** takes place when the “non-projective recursively framing” side (i.e., the “truth telling” side) of an established communication dynamic has effectively so exposed the “deceptive communication behavior” driven by “projectively-based” defense mechanisms that the “communication frame” can't go any further. When that “terminal event” happens, there's a complete polarization (i.e., “split”) in the “communication dynamic” between each respective person/group. Under certain **“boundary conditions,”** simply based on the psychodynamic nature of such communication dynamics, this could manifest itself in a complete polarization within a shared “theater of consciousness” of a broader single group, such that one of two “sub-groups” actually becomes acutely psychotic under the highly regressive strain of “reverted projections” caused by a “terminal non-recursive boundary condition.”

Chad, your email response yesterday at 2:53 pm EDT has significantly helped advance that **“non-projective recursive framing”** as “The Patent '813 Story, Part II” reaches a **“terminal**

## The Patent '813 Story, Part II -- Version 2

**non-recursive boundary condition.**” Though you probably didn’t know that’s what you (and/or others who may have helped you) were doing in creating and sending that email as a reply to a company representation made by “Lucerne Biosciences” (vis-à-vis its manager/member Louis Sanfilippo).

With respect to your 2:53 pm EDT email yesterday, your “communication behavior” that is “in response” to yesterday morning’s “7:07 am EDT Lucerne email” is very revealing. Particularly, it provides significant evidentiary support of Cantor Colburn’s motivation to engage in various kinds of “deceptive and conflationary communication behaviors.” That, in turn, provides significant evidentiary support that Cantor Colburn and certain of its representatives are collusively involved in the unlawful and unethical “behavioral/business intelligence experiment” characterized in the Lucerne Biosciences’ “7:07 am EDT email” to which your “2:53 pm EDT email” responds. As the basis of “non-projective recursive framing” is to use highly specific data points to accurately represent the reality of what’s taking place “communicatively” through previous “non-projectively (truthfully) framed communications” (as you would find in “The Patent ‘813 Story, Part II”), it is not subject to “intrapsychic interference” that stems from regressive distortion-based primitive defense mechanisms like “projection” and “splitting” that drive “deception-based communication.” Rather, “non-projective recursive framing” itself can be used as a communication vehicle to identify and explain when “projection” and “splitting” are at work to drive “deceptive communication” and then use that “revelatory process” recursively to drive highly regressive states in which the “deceptive communication behavior” is effectively “externalized,” meaning that anyone can see it transparently for its motivational intent to deceive.

So let’s see precisely what you did in your email from a “**non-projective recursive communication frame**” -- and why you (or whoever guided your writing of that 2:53 pm EDT email yesterday) would have been motivated to communicate this way. You’ll see, very quickly, how this revealingly shows how Cantor Colburn engages in the same “misrepresentation communication behavior” as (i) Shire, (ii) Frommer, Lawrence & Haug, (iii) Baker Hostetler and even (iv) the Patent Trial and Appeal Board. Given how obvious the “behavioral communication connection” is at this point in time (really to any reasonable person in view of the record), it provides incontrovertible “behavioral communication proof” that all these parties have been -- and continue to be -- collusively engaged in the same highly unlawful and unethical anti-competitive conduct that can only be rationally explained (given its scope, as featured in “The Patent ‘813 Story, Part II”) by a “behavioral/business intelligence experiment” of an unprecedented nature that has sought to profile “Louis Sanfilippo - personally.” And in addition to that, to concurrently develop and apply “deception-based intelligence technology,” as coordinated by at least two “primary source entities” (characterized in yesterday’s “7:07 am EDT Lucerne email”) regardless of how severely that “deception” harms the ‘813 Patent’s owner, currently Lucerne Biosciences, and its manager/member “Louis Sanfilippo” by making him the “personal target” of the experiment and it’s catastrophic failure.

### **Deceptive Communication Behavior No. 1: Material Omission of Your “Originating May 29 Email.”**

You very clearly **willfully deleted your own email** (of May 29 at 1:19 pm EDT) that began the “Termination of attorney-client relationship” email thread in the first place and which otherwise would have been in your “response” to the “Lucerne 7:07 am EDT” email if you simply hit “reply all” for your response. In this respect, you did more than just simply hit “reply all” and write your email, because there’s no rational explanation for why you’re May 29 “originating email” would be deleted unless you intentionally deleted it. You can find your own May 29 “originating email” that you **willfully omitted** (from the email thread) **in its proper context** (as it would have looked like when you received the “7:07 am EDT Lucerne email”) at:

## The Patent '813 Story, Part II -- Version 2

[http://www.4shared.com/download/nxCQs7vGba/6115\\_Lucerne\\_Biosciences\\_Email.pdf?lgfp=3000](http://www.4shared.com/download/nxCQs7vGba/6115_Lucerne_Biosciences_Email.pdf?lgfp=3000). But for quick reference, as it's relevant for the ensuing "email analysis," here it is:

**From:** "Dever, Chad" <CDever@CantorColburn.com>  
**Subject:** Termination of attorney-client relationship  
**Date:** May 29, 2015 1:19:23 PM EDT  
**To:** "Isanfilippo@lucernebio.com" <Isanfilippo@lucernebio.com>  
**Cc:** "Cantor, Michael" <MCantor@CantorColburn.com>, "Maxwell, Anne" <AMaxwell@CantorColburn.com>, "Hutchings, Carol" <chutchings@CantorColburn.com>, "Bousquet, Lauren" <LBousquet@CantorColburn.com>, "Mayhew, Dawn" <DMayhew@CantorColburn.com>

Dr. Sanfilippo,

My name is Chad Dever, an attorney at Cantor Colburn LLP. I am an associate of Anne Maxwell. Our letter memorializing the termination of our attorney-client relationship is en route. As you may recall, you previously disengaged our law firm for all legal representation. In addition, our invoices to you for past legal services rendered have been outstanding for quite a while. Accordingly, we regretfully formally terminate our relationship with you and your businesses.

We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience.

I am now your contact person from the transfer of your files. Please feel free to contact me directly. We wish you luck in your future endeavors.

Kind Regards,

-Chad Dever

So why, Chad, would you (on behalf of Cantor Colburn) **willfully omit** your own May 29 "originating email" in your response to the "7:07 am EDT Lucerne email" when your own May 29 "originating email" was clearly an **integral feature** of that "7:07 am EDT Lucerne email" you were responding to? After all, the "7:07 am EDT Lucerne email" was "responding" to your May 29 "originating email" for very clear behavioral and legal reasons, so having it in the same "**communication frame of reference**" would clearly have been the only logical thing to do if you were interested in being truthful and accurate in "representing reality." But that's not how you handled the communication, which indicates that you were motivated to "distort or misrepresent reality" (by omission of materially important and relevant information).

**Willfully omitting** an important communication feature of an email that way is strikingly similar to the "communication behavior" of Shire's outside counsel Sandra Kuzmich of Frommer, Lawrence & Haug in the IPR of the '813 Patent. For example, in submitting Exhibit 1073 to the Patent Board, Ms. Kuzmich omitted the **most important feature** of a very important email communication LCS Group attorney Mr. Lucci provided Mr. Haug (Ms. Kuzmich cc'd) to communicate to Shire (particularly its CEO Dr. Flemming Ornskov) on behalf of LCS Group (on

## The Patent '813 Story, Part II -- Version 2

December 22, 2014 at 8:32 am). That “most important feature” was a PDF attachment titled “**Final Decision**” from LCS Group’s “October 1, 2014 Final Decision” email and it was LCS Group’s business offer to Shire of an exclusive option agreement to an exclusive license to the ‘813 Patent and the ‘249 Patent Application, as already executed by LCS Group on Oct. 1, 2014 (see p. 207, “The Patent ‘813 Story, Part II”). Exhibit 1073, therefore, is effectively a misrepresentation to the Patent Board (by failure to disclose materially important and relevant information). You can appreciate why, motivationally, Ms. Kuzmich would have sought to omit that important “business feature” of that email in Exhibit 1073 simply by looking at her September 4, 2014 email to LCS Group attorney Mr. Lucci where she says, “...all negotiations will involve in-house and outside counsel representing Shire.” (see p. 8, “The Patent ‘813 Story, Part II”). In other words, that half-executed “Final Decision” business option agreement from LCS Group was communicated in a way that sought to bypass Shire’s outside counsel of Frommer, Lawrence & Haug (for reasons that are described on pp. 6-14 of “The Patent ‘813 Story, Part II”) and Ms. Kuzmich, finding this “by-pass” emotionally unacceptable, was compelled to omit this important “business/commercial document” from Exhibit 1073 as a way of “distorting reality” to suit her inner needs (perhaps to feel like she’s needed by her client Shire).

In this light, Chad, your 2:53 pm EDT email yesterday omits the very evidence **that is your misrepresentation** (your May 29 “originating email”), to which the “7:07 am EDT Lucerne email” responds to and also explains in detail for its misrepresented basis (notably paragraph 7). It would seem that you, too, were seeking to “distort reality” by willfully removing the very misrepresentation that motivated Lucerne Biosciences’ management to “respond” to your May 29 “originating email.” That, then, makes your “June 1 at 2:53 pm EDT email” from yesterday **another misrepresentation**, of a more subtle deceptive kind than made in Exhibit 1073 by Ms. Kuzmich: **misrepresentation by failure to disclose materially relevant and important information of your own representation**. And it also makes your misrepresentation (by such omission) willful in its motivational nature -- or at least willful to whoever may have asked you to send it that way. That’s a serious problem, especially when anyone would see that it’s nature, motivational driver, and methodology is remarkably consistent with the way Shire and its outside counsel have behaved during the IPR of the ‘813 Patent to cause harm to the respective owner of the ‘813 Patent, which for the Exhibit 1073 example is LCS Group’s licensor, Lucerne Biosciences.

Your “communication behavior,” Chad, is what communication analysts who do this kind thing call “**projective re-framing**.” This kind of communication behavior is based on an “intrapsychic need” to “re-frame communication” to inaccurately attribute to another what’s unacceptable within oneself. You may ask, “well, how’s that?” It’s like this. By willfully deleting the “foundational frame of communication” (your May 29 “originating email”) on the email thread that itself is the evidentiary basis for identifying your own (and Cantor Colburn’s) “deception-based communication behavior” on the email record, it has the effect of “re-framing the communication” in a manner that prospectively allows you to attribute a “misrepresentation problem of yours (and Cantor Colburn’s)” to “Lucerne Biosciences” (or even “Louis Sanfilippo - personally”) because you’ve effectively taken away the “evidentiary support” of your May 29 misrepresented “originating email” from the email thread. Thus, you “distort reality” in your representation but you do so in a way that places “the (prospective) burden” **outside** yourself (and Cantor Colburn) such that Lucerne Biosciences’ has to go out and find your May 29 “originating email” if it came down to determining “the truth of the matter.” In other words, you effectively render the “June 1 Lucerne 7:07 am EDT email” baseless (at least from your thread) because the “base” against which it argues its points is your misrepresented May 29 “originating email” that’s “gone missing.” This is a classic way to willfully perpetrate deception through “communication re-framing” that can be used at a later point in time to inaccurately attribute blame to another person/party. In this respect, it might be best called “**prospective projective re-framing**.” That, of course, surely speaks to why -- motivationally -- you (or whoever helped you write your email)

## The Patent '813 Story, Part II -- Version 2

willfully omitted your “originating May 29 at 1:19 am EDT” email.

If you want to see a classic example of “**projective re-framing**,” take a look at pp. 87-89 of “The Patent '813 Story, Part II.” On Friday March 20, 2015 (at 2:51 pm EDT), Lucerne Biosciences’ attorney Joe Lucci emailed Shire attorney Ed Haug, writing, “Ed, My client has asked me to inquire into whether Shire has been involved in any of the following organizations recently contacting Dr. Sanfilippo: Aegis Capital Ventures, LLC [,] Charles River Laboratories [,] The FDA Group, LLC [,] Lifetime Television’s “The Balancing Act” Please advise, Joe.” Anyone can see that Mr. Lucci, at that time representing Lucerne Biosciences in the IPR of the '813 Patent, is simply asking who may have contacted its manager/member “Louis Sanfilippo.” In “email analysis,” of the kind that might be performed under classified protocols by the National Security Agency, Mr. Lucci’s email is an example of “**non-projective framing**.” There’s no “projection” (i.e., inaccurate attribution of blame to another for problems within oneself). Mr. Lucci simply inquires into certain issues on behalf of his client Lucerne Biosciences. Mr. Lucci’s email is also “**recursive**” in that it builds on an email thread in which he asked Mr. Haug a similar question on February 17, 2015, “Ed, Please see below. Were you aware that Shire’s Neuroscience Medical Strategy group has been contacting Dr. Sanfilippo.”

Remarkably, Mr. Haug does not respond to Mr. Lucci’s email thread but, less than three hours later (at 5:11 pm EDT, May 20), he sends Mr. Lucci an email vis-à-vis “Natalie Antoine” (“on behalf of Ed Haug”) that has the subject “Dr. Sanfilippo” and has an attached PDF letter that misrepresents, among other things, Mr. Lucci’s client, “We suspect that you are aware of the on-going campaign of your client Dr. Sanfilippo.....” and then effectively blames “Dr. Sanfilippo” for trying to “...impugn the integrity and credibility of our client Shire as well as my firm, me personally, and also Dr. Brewerton through the dissemination of misleading and inflammatory statements and allegations....” In “email analysis-speak,” Mr. Haug communicates by “**projective re-framing**.” He “**re-frames**” Mr. Lucci’s “client” as “Dr. Sanfilippo” when he clearly knows that it’s Lucerne Biosciences (as he was so informed on January 27, 2015 through a Certificate of Service in the IPR proceeding of the '813 Patent), but his “**re-framing**” is done by “**projecting**” what surely must be his own unacceptable feelings (for his and his law firm’s butchery of truth in the IPR) onto “Dr. Sanfilippo,” as if he’s “the problem” -- and also the “source of the problem.” The telltale sign of “**projective re-framing**” is to **distort reality** to satisfy irrational inner needs, which means that “projective re-framing” seriously lacks any evidentiary support. That, of course, explains why Mr. Haug doesn’t show Mr. Lucci any of the alleged inflammatory and misleading “Byan Haygins” emails to Mr. Lucci and his client when asked, but instead makes some rather unusual statements while again “**recursively misrepresenting**” Mr. Lucci’s client as “Dr. Sanfilippo,” as seen on March 23, 2015 (email at 8:48 am EDT), “Are you representing to me that your client Dr. Sanfilippo and his private entity does not know anything about ‘Byan Haygins’ and that he did not send any such emails. If the answer is YES then there is obviously no reason to send them to you.”

Mr. Haug’s March 2015 “**projective re-framing**” is therefore also “**recursive**” of Frommer, Lawrence & Haug’s collective behavior (on behalf of client “Shire”), for you can see that “Dr. Sanfilippo” was also misrepresented as Mr. Lucci’s client in Ms. Kuzmich’s Sept. 4, 2014 email, a time in which she clearly knew that Mr. Lucci was representing LCS Group in the IPR of the '813 Patent based on the very petition she supported against LCS Group. You can also see such “**recursive projective reframing**” when Ms. Kuzmich sought sanctions against LCS Group on December 23, 2014 and she effectively characterized that “Final Decision” email from Oct. 1 with its exclusive option agreement and its transmittal letter as “...these emails from Dr. Sanfilippo are inflammatory, containing unfounded allegations, ....” (see p. 66, “The Patent '813 Story, Part II”). That itself is striking with hindsight considering that the most “essential feature” of that Oct. 1 “Final Decision” attachment (that she omitted in Exhibit 1073) was its “business/commercial

## The Patent '813 Story, Part II -- Version 2

nature" --- an exclusive option agreement in which **LCS Group, LLC** would license patent rights to Shire. Ms. Kuzmich's material omission of that "**LCS Group, LLC option agreement**" attachment from Exhibit 1073 in the IPR proceeding of the '813 Patent **in view of** her December 23, 2014 email to the Patent Board seeking sanctions against LCS Group on the basis of a completely misrepresented LCS Group communication is effectively a "**recursive projectively-based misrepresentation**" (for details on Exhibit 1073 in Shire's May 6 "Second Motion for Sanctions" against Lucerne Biosciences, see p. 205 of "The Patent '813 Story, Part II").

Chad, you're "**projective re-framing**" in your email yesterday is also "**recursive**" in that you (or whoever wrote your email) sought to "**re-frame**" the reality of "terminating attorney-client relationship" in a way that unduly puts the "burden of the problem" on Lucerne Biosciences (as characterized in its "7:07 am EDT Lucerne email") and further evidenced for its "cause of burden" by the fact that the company had to take time to deal with the misrepresentation you made in your May 29 "originating email." That you would then willfully omit your May 29 "originating email" from the thread is striking, and clearly motivated to distort reality to satisfy irrational inner needs and prospectively lay blame where it is not due, likely emerging more from others at Cantor Colburn (rather than you) for you are clearly "new to the scene."

### **Deceptive Behavior No. 2: "Conflationary Misrepresented Premise" Followed by "Conflationary Misrepresented Reasoning."**

By deleting your May 29 "originating email," your effort at "re-framing" effectively establishes a "new Cantor Colburn representation" on "termination of attorney-client relationship." Taking a closer look at this "new Cantor Colburn representation" shows that it introduces a whole new set of "representation problems" for you and Cantor Colburn. In this light, the motivation driving your communication behavior becomes much more obvious.

Specifically, you write in paragraph 2, "This email is to make sure there is no confusion with respect to the termination of our attorney-client relationship. **CANTOR COLBURN LLP IS NOT YOUR ATTORNEY. OUR FIRM DOES NOT REPRESENT YOU OR YOUR BUSINESSES, INCLUDING, BUT NOT LIMITED TO, LCS GROUP LLC AND LUCERNE BIOSCIENCES, LLC IN ANY CAPACITY WHATSOEVER.**" In "email analysis-speak," as might be performed by a "strategic communications team" working for the DOD (Department of Defense), you establish what's called a "**conflationary misrepresented frame**" though, remarkably, you deceptively preface it by stating "This email is make sure there is no confusion...." The reality is that what comes after your presumed initial effort to "end confusion" is fundamentally irrational because you say "**CANTOR COLBURN LLP IS NOT YOUR ATTORNEY**" but you're **responding directly to an email "on behalf of Lucerne Biosciences, LLC," a company. These are mutually incompatible positions.** You write "Cantor Colburn LLP is not **your attorney**" as if the "LLC business entity" your email is effectively responding to is "the person" of "you" ("Louis Sanfilippo - personally") in "**your attorney**." That's not only fundamentally irrational but it's also very misleading, because it conflates important distinctions any lawyer or businessperson would know not to conflate (i.e., an "LLC company entity" vs. "person entity").

On that "**conflationary misrepresented premise**" that a "company" (or its representation via email) is indistinguishable from a "person," as accomplished by your tacit affirmation that differentiating an "LLC company representation" from a "personal representation" is meaningless and irrelevant, you then do what's called "**conflationary misrepresented reasoning**" by additionally stating "our firm does not represent **you** or your business, including, but not limited to, LCS Group LLC and Lucerne Biosciences, LLC..." as if there's no need whatsoever to treat "person" and "business" any differently because they're **essentially the same**. In other words, you go on to **reason** on the "**misrepresented conflationary premise**" that there's no distinction

## The Patent '813 Story, Part II -- Version 2

or differentiation between “person entity” and “LLC company entity” (or at least that the distinction is unimportant and irrelevant). After all, had you made the distinction -- or at least though it important -- you would have not responded to an email **on behalf of a company** speaking as you do, namely, “personally” -- and even pre-supposing your “company-related comments” by establishing a **“conflationary misrepresented frame”** based on “personal representation” (i.e., “Cantor Colburn in not **your** attorney”).

To make this concrete in a way that any reasonable person would understand it, your **“conflationary misrepresented premise and reasoning,”** as applied to Shire, would be as if there was no distinction between “Dr. Ornskov” and “Shire Plc.” As applied to you, it would be as if there was no distinction between “Chad Dever” and “Cantor Colburn LLP.” But surely neither “Dr. Ornskov” and “Shire Plc” -- nor “you” and “Cantor Colburn LLP” -- nor any representative of any legitimate company -- would want to be treated in that indiscriminate undifferentiated way, **because it would be unlawful.** So why do you insist on treating “Lucerne Biosciences,” LCS Group” and “Louis Sanfilippo” that way, as if “Louis Sanfilippo - personally” is essentially the same as “LCS Group, LLC” and “Lucerne Biosciences, LLC.” That’s not only unlawful but it’s also hypocritical in view of how you, and Cantor Colburn, surely must treat just about all your other clients. It’s also a remarkable thing for an attorney to do in view of a named partner on the email thread and Ms. Maxwell (who certainly understands these legal distinctions and their relevance to a company owning a patent, seeking to make a commercial transaction, etc....).

Yet perhaps what’s most remarkable about your **“conflationary misrepresented premise and reasoning”** is that it’s the **sine quo non of Shire’s, its outside counsel’s and its declarant’s “communication behavior” in the IPR of the ‘813 Patent.** There are many examples of this but the most obvious one of all is the “conflationary misrepresented premise” of Dr. Brewerton’s Declaration on which Shire’s IPR petition is based, namely, that “binge eating” is “essentially the same” regardless of its “diagnostic context,” whether in “Obesity,” “Binge Eating Disorder,” or “Bulimia Nervosa.” That “conflationary misrepresented premise” leads to Dr. Brewerton to engage in “conflationary misrepresented reasoning” to represent that you can therefore pharmacologically treat all of those disorders as “essentially the same” because, as he reasons in his Declaration, differentiating between disorders like BED, BN and obesity -- on the basis of their essential diagnostic **differences** -- is essentially **irrelevant** for their treatment implications so long as they have the same “essentially same symptom.” Outside eating disorders, it’s kind of like “pharmacologically treat depression the same,” whether it’s “depression” in “Bipolar Disorder,” “Major Depressive Disorder” or “Depression due to a Medical Illness,” because “depression” is essentially the same in its core features in all three of them (which is good way to declare one’s incompetency as a psychiatrist). Ms. Maxwell is very familiar with the severe misrepresentation and reasoning problems in Dr. Brewerton’s Declaration and how badly he twisted the eating disorder art to actually reason to the ‘813 Patent’s “obviousness,” yet remarkably she seems to support your “conflationary misrepresented reasoning” on some of the most rudimentary concepts involving law and business.

Chad, that your email responds to a “company representation” from Lucerne Biosciences by conflating it with “Louis Sanfilippo - personally,” **as if** the two are essentially the same, is itself extraordinary. Lawyers don’t reason that way, nor do MD’s reason the way Dr. Brewerton does, because they’re trained to reason the basis of “differentiating” rather than “conflating.” And certainly business persons don’t reason that way either. If they did, everybody in business would be making it “personal” and they’re be no motivation to have such things as LLCs, Plc’s, Inc.’s, etc....

In this light, LCS Group wouldn’t sub-license the ‘813 Patent to “Dr. Ornskov” or “Heather Bresch” (CEO of Mylan), nor would you or another attorney at Cantor Colburn seek to make “Dr. Ornskov”

## The Patent '813 Story, Part II -- Version 2

or "Heather Bresch" the assignee of a patent in an outright acquisition. That sub-license or patent assignment (on acquisition), for instance, would go to a "business entity" like "Shire LLC" (or another "Shire entity") or to "Mylan Inc." That's why LCS Group, LLC in its executed Oct 1 "Final Decision" wrote "Shire" into the exclusive option agreement (for an exclusive license) followed by a gray empty space in which the proper Shire "entity designation" could be written, like "LLC," "Plc," "Development LLC," or "Acquisition Inc." Frankly, Chad, your email is not only highly deceptive but it's very insulting because it conflates the most basic legal and business distinctions, ones on which LCS Group, LLC, for instance, has spent considerable resources to differentiate itself from other businesses through its website that went up in 2010 (and has been maintained since that time), assignments of IP that date back to April 15, 2008, business cards, a company checking account and credit card, press releases, etc...

This kind of "**conflationary misrepresented framing and reasoning**" in which "person entity" and "business entity" are regarded as meaningless distinctions is the hallmark behavior of Shire's outside counsel in its practice of unfair and deceptive trade practice to "harm the competition." This is best evidenced by the fact that "**LCS Group, LLC**" entered into a CDA with "Shire LLC" on October 24, 2013 and "**LCS Group, LLC**" was the company against which Shire Development LLC filed its IPR petition on May 9, 2014, yet Ms. Kuzmich states in her September 4, 2014 email to Mr. Lucci "Shire understands that **Dr. Sanfilippo** is represented by you in these matters" (see p. 8, "The Patent '813 Story, Part II"). You really can't misrepresent things more egregiously than that which, considering Ms. Kuzmich also writes in that same email "Please inform **Dr. Sanfilippo** all **negotiations** will involve in-house and outside counsel representing Shire," you have one of the most obvious cases of misrepresentation (by "conflationary misrepresented framing") to perpetrate deceptive trade practice perhaps in recent time. Surely, could you imagine that Mr. Lucci or any competent attorney would respond by saying, "indeed, Dr. Sanfilippo would like to license the '813 Patent to Dr. Ornskov"? Of course not, because it's irrational -- and it would be unlawful.

You can also see how Mr. Haug extends the same "**conflationary misrepresented premise and reasoning**" in that March 20 and March 23, 2015 email exchange with Mr. Lucci, as characterized above and also in yesterday's "Lucerne 7:07 am EDT email." Of course, you can find more extensive "conflationary misrepresented framing and reasoning" (with specific evidentiary support) from Shire and its outside counsel in the May 12, 2015 LCS Group email in "The Patent '813 Story, Part II" (see p. 232-245) or in that "Email from LCS Group, LLC sent on May 15, 2015" featured Exhibit 3001 of the '813 Patent's IPR (see bottom of p. 7; Exhibit 3001 is in PDF at <http://www.4shared.com/download/hcA1pDnaba/Exhibit-3001.pdf?lgfp=3000>).

If you consider the "**conflationary misrepresented framing**" of (i) Mr. Lucci of late, as characterized in the hyperlinked PDF from the May 25 Lucerne Biosciences' email to the Patent Board (as featured in the "Lucerne June 1 7:07 am EDT email" your 2:53 pm EDT email yesterday responded to) and (ii) the Patent Board of late (also in that May 25 Lucerne email to the Patent Board, see pp. 4-5), it's easy to see the fundamental nature of this "behavioral/business intelligence experiment." Like your email, its basis is "**personal**," as "Louis Sanfilippo - personally" is its "subject/target." Therefore, all its "informed participants" are obligated to do everything possible to foundationally conflate "Louis Sanfilippo - personally" with any "business entity" he may legitimately be involved with because "Louis Sanfilippo - personally" is its "human subject" and "legitimate business entities" interfere with the experiment's "personal subject nature." That, of course, effectively makes these "informed participants" one and the same as "third-party interferers" abetting anti-competitive conduct that aims to harm any legitimate business entity that "Louis Sanfilippo" is legitimately involved with. This would explain the nature of the "**conflationary misrepresented framing**" of all those highly aberrant email communications in "The Patent '813 Story, Part II" characterized in the "Lucerne 7:07 am EDT

## The Patent '813 Story, Part II -- Version 2

email" you received yesterday. And just like you and those "third-party interferers," Shire, and Frommer, Lawrence & Haug and Baker Hostetler have all sought to foundationally conflate "Louis Sanfilippo -personally" with "LCS Group, LLC" and "Lucerne Biosciences, LLC," which surely must makes them (like Cantor Colburn) "informed participants" in an unlawful, unethical and unprofessional experiment -- unlawful, unethical and unprofessional because (among other reasons) no one ever obtained "informed consent" from "Louis Sanfilippo - personally" to participate in this experiment that has now caused him serious harm personally because it has **personally interfered** with his ability to make any kind of living through two important legitimate businesses that he has been legitimately involved with.

**Deceptive Behavior No. 3: Willfully Omitting the Most Important Email In Your Email Response.** The most revealing "communication behavior" of all, perhaps, is that you omitted from your "June 1 at 2:53 pm EDT email" the May 29 Lucerne Biosciences email that was sent to Ed Haug of Frommer, Lawrence & Haug regarding how Lucerne Biosciences provided guidance to Shire on a prospective "final resolution" through the '249 Application. That omission, of course, effectively confirms the motivation behind all this "omission communication behavior" and that Cantor Colburn is aligned with the same "third-party conflict of interest" as Shire and Frommer, Lawrence & Haug. After all, why would you (on behalf of Cantor Colburn) willfully omit a legitimate **LLC-entity supported** "final resolution" to one the biggest "legal/business stories" of this generation (and that would help get those invoices paid), unless Cantor Colburn had a "primary source client" like "Yale" or a federally supported "intelligence entity" that demanded Cantor Colburn stick to its "personal modus operandi" however it needed to do so, including even by deception and misrepresentation if necessary. That, of course, would effectively make Cantor Colburn an instrument of "anti-competitive conduct by misrepresentation," the hallmark behavior of Shire, its outside counsel of Frommer, Lawrence & Haug, and Dr. Timothy Brewerton. Here's that Lucerne Biosciences email that you omitted (but it's also in the PDF hyperlinked above).

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** the '249 application  
**Date:** May 29, 2015 3:33:18 PM EDT  
**To:** Ed Haug <EHaug@flhlaw.com>  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Mr. Haug,

On behalf of Lucerne Biosciences, LLC, please let me know as soon as possible if Shire would like to seek "final resolution" to "The Patent '813 Story" vis-à-vis the '249 Application. As you know, the '813 Patent will effectively invalidate as of Wednesday June 3, 2015 if the company fails to comply with the Board's Order of May 21, 2015 (Paper 30). You and Shire should know that the company has absolutely no intention to comply with the Board's Order.

Insofar as Shire has any interest in seeking a fast and meaningful final resolution to the obvious, it would seem befitting that you provide the company a CDA at your earliest convenience. Attorney Lucci is cc'd. As he has withdrawn as the company's counsel in the IPR of the '813 Patent, there is no conflict of interest in his involvement on the '249 Application. Also, there is no one at all bcc'd on this email thread.

Sincerely,

Louis Sanfilippo, MD

## The Patent '813 Story, Part II -- Version 2

Manager/Member, Lucerne Biosciences, LLC

### **Deceptive Behavior No. 4: Letting the Associate Speak On Behalf of the Named Partner and Ms. Maxwell When There's No Evidence the Associate Has a Clue as to What's Going On.**

You write, Chad, "we respectfully disagree with most of the issues raised in your email and the characterization of the past events." Since when did an associate become a spokesperson for a major law firm on a serious legal matters that potentially involve an unlawful intelligence experiment so egregious in its scope that people from an elite academic institution could end up in serious trouble, perhaps even some of them going to jail -- and that also happens to involve a patent for an FDA-approved drug that is the first of its kind to treat a common eating disorder? For you to step on the scene at 1:19 pm EDT on Friday May 29, and to respond about eight hours after that dense June 1 7:07 pm EDT email from yesterday in your 2:53 pm EDT email to say, "we respectfully disagree with most of the issues raised in your email and the characterization of the past events" when there's no evidence (from either LCS Group or its strategic collaborator Lucerne Biosciences) that you (or anyone at Cantor Colburn) even looked at, or even downloaded, **one PDF file** among the many made available in yesterday's email from Lucerne Biosciences tells the story, namely, **that you can't possibly understand it**. And if you can't possibly understand the story, how can you honestly represent you're place in that "we respectfully disagree with most of the issues raised in your email and the characterization of past events"? That comment would be best served coming from Ms. Maxwell herself, who at least understands the scope of the story and how it relates to events (in 2006) that took place about the time that you came on as an Associate with Cantor Colburn -- which, had she made it, she should have left you off the thread. Besides that, are you even familiar with scope of misrepresentations in the IPR of the '813 Patent? Have you even read "The Patent '813 Story, Part II" to understand why you might be receiving this email now **from LCS Group** as you are, about seven hours from the time that the '813 Patent effectively will invalidate because Lucerne Biosciences' has indicated that it won't comply with the Patent Board's May 21 and May 26 procedural orders?

That just about tells the story, doesn't it? Which means that it's about time to provide the Patent Board some additional information that memorializes this LCS Group, LLC communication to you as part of the IPR proceeding of the '813 Patent, including Lucerne Biosciences' email to you yesterday at 7:07 am EDT. That's why the Lucerne's direct email "[lucernbio@lucernbio.com](mailto:lucernbio@lucernbio.com)" is cc'd on this email thread. Surely, "final resolution" is fast making its way into the greater public consciousness with LCS Group and Lucerne Biosciences each having **very different roles**, according to the Exclusive License Between the two companies. Hold on tight and be ready for ride!

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** "Dever, Chad" <[CDever@CantorColburn.com](mailto:CDever@CantorColburn.com)>  
**Subject:** **RE: Termination of attorney-client relationship**  
**Date:** June 1, 2015 2:53:16 PM EDT  
**To:** 'Louis Sanfilippo' <[lsanfilippo@lucernbio.com](mailto:lsanfilippo@lucernbio.com)>  
**Cc:** "Cantor, Michael" <[MCantor@CantorColburn.com](mailto:MCantor@CantorColburn.com)>, "Maxwell, Anne" <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, "Hutchings, Carol" <[chutchings@CantorColburn.com](mailto:chutchings@CantorColburn.com)>, "Bousquet, Lauren"

## The Patent '813 Story, Part II -- Version 2

<LBousquet@CantorColburn.com>, "Mayhew, Dawn" <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, "skestner@bakerlaw.com" <skestner@bakerlaw.com>, "lsanfilippo@lcsgrupp.com" <lsanfilippo@lcsgrupp.com>

Dr. Sanfilippo,

Thank you for your email dated June 1, 2015. We respectfully disagree with most of the issues raised in your email and the characterization of the past events.

This email is to make sure there is no confusion with respect to the termination of our attorney-client relationship. **CANTOR COLBURN LLP IS NOT YOUR ATTORNEY. OUR FIRM DOES NOT REPRESENT YOU OR YOUR BUSINESSES, INCLUDING, BUT NOT LIMITED TO, LCS GROUP LLC AND LUCERNE BIOSCIENCES, LLC IN ANY CAPACITY WHATSOEVER.**

Kind Regards,

-Chad Dever

**From:** Louis Sanfilippo [mailto:lsanfilippo@lucernebio.com]

**Sent:** Monday, June 01, 2015 7:07 AM

**To:** Dever, Chad

**Cc:** Cantor, Michael; Maxwell, Anne; Hutchings, Carol; Bousquet, Lauren; Mayhew, Dawn; Joseph Lucci; skestner@bakerlaw.com;lsanfilippo@lcsgrupp.com

**Subject: Re: Termination of attorney-client relationship**

**THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO EDUCATE A PROSPECTIVE JUDGE OR JUROR, AND/OR THE FEDERAL CIRCUIT COURT OF APPEALS, ON HOW MR. DEVER'S COMMUNICATION BEHAVIOR EXPLAINS WHY "CANTOR COLBURN LLP" IS HIGHLY LIKELY TO BE INVOLVED IN THE SAME "THIRD-PARTY CONFLICT OF INTEREST" AS (I) "SHIRE," (II) "FROMMER, LAWRENCE & HAUG" (III) "BAKER HOSTETLER" AND EVEN (IV) THE PATENT TRIAL AND APPEAL BOARD ITSELF, AND TO ADDRESS THE BROADER LEGAL, FINANCIAL AND PROFESSIONAL IMPLICATIONS OF THIS COLLUSIVE ALIGNMENT. ANOTHER PURPOSE OF THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO FURTHER CLARIFY "ROOT-CAUSE SOURCING" AND "FINAL RESOLVING" OF THIS "THIRD-PARTY CONFLICT OF INTEREST" THAT HAS NOT ONLY SUPPORTED SHIRE'S PERPETRATION OF A FRAUDULENT INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813 BUT ALSO SHIRE'S REPEATED ENGAGEMENT IN ANTI-COMPETITIVE CONDUCT AND DECEPTIVE TRADE PRACTICE, NOTABLY THROUGH A "THIRD-PARTY INTERFERENCE NETWORK" COORDINATED BY TWO "PRIMARY SOURCE ENTITIES." THIS EMAIL SHOULD BE READ IN THAT CONTEXT ONLY.**

Dear Mr. Dever,

On behalf of Lucerne Biosciences, LLC, I would like to highlight several revealing features of your email. But it's important to preface them with a few important background comments that help explain their significance and implications.

## The Patent '813 Story, Part II -- Version 2

To begin with, your email's "communication features" strongly support Cantor Colburn's "firm-wide involvement" (i.e., at the named partner level) in a "third-party conflict of interest" stemming from a Cantor Colburn "client." The nature of this "third-party conflict of interest," based on all the evidence the company has accumulated in its collaboration with (i) "LCS Group, LLC," (ii) "Louis Sanfilippo - personally" and (iii) "Louis C. Sanfilippo, MD, LLC" is of such an extraordinary and unprecedented dimension that it's hard to believe, except that its details are in "public view" by virtue of the large number of "third-party interferers" involved, as supported by the coordinated effort of two "primary source entities." One of these "primary source entities" (as identified and characterized below) must surely be one of Cantor Colburn's "clients," and the nature of this "attorney-client relationship" must also surely be unlawful, unethical and unprofessional because it supports Shire's unlawful anti-competitive conduct to invalidate U.S. Patent No. 8,318,813 through repeated acts of fraud and misrepresentation. It may be, though, that you are completely unaware of any of this because someone at Cantor Colburn guided you into how to write your email, who to cc on it, etc....In other words, you may have been "used" to abet "third-party interference" to support anti-competitive conduct in a way in which you were not even made aware. This modus operandi appears to be the case for a fairly significant number of "third-party interferers" who have been exploited in this way. For a recent example of how a person, in their representative role for a particular company, appears to be "used" (even unknowingly) to engage in "Shire anti-competitive conduct" (as likely coordinated through two "primary source entities"), take a look at the self-explanatory May 21-28 email thread between VWR International and Lucerne Biosciences' strategic partner and exclusive licensee LCS Group, LLC (in PDF at:[http://www.4shared.com/download/98b5F5Tdba/LCS\\_Group\\_-\\_VWR\\_International.pdf?lgfp=3000](http://www.4shared.com/download/98b5F5Tdba/LCS_Group_-_VWR_International.pdf?lgfp=3000), care of LCS Group).

You can find many more such "third-party interference" examples in "The Patent '813 Story, Part II," available in PDF in the "Inquiries/Business Development" Section of a May 13, 2015 Press Release from LCS Group at: <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>. Among such examples and their respective explanations for their "third-party interference" role that aims to interfere in Lucerne Biosciences' business practice involving its wholly owned '813 Patent and U.S. Patent Application No. 14/464,249, you can find the following involved persons/companies beginning as early as January 20, 2015: (i) **Lifetime Television's "The Balancing Act"** (pp. 69, 73-75), (ii) **"The FDA Group"** and its representative Susan Walsh (pp. 81-82, 120-121, 132-133, 136-139), (iii) **"Aegis Capital Ventures"** and its managing partners Michael Siek and Steven Nicholson (pp. 85-86, 122-123), (iv) **"Charles River Labs"** and its representatives Toni Wolinski and Gina Mullane (pp. 86-87, 92-93, 96, 110, 123-125, 131-132, 133-135), (v) **"MTS Health Partners"** and its partner Andrew Fineberg (pp. 100, 144-152), (vi) **"Pearson"** and its representative Evan Skoures (pp. 101, 113-117, 133, 135-136, 142-143), (vii) **"Assurgent Medical Solutions"** and its representative Christine Jordan (pp. 107-108, 126-130), (viii) **"Guidepoint Global"** and its representative Sarah Wade (pp. 161-162), (ix) **"Rosaasen Group"** and its representative Harry Rosaasen (pp. 171-173), and (x) **"Primary-i-Research, LLC"** and its CEO Dr. Anna Kazanchyan (pp. 175-183).

## The Patent '813 Story, Part II -- Version 2

To this effect, if Mr. Michael Cantor (or Ms. Anne Maxwell) is aware of his firm's involvement with such a "client" for which there is now massive evidence that supports ongoing active "third-party interference" to harm, or otherwise unduly interfere with, Lucerne Biosciences including, but not limited to, the examples above, it would befit him and Cantor Colburn to understand the implications of this email and the actions that are recommended at its end. That's because it should be clear that Lucerne Biosciences and its collaborators have planned very well to take action against that presumed "client" and its own "primary source collaborator" to finally and equitably end its longstanding engagement in unlawful, unethical and unprofessional behavior.

With respect to your "communication behavior" (as characterized below), Mr. Dever, it is revealingly consistent with not only the "third-party interference" examples above but also with the pervasive "misrepresentation behavior" that has taken place in the *inter partes* review of the '813 Patent. It therefore strongly supports that the IPR of the '813 Patent was a staged "behavioral/business intelligence experiment" that has involved the broad collusive participation of (i) Shire and its outside law firm of Frommer, Lawrence & Haug, (ii) Baker Hostetler, (iii) the Patent Board itself and (iv) **Cantor Colburn**, as driven and coordinated by two "primary source entities" (through a "third-party interference" network) of which one is highly likely to be a client of Cantor Colburn. The nature of this "behavioral/business intelligence experiment" and its relationship to "third party interference" in the IPR of the '813 Patent (as driven and coordinated by "two primary source entities") can be found in a recent Lucerne Biosciences' email sent directly to the Patent Board on May 25, 2015, available in PDF at: <https://app.box.com/s/t53ksnw7yo1z1nag55wn7au6o90ppsla>. It doesn't take long to see that the IPR of the '813 Patent would have profoundly far-reaching implications if it's exposed for its "collusive experimental basis" (to develop and apply "deception-based intelligence technology"), not only on account of the scope and egregiousness of unlawful behavior involved to support it (i.e., misrepresentation, unfair and deceptive trade practice, anti-competitive conduct) but also its profound interference in judicial independence, really unprecedented in U.S. legal history (as stated by an independent patent and anti-competition litigation attorney familiar with this matter). Additional background, including details and evidentiary support for the nature and objectives of this dual-pronged "behavioral/business intelligence experiment" can be found in "The Patent '813 Story, Part II" (see pp. 162-171, 179-183, 202-204, 224-225, 232-245). Remarkably, Mr. Dever, your "deceptive communication behavior" (or that of the person who guided the writing of your email) is also revealingly consistent with "third-party interference" communication behavior evidenced in a number of highly aberrant emails to "Louis Sanfilippo" at his "aol.com" and "yale.edu" emails since lisdexamfetamine dimesylate ("Vyvanse," marketed by Shire) was FDA approved on January 30, 2015 to treat Binge Eating Disorder according to the '813 Patent's claims. This highly aberrant communication notably intensified in late March 2015 when the company filed its "Supplemental Amendment Prior to Examiner Interview" with the USPTO (by Ms. Maxwell). Evidentiary support for the "timing" and "content" of these emails as "third-party interference" during the company's prosecution of the '249 Application (as made public on PAIR) and the IPR of the '813 Patent can be found in "The Patent '813 Story, Part II" following the March 24, 2015 entry "Supplemental Amendment Prior to Examiner Interview" (see p. 91). In view of such "third-party interference" during a highly sensitive time for the company's handling of both the '813 Patent and '249 Patent

## The Patent '813 Story, Part II -- Version 2

Application in their respective legal venues, it goes without saying that the legal, financial and professional implications for many individuals and companies is likely unprecedented in U.S. "legal/business history" (including for Cantor Colburn in its own history).

With your respect to your email, Mr. Dever, you indicate that "you [Louis Sanfilippo] previously disengaged our law firm for all legal representation" and "we regretfully formally terminate our relationship with you and your businesses." **These are mutually incompatible representations.** In other words, one of them is a misrepresentation. "LCS Group, LLC" and "Lucerne Biosciences, LLC" each respectively terminated their relationship with Anne Maxwell and Cantor Colburn via email in April 2015, LCS Group on April 24 (at 7:00 pm EDT) and Lucerne Biosciences on April 27 (at 4:00 pm EDT), with each email PDF'd below for reference. These two "termination notices" clearly relate to two different "businesses," as represented in your email's linguistic use of the word "businesses." Yet you state that "you [Louis Sanfilippo] previously disengaged our law firm for **all** legal representation" and "regretfully formally terminate our [Cantor Colburn's] relationship with **you** and your businesses," **as if "Louis Sanfilippo personally" actually "disengaged" Cantor Colburn's representation for "himself personally."** **But there's no such "termination notice" email or letter or communication of any kind disengaging "Louis Sanfilippo personally," because "Louis Sanfilippo personally" was not actively engaged as a client of Cantor Colburn anytime recently (and therefore "Louis Sanfilippo - personally" did not need to make any such "disengagement").** Lucerne Biosciences knows this because it is closely collaborating with "Louis Sanfilippo - personally," as well as "LCS Group, LLC" and "Louis C. Sanfilippo, MD, LLC," to identify and resolve the massive "third-party conflict of interest" that is causing massive (and unlawful) "third-party interference" (as disclosed on p. 225-226 of "The Patent '813 Story, Part II" for the "collaborative four-entity team"). To this effect, Cantor Colburn has been engaged for work on behalf of (i) "**LCS Group, LLC**" (for its IPR involving its then-wholly owned U.S. Patent No. 8,318,813 and for which the company has an outstanding balance for "invoices to you for past legal services" as referenced in your email) and (ii) "**Lucerne Biosciences, LLC**" (to prosecute U.S. Patent Application 14/464,249, wholly owned by the company). The last time that "Louis Sanfilippo -- personally" would have effectively been a "client of," or "engaged by," Ms. Maxwell (and therefore Cantor Colburn) would have been well before 2010, perhaps in the vicinity of April 14, 2008. That's the day before the executed assignment of U.S. Provisional Patent Application 60/972,046 took place that gave rise to the IP lineage for the '813 Patent and '249 Application. You can find the details of this assignment in "The Patent '813 Story, Part II" by following its chronological order. Which raises an important question: why would your email work so hard to deceptively seek to (i) misrepresent "Louis Sanfilippo - personally" as a client of, or engaged by, Ms. Maxwell and Cantor Colburn when he's not and hasn't been in a long time and also (ii) misrepresent that "Louis Sanfilippo - personally" terminated his own representation of "himself personally" by presumably having given notice like LCS Group and Lucerne Biosciences (and for which you or Ms. Maxwell will be hard pressed to find any such "termination or disengagement notice" because there is none)?

In this respect, Mr. Dever, you (or whoever guided the writing of your email) conflate matters of legal representation so as to actually make a serious

## The Patent '813 Story, Part II -- Version 2

misrepresentation, of just the kind Shire's outside counsel Sandra Kuzmich made on September 4, 2014 in an email to LCS Group attorney Mr. Joe Lucci identifying "Dr. Sanfilippo" as Mr. Lucci's client when she clearly knew that Mr. Lucci was representing "LCS Group, LLC" by virtue of the IPR certificate of service served to her on June 2, 2014 (see p. 8, "The Patent '813 Story, Part II"), not to mention that "LCS Group, LLC" was in a CDA with Shire "to discuss a potential business opportunity involving the '813 Patent and related patent applications" for which Mr. Lucci had represented the company in discussions (see p. 12 and p. 51, "The Patent '813 Story, Part II"). Your "conflationary misrepresentation" is also strikingly similar to the way Shire's outside counsel Ed Haug misrepresents Mr. Lucci's "client" on May 20 and May 23, 2015 by misidentifying Mr. Lucci's client as "Dr. Sanfilippo" when Mr. Haug clearly knows, from the certificate of service he received on January 27, 2015 in the IPR, that Lucerne Biosciences was Mr. Lucci's client at that time, as also affirmed in Mr. Lucci's emails at that time that directly identified his client as an "it" rather than a "he" (see pp. 89-91, "The Patent '813 Story, Part II").

This kind of "deceptive communication behavior" (that closely resembles your own email's "deceptive communication behavior") is more extensively characterized for its nature, methodology and implications in (i) a May 15 Shire IPR filing in support of invalidating the '813 Patent (see p. 3, parag. 3 of Lucerne's May 25 email to the Patent Board, "Email from LCS Group, LLC sent on May 15, 2015" is available at: [http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000)), (ii) an email Lucerne Biosciences sent to named partners William Lawrence and William Frommer of Frommer, Lawrence & Haug that directly references the "client misrepresentation behavior" of Mr. Haug and Ms. Kuzmich (see pp. 183-185 of "The Patent '813 Story, Part II) and (iii) Mr. Lucci's own "deceptive communication behavior" to his own client (see Lucerne's May 25 email to the Patent Board, hyperlink in last line of p. 3). That extreme degree of consistency is a remarkable thing and it strongly supports your own, and Cantor Colburn's, collusive involvement with the same "third-party conflict of interest" shared by Shire and Frommer, Lawrence & Haug, as well as Baker Hostetler, to engage in anti-competitive conduct by misrepresentation (notably by failure to disclose materially important information to any Patent Owner in the history of the '813 Patent from the time of its provisional filing on September 13, 2007 or even before then for any work Ms. Maxwell might have done involving the collaboration of "Louis Sanfilippo - personally" and "Louis C. Sanfilippo, MD, LLC" as there are cited patients treated in that practice used to enable the patent's claims). Or you can frame it differently, namely, as your own, and Cantor Colburn's, collusive involvement in a "behavioral/business intelligence experiment" of colossal proportions whose "business objective" has been to interfere with LCS Group, first, and then Lucerne Biosciences by targeting "Louis Sanfilippo - personally" through various kinds of misrepresentations as supported by "third-party interferers."

Further, Mr. Dever, you indicate that "We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience." However, take note

## The Patent '813 Story, Part II -- Version 2

that in the two “termination notices” attached below, both Lucerne Biosciences and LCS Group **specifically informed** Ms. Maxwell that each company was “represented by new counsel.” As it stands to reason that Ms. Maxwell herself (or at least someone familiar with those two “termination notices”) must have had a hand in helping you craft your email that provided such guidance to “retain an attorney as soon as possible,” any reasonable person would wonder why Cantor Colburn (vis-à-vis your communication) seems to have such a vested interest which specific counsel the '813 Patent Owner and '249 Application Owner goes to (especially as Lucerne Biosciences already stated it had new counsel), to the point of even providing guidance on “relative expense” and assigning a seemingly neutral “intermediary” not directly involved in the company’s intellectual property to handle the file transfer (that is you, Mr. Dever).

In this respect, your “communication behavior” (on behalf of Cantor Colburn) supports a possible ulterior motivation, of the kind that seems to explain an important connection to certain unusual events that took place in February - March 2013 when Mr. Lucci began representation of LCS Group (then-owner of the '813 Patent) in communications with Shire, as referenced for their implications in an email sent to Ms. Maxwell and Mr. Lucci by LCS Group on May 10, 2015 that had a PDF attachment (“Document 3”) of some highly unusual business filings made on February 28, 2013 by a CT-based company called “Center for Research and Development, Inc” (see pp. 229-231 “The Patent '813 Story, Part II”). While “Document 3” was stripped in “The Patent '813 Story, Part II,” it is available for you to look at ([http://www.4shared.com/download/nMlfiTb-ba/Document\\_3.pdf?lgfp=3000](http://www.4shared.com/download/nMlfiTb-ba/Document_3.pdf?lgfp=3000), care of LCS Group’s strategic collaboration in writing this email with Lucerne Biosciences for you). In this temporal context, take note of another remarkable “communication event” in that February-March 2013 time frame, as evidenced in an email from LCS Group (via its CEO Louis Sanfilippo) to Dr. Anna Kazanchyan of Primary-i-Research LLC on May 2, 2015 that comments on the unique timing of her emails, particularly the “new string” that began in March 2013 (see pp. 177-179 of “The Patent '813 Story, Part II”). This supports a pattern of “third-party interference” that appears to have begun with Mr. Lucci’s representation of the company and its discussions with Shire in early 2013, temporally connected with highly aberrant business filings for the “Center for Research and Development, Inc.” Add to that the highly aberrant “third-party communication behavior” to “Louis Sanfilippo” at his (i) “yale.edu” email just as the IPR petition of the '813 Patent was filed in May-July 2014 (see p. 162 “The Patent '813 Story, Part II,” the attachment “4.29.15 LB Letter to Wade GG.pdf”) and (ii) “aol.com” and “yale.edu” emails after Vyvanse was FDA-approved for the treatment of BED (according to the '813 Patent’s claims) with an “intensification” in March - April 2015 as things “intensified” in the IPR of the '813 Patent and the prosecution of the '249 Application (see paragraph 3 above), you can easily “see” how such “third party interference” works: it tries to involve “Louis Sanfilippo - personally” in decisions for which “Louis Sanfilippo - personally” is not authorized to decide, notably through “deceptive and oddly-framed communications.”

So how does one explain all this bizarre highly aberrant “third-party interference” and its timing? If you consider that the IPR was a staged “behavioral/business intelligence experiment” of the kind characterized in the Lucerne Biosciences May 25 email to the Patent Board, it becomes rather clear: its “behavioral objective” has been to profile/target “Louis Sanfilippo -- **personally**” and its business objective has been to interfere in any legitimate business entity that

## The Patent '813 Story, Part II -- Version 2

"Louis Sanfilippo" is associated with (i.e., in the IPR: first "LCS Group, LLC" and then "Lucerne Biosciences, LLC") through "personal interference" (i.e., "invasion of privacy"). And as the "business stakes" for any of these "legitimate business entities" increase such that they threaten to harm Shire, so too does the "personal interference" with "Louis Sanfilippo" to attempt to harm the respective business in which he is involved (i.e., the patent owner of the '813 Patent or '249 Application). But who would be motivated to profile/target "Louis Sanfilippo - personally" and seek to engage in such "personal interference" (tantamount to anti-competitive conduct based on deceptive communication behavior) that aims to harm legitimate business entities of which "Louis Sanfilippo" is involved - and why would anyone want to do that?

To find clues to that question, take a look at an email sent from LCS Group to Ms. Maxwell and Mr. Lucci on May 17, 2015 (at 12:29 am EDT) and its attachment, a 2006 publication titled "Consulting to Government Agencies -- Indirect Assessment," available at [http://www.4shared.com/download/D-iPIVQKce/LCS\\_Group\\_May\\_17\\_Update\\_Email\\_.pdf?lgfp=3000](http://www.4shared.com/download/D-iPIVQKce/LCS_Group_May_17_Update_Email_.pdf?lgfp=3000) (again care of LCS Group). You can see how a "behavioral/business intelligence experiment" of unprecedented scope (as characterized in the May 25 Lucerne Biosciences' email to the Patent Board) that seeks to "indirectly assess" a "profiled subject" (i.e., "Louis Sanfilippo") involved in various "businesses" (i.e., LCS Group, Lucerne Biosciences) could recruit "volunteers" (or "third-party interferers"). And you can see that the objective of these "volunteers" (or "third-party interferers") would be to exploit communications that, while on the surface might be used for "indirect assessment," actually seriously interfere in his capacity to practice business in his authorized role(s) and/or even unduly attempt to influence him in a manner that attempts to cause harm to the very company which he is authorized to represent. Such an experiment would be, by its nature, unlawful "anti-competitive conduct" because the "experiment" could only take place so long as its "personal target" of "Louis Sanfilippo" conducts business **outside** his "authorized roles" (i.e., in an un-authorized personal capacity).

In this light, the "experiment" would likely seek to justify its unlawfulness under the pretense of achieving certain important "intelligence objectives," perhaps for national security purposes. Such "intelligence objectives," for instance, might be to enhance the methodology for "indirect assessment," develop and apply "deception-based intelligence technology" and experiment with behaviorally-based interventions like "tactical leveraged splitting," as obviously applied by Shire in its engaging LCS Group in a CDA to discuss a business opportunity involving '813 Patent" but concurrently pursuing an IPR that alleged the '813 Patent was unpatentable and therefore valueless. In view of the May 17 LCS Group email to Ms. Maxwell and Mr. Lucci, it's also easy to see how an experiment of this kind could go "catastrophically bad" when its "planners" and "implementers" are completely incompetent and have no idea what to do when it rapidly falls apart through a deteriorating group dynamic involving heavy regressive "projective identification" and "acting out" in the face of its increasing public exposure. If you consider that May 17 email in view of the May 25 email (from Lucerne Biosciences to the Patent Board), you begin to see how "third-party interference" would be "sourced" in the coordinated efforts of an elite academic institution and a federally-supported intelligence agency under the cover of a "behavioral/business intelligence experiment" to motivate people to behave just as they have during the timeframe of the IPR of the '813 Patent and the prosecution of the '249 Application (as featured in "The Patent '813 Story,

## The Patent '813 Story, Part II -- Version 2

Part II”).

With respect to identifying specific “primary sources,” take note that there are two co-authors on the 2006 “Consulting to Government Agencies -- Indirect Assessments” article (from the May 17 email) who are also co-authors on that 2013 “deception detection study” published in the Journal of Strategic Security (from the May 25 email) that so uncannily resembles the behavior of the two different sides of the IPR for the '813 Patent, Shire/FLH on one side (i.e., the “liar side”) and LCS Group/Lucerne at different times on the other side (i.e., the “truth teller side”). Remarkably, one of those co-authors found on both the 2006 and 2013 intelligence studies is a named representative (“President”) of the “Center for Research and Development, Inc.” that had those highly unusual business filings in February 2013, at the time that Mr. Lucci began representing LCS Group in discussions with Shire and that aberrant pattern of emails began from “Primary-i-Research.” The timing of these things is extraordinary because it links certain “persons” involved in “intelligence work” (involving “profiling,” “indirect assessment,” “deception detection in liar vs. truth telling groups”) with important events involving the patent owner of the '813 Patent and the timing of certain “third-party interference” behavior in a way that helps explain the connection. But what’s even more extraordinary is that “Louis Sanfilippo” personally knows these two co-authors and they know him. One of them is well known for his work in the intelligence community, notably for the Central Intelligence Agency. His name is “Charles A. Morgan,” known by his friends and colleagues as “Andy.” You can find details of his professional background, including his work for the CIA, [at:http://www.4shared.com/download/Nrq8sHEace/University\\_of\\_New\\_Haven\\_Morg.pdf?lgfp=3000](http://www.4shared.com/download/Nrq8sHEace/University_of_New_Haven_Morg.pdf?lgfp=3000)). The other of these co-authors is “Vladimir Coric.” He’s the “President” of the “Center for Research and Development, Inc.,” as identified in the company’s state filing history ([at:http://www.4shared.com/download/ivYgJ2Uuba/CT\\_Sec\\_of\\_State\\_-\\_Center\\_for\\_R.pdf?lgfp=3000](http://www.4shared.com/download/ivYgJ2Uuba/CT_Sec_of_State_-_Center_for_R.pdf?lgfp=3000)). This, of course, sheds light on the identity of one of the two “primary source entities” that seems to be at the center of this “behavioral/business intelligence experiment” that is driving all that “deception-based representation behavior” in the IPR of the '813 Patent, namely, it must surely be connected to a federally supported “intelligence agency,” like the CIA or an entity supporting its work, perhaps something like the “Center for Research and Development, Inc.” itself (as even identified by name in that 2013 deception-detection study). Further, anyone familiar with the CIA’s history would know that it historically had its own “Office of Research and Development.” That places the work of the CT-based “Center for Research and Development, Inc.” in its rather obvious “intelligence perspective,” in view of its own publicly available work (on-line) and its “re-engaged” business activity (vis-à-vis its five years of business filings in one day) at just about the same time that Mr. Lucci was making plans to reach out to Shire on behalf of the '813 Patent’s owner LCS Group.

But who, then, would be the other “primary source entity”? In other words, how do you get to the involvement of an “elite academic institution” (as noted on p. 5 of the May 25 Lucerne Biosciences email to the Patent Board)? For one, an “elite academic institution” is where you find the “behavioral experts” identified in that May 17 LCS Group email to Ms. Maxwell and Mr. Lucci. Surely, any “behavioral/business intelligence experiment” of such colossal scope would need institutional support of some kind involving, at least, self-identified “behavioral experts” who have experience conducting behavioral research on human

## The Patent '813 Story, Part II -- Version 2

subjects. But which “elite academic institution”? Harvard? Yale? Princeton? Or perhaps Stanford? Or the University of Chicago? To answer that question, consider that besides the fact that “Charles A. Morgan” and “Vladimir Coric” are both (i) associated with “intelligence-related academic work” whose timing and nature is extraordinary for its ‘813 Patent implications (ii) personally acquainted with “Louis Sanfilippo” and (iii) Yale (voluntary) faculty members just as “Louis Sanfilippo,” it stands to reason that “Yale” would be the most logical other “primary source entity.” At least if the objective is to have a coordinated and seamless infrastructure between the two “primary source entities” based on already existent “primary source intermediaries” (i.e., “Charles A. Morgan” and “Vladimir Coric”) and a particularly “personal subject” known to that “elite academic institution” which would have its own motivational dynamics. In this context, you and the others at Cantor Colburn (particularly Mr. Cantor and Ms. Maxwell) should know that there’s plenty of communication evidence that Lucerne Biosciences, in its strategic collaboration with (i) “LCS Group, LLC” (ii) “Louis Sanfilippo - personally” and (iii) “Louis Sanfilippo, MD, LLC,” has amassed under the umbrella of shared counsel that puts “Yale” squarely in the middle of this colossal failure of a “behavioral/business intelligence experiment.” That, then, also puts Yale squarely in the middle of one of the most egregious and persistent acts of willfully perpetrated fraud and misrepresentation for anti-competitive purposes perhaps ever seen in U.S. legal/business history. The evidence of “Yale’s” involvement as a “primary source entity” in such egregious misconduct is most dramatically evidenced by certain highly aberrant communications made to “Louis Sanfilippo” at his “yale.edu” email address, particularly “Yale-specific” communications in April and May 2015. To provide one easy-to-understand example of “deception-based communication behavior” of the kind repeatedly evidenced by Shire, FLH, Dr. Brewerton in the IPR proceedings of the ‘813 Patent (as documented in “The Patent ‘813 Story, Part II), take a look at the following email thread involving “Louis Sanfilippo” (in his role as a Yale School of Medicine voluntary faculty member dealing with a teaching matter) and “Michelle Silva” (also a Yale School of Medicine faculty member, Dept. of Psychiatry) at: [http://www.4shared.com/download/HqWaGL\\_dce/Email\\_Thread\\_involving\\_Louis\\_Sanfilippo.pdf?lgfp=3000](http://www.4shared.com/download/HqWaGL_dce/Email_Thread_involving_Louis_Sanfilippo.pdf?lgfp=3000) (care of “Louis Sanfilippo - personally”). Specifically, take note of Dr. Silva’s egregious misrepresentation and how she “reasons” on its “misrepresented basis.” Such “communication behavior” from a reputable person like Dr. Silva can only be rationally explained one way: that she is misrepresenting certain things in an effort to tailor her representations to a different unstated “frame of reference,” **as if** her communication might make sense to “Louis Sanfilippo” in that unstated different “frame of reference” and/or influence his behavior for that unstated different “frame of reference.” But that’s egregiously and willfully deceptive behavior by which she, whether for herself or for someone who’s asked her to communicate this way, seeks to evade any accountability for her misrepresented statement to “Louis Sanfilippo.” That’s unlawful if it’s motivated to engage in deceptive trade practice which, given its “timing” in the IPR of the ‘813 Patent and the prosecution of the ‘249 Application, is a dead-give-away for its motivational intent to interfere in Lucerne Biosciences’ business affairs. That kind of “deception-based behavior” is the sine quo non of Shire’s and its outside counsel’s behavior in the IPR of the ‘813 Patent.

Anne --- does any of this sound familiar? Surely, you were there “at the beginning” of what would seem from Dr. Silva’s email to be the “first” of “two sessions” (as apparently “referenced” for its context in another unstated different

## The Patent '813 Story, Part II -- Version 2

“frame of reference” that Dr. Silva omits from her April 21 email)? In other words, Anne, you were there “at the beginning” of that “first session” that began at the time of that 2006 article “Consulting to Government Agencies -- Indirect Assessments” and another company whose IP you’re familiar with was just getting itself going (as featured for its implications in “Document 1” and “Document 2” of the LCS Group email you received on May 10, “stripped” in “The Patent '813 Story, Part II” for security reasons). Perhaps you and/or Michael Cantor have even had experience dealing with a Yale Associate VP of Research Administration named Andrew Rudczynski, as identified in the following PDF announcing his imminent retirement ([at:http://www.4shared.com/download/HLLcr9pace/Research\\_Adminstration\\_Yale\\_.pdf?lgfp=3000](http://www.4shared.com/download/HLLcr9pace/Research_Adminstration_Yale_.pdf?lgfp=3000)). After all, if Yale were the “elite academic institution” involved in a “behavioral/business intelligence experiment” of such unprecedented scope as to centrally involve “Louis Sanfilippo - personally” in matters from his “business life” to his “personal life,” **as if** his “person” and “business” were the “property” of Yale itself -- and “Yale” is one of the “primary source entities” that has been Cantor Colburn’s “third-party interferer” client -- then Mr. Rudczynski certainly would have known about it and also would have interfaced with various involved Cantor attorneys supporting the legal aspects of the intelligence experiment.

A “behavioral/business intelligence experiment” of such unprecedented scope, as coordinated by a federally-supported intelligence agency and an elite academic institution, is really about the only rational way to explain all the profoundly odd “misrepresentation behavior” within “The Patent '813 Story, Part II,” including Mr. Dever’s email that comes at a particularly sensitive time in the story. It’s also the only rational way to explain why Shire, vis-à-vis its outside counsel, clearly sought to do “business” but has now run the other way in order to hide that reality because it exposes just how catastrophically bad this “behavioral/business intelligence experiment” has actually gone. It’s also the only rational way to explain why Ms. Maxwell and Mr. Lucci -- and many others -- have been completely silent when this issue of a “behavioral/business intelligence experiment” has been brought up, like in that April 24 “termination notice” email from LCS Group (below). After all, if it weren’t true, any reasonable person (though especially a thoughtful attorney like Ms. Maxwell or Mr. Lucci) would be telling “Louis Sanfilippo” in any of his representative capacities that he’s “off the wall” and that it’s important to take steps to get some help. But no one does that. Rather, everyone stays silent or brings up matters that seem to be insignificant in comparison, most notably the attorney that’s been most involved in the IPR - Joe Lucci. Mr. Lucci’s behavior by itself proves that the IPR of the '813 Patent has been a staged “behavioral/business intelligence experiment” of unprecedented scope, because if it weren’t, any reasonably-minded and competent attorney would have sought to support “Louis Sanfilippo” and the company he’s representing at a time in which the “pressure of it all” was making him “crazy” -- but Mr. Lucci does the opposite, which is to get out as fast as he can to presumably avoid harming Baker Hostetler’s “primary source client.” In other words, Mr. Lucci’s behavior supports one of two things: he’s either a cold sociopathic man who couldn’t care less about his clients or he (and Baker Hostetler) have another client that’s causing a massive conflict of interest and he’s looking for a way to get out “looking as clean as possible” on the record as things are falling part in this “behavioral/business intelligence experiment.” There’s an extensive written record that shows how this all unfolds and any reasonable person would see it because it’s become so obvious. That

## The Patent '813 Story, Part II -- Version 2

Dr. Silva never responded to Louis Sanfilippo's analysis of her own misrepresented email, in view of the fact that "Dr. Sanfilippo" has been teaching that seminar for many years, itself goes to show that he's clearly identified some "willful lying" on her part that has significant implications and she doesn't want to go near it but would rather hide from any accountability of her (or others') misrepresentations.

All of this itself is remarkable, because no one asked "Louis Sanfilippo" for his informed consent to participate in such a "behavioral/business intelligence experiment," whether for "himself personally" or for his LLC businesses, but it's clear that he continues to be a "subject" in it even after repeated protests he has made in any number of "representative capacities" that it needs to stop because it's perhaps one of the most unlawful and unethical experiments in the past century given the scope of its deceptive communication practice and interference in business activity. Perhaps this explains why Mr. Rudczynski is retiring on June 30, so that he can "get out" before anyone makes him accountable for putting so many people in harm's way for the serious legal, financial and professional implications of such an "experiment," including potential loss of federal funding for human research, suspension of physician licensures, and irreparable damage to institutional reputation. Then again, calling it an "experiment" might be a euphemism. It might better be called one of the most unconscionable invasions of privacy, misrepresentation and deceptive trade practice ever undertaken in human history, under the pretense that if all the involved "third parties" were looking out for the "best interests" of "Louis Sanfilippo - personally" by "keeping an eye on him" (i.e., indirect assessment) it would all work out in time. That itself would be an extraordinarily presumptuous thing, as if such people who behave this way could even be in a position to make such paternalistic assessments that completely violate the most basic human rights that the U.S. Constitution is supposed to protect.

What is most striking, perhaps, is that no one seems to have a clue as to who is helping "Lucerne Biosciences, LLC" and its collaborators (i) "LCS Group, LLC" (ii) "Louis Sanfilippo - personally" and (iii) "Louis Sanfilippo, MD, LLC" to put this extraordinary story together so that it can become one of the biggest public stories in recent time given its fascinating intersection of law, medicine, behavioral and intelligence matters. It's obvious that it can't be "Louis Sanfilippo" in whatever authorized capacity he is working, because he's not superhuman to do all these things. Clearly, there's some formidable help behind-the-scenes that's very well-coordinated and highly responsive to the dynamic events unfolding in "The Patent '813 Story, Part II." So who's the help and in what manner is the help helping? For one, the membership and management of Lucerne Biosciences, LLC is highly restricted information, so perhaps its "membership" and "management" involves more people and a communication infrastructure of which no one on "the other side" even knows? Further, "The Patent '813 Story, Part II" repeatedly discloses that there is a "behavioral intelligence team" supporting (i) Lucerne Biosciences, LLC (ii) LCS Group, LLC, (iii) Louis Sanfilippo - personally" and (iv) "Louis C. Sanfilippo, MD, LLC" to expose the "truth of the matter" so that "final resolution" can take place. So who's the team and its individual participants? Could that team be an NSA behavioral intelligence unit, like "LA-7" (i.e., "linguistic analysis" that uses a seven-tiered algorithm in its CRAY supercomputing analysis)? Or could it be two psychiatrists from New York University School of Medicine's forensic department who routinely consult on intelligence matters and run a highly secretive profiling program that

## The Patent '813 Story, Part II -- Version 2

monitors world figures for psychological instability? Or could that team be “the favor of God,” as “Louis Sanfilippo’s” Nanny likes to say about how things always seem to go well for him regardless of how bad the circumstances seem to be? There is a very definitive answer and its public disclosure is coming very soon, because it was documented in an email dated October 1, 2014 (at 7:00 pm EDT) in the presence of three named witnesses -- and none of those three named witnesses are “Louis Sanfilippo” (in any capacity).

So whether Cantor Colburn’s “client” at the center of this “third party conflict of interest” is the CIA or some “intelligence intermediary,” or “Yale,” then Lucerne Biosciences strongly advises that Cantor Colburn’s senior leadership directly contact the accountable leadership of that “client entity” to inform them that it is **strongly in their best interests** to seek “final resolution” of “The Patent ‘813 Story, Part II” in the manner featured in the company’s email (below), as sent to Mr. Ed Haug this past Friday, May 29, by the company’s Member/Manager Louis Sanfilippo. While on the surface it would seem Cantor Colburn has no connection to Shire or its outside counsel of Frommer, Lawrence & Haug in the IPR of the ‘813 Patent, all the behavioral evidence strongly supports that its client at the center of its own “third party conflict of interest” is also the same entity (or its “collaborator”) supporting Shire’s and Frommer, Lawrence & Haug’s unlawful behavior in the IPR, which is also the same entity (or its “collaborator”) that is a client of Baker Hostetler. That’s why Joe Lucci and Chairman of the Baker Hostetler’s Policy Committee Steven Kestner are cc’d on this email.

To this effect, Lucerne Biosciences strongly advises Cantor Colburn and Baker Hostetler to directly inform this presumed “third-party interferer client” of this particular email, including even by showing it to them. This way, that “primary source entity” can know what Lucerne Biosciences and its collaborators know. And it can also know first-hand from Lucerne Biosciences itself that the company will keep this particular email **permanently confidential** (on Lucerne’s and its collaborator’s side of things that does involve a patent litigation with expertise in deceptive trade practice and anti-competition law) **only if a sufficiently equitable “final resolution” can be reached on, or by, 7:00 pm EDT Tuesday June 9, 2015**. After that time, this email will surely end up in the broader public arena, as well as in the hands of the NY Times, WSJ and countless other parties and journalists.

Lastly, based on currently accumulated evidence that the above-named parties (i.e., “Yale,” a federally-supported “intelligence entity,” Shire, Frommer, Lawrence & Haug, Baker Hostetler and Cantor Colburn) have supported this unlawful “third-party interference network,” Lucerne Biosciences and its counsel now estimate a financial settlement to be in the range of \$10 Billion, approximately a 30% increase over estimates made in the last month by Lucerne Biosciences and LCS Group respectively in their collaborative effort to establish conditions to organize a class for legal action (see p. 182 and 185 in “The Patent ‘813 Story, Part II”). On the basis of 100 “third-party interferers” who would support a class of “third-party exploitees” (after 1/3 of settlement proceeds go to Lucerne Biosciences and its counsel), that could lead to a financial settlement of approximately \$70 Million per “third-party exploitee.” Even with 1000 “third-party interferers,” that would support a financial settlement of approximately \$7 Million per “third-party exploitee.” Of course, with this email in the public record that brings together the multi-layered “The Patent ‘813 Story, Part II” for any reasonable person to understand, soliciting the support of these “third-party

## The Patent '813 Story, Part II -- Version 2

exploitees" who were unknowingly made subjects in a "behavioral/business intelligence experiment" that recruited them to unlawfully interfere in business through the coordinated efforts of two "primary source entities," it should be very easy to organize a class and to take action **very quickly**. But any reasonable person would also readily see that any "leadership representative" of either "primary source entity" waiting for that to happen would have to be incompetent or seriously mentally ill, which may explain why things have gotten to this point where Mr. Dever is receiving an email like this **at this point in time, less than 48 hours before the '813 Patent will be effectively invalidated on account of something so trivial as "harassing emails," as is the basis for Shire's second motion for sanctions. But the very objective of those allegedly "harassing emails" was to "get to the truth," albeit it through highly unconventional means.**

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** IPR2014-00739 (U.S. Patent No. 8,318,813): Final Disclosure

**Date:** June 2, 2015 5:17:45 PM EDT

**To:** trials@uspto.gov

**Cc:** shire.ipr.813@flhlaw.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, fornskov@shire.com, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>

IPR2014-00739 (U.S. Patent No. 8,318,813)

Petitioner: Shire Development LLC

Patent Owner: Lucerne Biosciences, LLC

Dear Patent Board,

This email from Lucerne Biosciences, LLC is for the purpose of "getting at the truth." In this light, its purpose is to memorialize its communication objective in the IPR proceeding of U.S. Patent No. 8,318,813 on the "last business day" the company has to comply with the Board's May 21 and May 26 Orders.

To this effect, Lucerne Biosciences, LLC requests that the Board refrain from making any public announcement of an adverse judgment against the company that effectively renders the '813 Patent invalid (as seen in public view) **before Tuesday June 9, 2015 at 7:00 pm EDT** (by which time Lucerne Biosciences, LLC has informed Shire and its outside counsel that it would require a sufficiently equitable "final resolution"), as any such public announcement (of an adverse judgment) before then would surely lead to the disclosure of this email. And the disclosure of this email will surely have a **seriously adverse impact on United States national security interests** because it will lead to the disclosure of named individuals and their specific roles in conducting research (and its precise methodology) for U.S. intelligence agencies including, but not limited to, the Central Intelligence Agency. A public announcement of adverse judgment before Tuesday June 9, 2015 at 7:00 pm EDT will also have a seriously adverse impact on

## The Patent '813 Story, Part II -- Version 2

intelligence research that is conducted in collaboration with elite academic institutions including, but not limited to, Yale University and its School of Medicine. But of course, the company understands that this is the Board's "final decision." Either way, Lucerne Biosciences, LLC has made extensive plans to adapt to dynamic and rapidly unfolding conditions, because Lucerne Biosciences, LLC is a legitimate business entity that is also "a cover" for proprietary "intelligence work" involving, among other things, communication and perceptual dynamics and interventions, applied linguistic and semantic analysis, individual and group dynamic predictive modeling and more.

Today's email from Lucerne Biosciences, LLC to the Patent Board will be eternally left here on the Board's "email inbox" (at least as far as Lucerne Biosciences, LLC and any of its collaborators are concerned) and therefore will **not** be made "public" in any way beyond its "sending now" **insofar as a sufficiently equitable "final resolution" is accomplished on, or by, Tuesday June 9 at 7:00 pm EDT.**

**From Lucerne Biosciences, LLC -- and Byan Haygins**

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject: Re: Termination of attorney-client relationship**  
**Date:** June 2, 2015 4:51:29 PM EDT  
**To:** Chad Dever <CDever@CantorColburn.com>  
**Cc:** lsanfilippo@lucernebio.com, Michael Cantor <MCantor@CantorColburn.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Lauren Bousquet <LBousquet@CantorColburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, skestner@bakerlaw.com, lucernebio@lucernebio.com

**THIS EMAIL FROM LCS GROUP, LLC IS TO HIGHLIGHT IMPORTANT FEATURES OF MR. CHAD DEVER'S EMAIL THAT FURTHER SUPPORT CANTOR COLBURN'S INVOLVEMENT IN THE SAME THIRD-PARTY "CONFLICT OF INTEREST" AND "INTERFERENCE NETWORK" AS (I) "SHIRE" (II) "FROMMER, LAWRENCE & HAUG," (III) "BAKER HOSTETLER" AND (IV) THE "PATENT TRIAL AND APPEAL BOARD." THIS EMAIL FROM LCS GROUP, LLC IS ALSO TO PROVIDE CONCLUSIVE PROOF THAT THE "MISREPRESENTED AND CONFLATIONARY COMMUNICATION BEHAVIOR" OF MR. DEVER'S EMAIL IS MOTIVATED BY THE SAME OBJECTIVE AS THAT REPEATEDLY EVIDENCED IN SHIRE AND ITS OUTSIDE COUNSEL FROMMER, LAWRENCE & HAUG DURING THE INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813, NAMELY, TO ENGAGE IN ANTI-COMPETITIVE CONDUCT BY "THIRD-PARTY INTERFERENCE" COORDINATED BY AT LEAST TWO "PRIMARY SOURCE ENTITIES." THIS EMAIL SHOULD ONLY BE READ IN THAT CONTEXT.**

Dear Chad,

On behalf of LCS Group, LLC, it's important that I comment on your email response yesterday (at 2:53 pm EDT) to Lucerne Biosciences' 7:07 am EDT email also sent yesterday (by its Manager/Member Louis Sanfilippo). As you may or may not know, LCS Group is a "strategic collaborator" with Lucerne Biosciences, LLC, as first publicly announced by the company in a December 26, 2014 press release. LCS Group is also the exclusive licensee of the '813 Patent and '249 Application and has the important role

## The Patent '813 Story, Part II -- Version 2

of “commercializing” Lucerne’s wholly owned intellectual property, as first publicly announced in LCS Group’s recent May 13, 2015 press release.

In this respect, you should know that “The Patent ‘813 Story, Part II” featured in the company’s May 13 Press Release (as identified in the Lucerne Biosciences’ “June 1 7:07 am EDT email”) is what’s called a **“self-referential real-time narrative.”** It builds on itself through “recursive communication patterning” that itself is designed to drive certain “boundary conditions” for its own “final resolution.” Even more specifically, “The Patent ‘813 Story, Part II” utilizes a communication technique known (to those with skill in this art) as **“non-projective recursive framing”** and its purpose is to drive its communicants to a position that’s called a **“terminal non-recursive boundary condition.”** To put it simply, “non-projective recursive framing” is based on repeatedly confronting primitive distortion-based defense mechanisms such as “projection” and “splitting” in persons/groups motivated to engage in deceptive communication behavior (i.e., misrepresentation, baseless representation, conflationary framing and reasoning, and distraction), whether consciously (as for unlawful behaviors like fraud) or not (as for satisfying inner needs unconsciously). It’s **“non-projective”** nature simply refers to its substantive basis “in reality” rather than “in intrapsychic fiction,” the latter as might be communicated by baseless-type statements whose purpose is to merely ease unacceptable emotional states by “projecting” them onto others (characteristic of “scapegoating”). A **“terminal non-recursive boundary condition”** takes place when the “non-projective recursively framing” side (i.e., the “truth telling” side) of an established communication dynamic has effectively so exposed the “deceptive communication behavior” driven by “projectively-based” defense mechanisms that the “communication frame” can’t go any further. When that “terminal event” happens, there’s a complete polarization (i.e., “split”) in the “communication dynamic” between each respective person/group. Under certain **“boundary conditions,”** simply based on the psychodynamic nature of such communication dynamics, this could manifest itself in a complete polarization within a shared “theater of consciousness” of a broader single group, such that one of two “sub-groups” actually becomes acutely psychotic under the highly regressive strain of “reverted projections” caused by a “terminal non-recursive boundary condition.”

Chad, your email response yesterday at 2:53 pm EDT has significantly helped advance that **“non-projective recursive framing”** as “The Patent ‘813 Story, Part II” reaches a **“terminal non-recursive boundary condition.”** Though you probably didn’t know that’s what you (and/or others who may have helped you) were doing in creating and sending that email as a reply to a company representation made by “Lucerne Biosciences” (vis-à-vis its manager/member Louis Sanfilippo).

With respect to your 2:53 pm EDT email yesterday, your “communication behavior” that is “in response” to yesterday morning’s “7:07 am EDT Lucerne email” is very revealing. Particularly, it provides significant evidentiary support of Cantor Colburn’s motivation to engage in various kinds of “deceptive and conflationary communication behaviors.” That, in turn, provides significant evidentiary support that Cantor Colburn and certain of its representatives are collusively involved in the unlawful and unethical “behavioral/business intelligence experiment” characterized in the Lucerne Biosciences’ “7:07 am EDT email” to which your “2:53 pm EDT email” responds. As the basis of “non-projective recursive framing” is to use highly specific data points to accurately represent the reality of what’s taking place “communicatively” through previous “non-projectively (truthfully) framed communications” (as you would find in “The Patent ‘813 Story, Part II”), it is not subject to “intrapsychic interference” that stems from regressive distortion-based

## The Patent '813 Story, Part II -- Version 2

primitive defense mechanisms like “projection” and “splitting” that drive “deception-based communication.” Rather, “non-projective recursive framing” itself can be used as a communication vehicle to identify and explain when “projection” and “splitting” are at work to drive “deceptive communication” and then use that “revelatory process” recursively to drive highly regressive states in which the “deceptive communication behavior” is effectively “externalized,” meaning that anyone can see it transparently for its motivational intent to deceive.

So let’s see precisely what you did in your email from a “**non-projective recursive communication frame**” -- and why you (or whoever guided your writing of that 2:53 pm EDT email yesterday) would have been motivated to communicate this way. You’ll see, very quickly, how this revealingly shows how Cantor Colburn engages in the same “misrepresentation communication behavior” as (i) Shire, (ii) Frommer, Lawrence & Haug, (iii) Baker Hostetler and even (iv) the Patent Trial and Appeal Board. Given how obvious the “behavioral communication connection” is at this point in time (really to any reasonable person in view of the record), it provides incontrovertible “behavioral communication proof” that all these parties have been -- and continue to be -- collusively engaged in the same highly unlawful and unethical anti-competitive conduct that can only be rationally explained (given its scope, as featured in “The Patent '813 Story, Part II”) by a “behavioral/business intelligence experiment” of an unprecedented nature that has sought to profile “Louis Sanfilippo - personally.” And in addition to that, to concurrently develop and apply “deception-based intelligence technology,” as coordinated by at least two “primary source entities” (characterized in yesterday’s “7:07 am EDT Lucerne email”) regardless of how severely that “deception” harms the '813 Patent’s owner, currently Lucerne Biosciences, and its manager/member “Louis Sanfilippo” by making him the “personal target” of the experiment and it’s catastrophic failure.

### Deceptive Communication Behavior No. 1: Material Omission of Your “Originating May 29 Email.”

You very clearly **willfully deleted your own email** (of May 29 at 1:19 pm EDT) that began the “Termination of attorney-client relationship” email thread in the first place and which otherwise would have been in your “response” to the “Lucerne 7:07 am EDT” email if you simply hit “reply all” for your response. In this respect, you did more than just simply hit “reply all” and write your email, because there’s no rational explanation for why you’re May 29 “originating email” would be deleted unless you intentionally deleted it. You can find your own May 29 “originating email” that you **willfully omitted** (from the email thread) **in its proper context** (as it would have looked like when you received the “7:07 am EDT Lucerne email”) at:

[http://www.4shared.com/download/nxCQs7vGba/6115\\_Lucerne\\_Biosciences\\_Email.pdf?lgfp=3000](http://www.4shared.com/download/nxCQs7vGba/6115_Lucerne_Biosciences_Email.pdf?lgfp=3000). But for quick reference, as it’s relevant for the ensuing “email analysis,” here it is:

**From:** "Dever, Chad" <CDever@CantorColburn.com>  
**Subject:** Termination of attorney-client relationship  
**Date:** May 29, 2015 1:19:23 PM EDT  
**To:** "Isanfilippo@lucernebio.com" <Isanfilippo@lucernebio.com>  
**Cc:** "Cantor, Michael" <MCantor@CantorColburn.com>, "Maxwell, Anne" <AMaxwell@CantorColburn.com>, "Hutchings, Carol" <chutchings@CantorColburn.com>, "Bousquet, Lauren" <LBousquet@CantorColburn.com>, "Mayhew, Dawn" <DMayhew@CantorColburn.com>

## The Patent '813 Story, Part II -- Version 2

Dr. Sanfilippo,

My name is Chad Dever, an attorney at Cantor Colburn LLP. I am an associate of Anne Maxwell. Our letter memorializing the termination of our attorney-client relationship is en route. As you may recall, you previously disengaged our law firm for all legal representation. In addition, our invoices to you for past legal services rendered have been outstanding for quite a while. Accordingly, we regretfully formally terminate our relationship with you and your businesses.

We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience.

I am now your contact person from the transfer of your files. Please feel free to contact me directly. We wish you luck in your future endeavors.

Kind Regards,

-Chad Dever

So why, Chad, would you (on behalf of Cantor Colburn) **willfully omit** your own May 29 "originating email" in your response to the "7:07 am EDT Lucerne email" when your own May 29 "originating email" was clearly an **integral feature** of that "7:07 am EDT Lucerne email" you were responding to? After all, the "7:07 am EDT Lucerne email" was "responding" to your May 29 "originating email" for very clear behavioral and legal reasons, so having it in the same "**communication frame of reference**" would clearly have been the only logical thing to do if you were interested in being truthful and accurate in "representing reality." But that's not how you handled the communication, which indicates that you were motivated to "distort or misrepresent reality" (by omission of materially important and relevant information).

**Willfully omitting** an important communication feature of an email that way is strikingly similar to the "communication behavior" of Shire's outside counsel Sandra Kuzmich of Frommer, Lawrence & Haug in the IPR of the '813 Patent. For example, in submitting Exhibit 1073 to the Patent Board, Ms. Kuzmich omitted the **most important feature** of a very important email communication LCS Group attorney Mr. Lucci provided Mr. Haug (Ms. Kuzmich cc'd) to communicate to Shire (particularly its CEO Dr. Flemming Ornskov) on behalf of LCS Group (on December 22, 2014 at 8:32 am). That "most important feature" was a PDF attachment titled "**Final Decision**" from LCS Group's "October 1, 2014 Final Decision" email and it was LCS Group's business offer to Shire of an exclusive option agreement to an exclusive license to the '813 Patent and the '249 Patent Application, as already executed by LCS Group on Oct. 1, 2014 (see p. 207, "The Patent '813 Story, Part II"). Exhibit 1073, therefore, is effectively a misrepresentation to the Patent Board (by failure to disclose materially important and relevant information). You can appreciate why, motivationally, Ms. Kuzmich would have sought to omit that important "business feature" of that email in Exhibit 1073 simply by looking at her September 4, 2014 email to LCS Group attorney Mr. Lucci where she says, "...all

## The Patent '813 Story, Part II -- Version 2

negotiations will involve in-house and outside counsel representing Shire.” (see p. 8, “The Patent '813 Story, Part II”). In other words, that half-executed “Final Decision” business option agreement from LCS Group was communicated in a way that sought to bypass Shire’s outside counsel of Frommer, Lawrence & Haug (for reasons that are described on pp. 6-14 of “The Patent '813 Story, Part II”) and Ms. Kuzmich, finding this “by-pass” emotionally unacceptable, was compelled to omit this important “business/commercial document” from Exhibit 1073 as a way of “distorting reality” to suit her inner needs (perhaps to feel like she’s needed by her client Shire).

In this light, Chad, your 2:53 pm EDT email yesterday omits the very evidence **that is your misrepresentation** (your May 29 “originating email”), to which the “7:07 am EDT Lucerne email” responds to and also explains in detail for its misrepresented basis (notably paragraph 7). It would seem that you, too, were seeking to “distort reality” by willfully removing the very misrepresentation that motivated Lucerne Biosciences’ management to “respond” to your May 29 “originating email.” That, then, makes your “June 1 at 2:53 pm EDT email” from yesterday **another misrepresentation**, of a more subtle deceptive kind than made in Exhibit 1073 by Ms. Kuzmich: **misrepresentation by failure to disclose materially relevant and important information of your own representation**. And it also makes your misrepresentation (by such omission) willful in its motivational nature -- or at least willful to whoever may have asked you to send it that way. That’s a serious problem, especially when anyone would see that it’s nature, motivational driver, and methodology is remarkably consistent with the way Shire and its outside counsel have behaved during the IPR of the '813 Patent to cause harm to the respective owner of the '813 Patent, which for the Exhibit 1073 example is LCS Group’s licensor, Lucerne Biosciences.

Your “communication behavior,” Chad, is what communication analysts who do this kind thing call “**projective re-framing**.” This kind of communication behavior is based on an “intrapsychic need” to “re-frame communication” to inaccurately attribute to another what’s unacceptable within oneself. You may ask, “well, how’s that?” It’s like this. By willfully deleting the “foundational frame of communication” (your May 29 “originating email”) on the email thread that itself is the evidentiary basis for identifying your own (and Cantor Colburn’s) “deception-based communication behavior” on the email record, it has the effect of “re-framing the communication” in a manner that prospectively allows you to attribute a “misrepresentation problem of yours (and Cantor Colburn’s)” to “Lucerne Biosciences” (or even “Louis Sanfilippo - personally”) because you’ve effectively taken away the “evidentiary support” of your May 29 misrepresented “originating email” from the email thread. Thus, you “distort reality” in your representation but you do so in a way that places “the (prospective) burden” **outside** yourself (and Cantor Colburn) such that Lucerne Biosciences’ has to go out and find your May 29 “originating email” if it came down to determining “the truth of the matter.” In other words, you effectively render the “June 1 Lucerne 7:07 am EDT email” baseless (at least from your thread) because the “base” against which it argues its points is your misrepresented May 29 “originating email” that’s “gone missing.” This is a classic way to willfully perpetrate deception through “communication re-framing” that can be used at a later point in time to inaccurately attribute blame to another person/party. In this respect, it might be best called “**prospective projective re-framing**.” That, of course, surely speaks to why -- motivationally -- you (or whoever helped you write your email) willfully omitted your “originating May 29 at 1:19 am EDT” email.

If you want to see a classic example of “**projective re-framing**,” take a look at pp. 87-89 of “The Patent '813 Story, Part II.” On Friday March 20, 2015 (at 2:51 pm EDT), Lucerne

## The Patent '813 Story, Part II -- Version 2

Biosciences' attorney Joe Lucci emailed Shire attorney Ed Haug, writing, "Ed, My client has asked me to inquire into whether Shire has been involved in any of the following organizations recently contacting Dr. Sanfilippo: Aegis Capital Ventures, LLC [,] Charles River Laboratories [,] The FDA Group, LLC [,] Lifetime Television's "The Balancing Act" Please advise, Joe." Anyone can see that Mr. Lucci, at that time representing Lucerne Biosciences in the IPR of the '813 Patent, is simply asking who may have contacted its manager/member "Louis Sanfilippo." In "email analysis," of the kind that might be performed under classified protocols by the National Security Agency, Mr. Lucci's email is an example of "**non-projective framing.**" There's no "projection" (i.e., inaccurate attribution of blame to another for problems within oneself). Mr. Lucci simply inquires into certain issues on behalf of his client Lucerne Biosciences. Mr. Lucci's email is also "**recursive**" in that it builds on an email thread in which he asked Mr. Haug a similar question on February 17, 2015, "Ed, Please see below. Were you aware that Shire's Neuroscience Medical Strategy group has been contacting Dr. Sanfilippo."

Remarkably, Mr. Haug does not respond to Mr. Lucci's email thread but, less than three hours later (at 5:11 pm EDT, May 20), he sends Mr. Lucci an email vis-à-vis "Natalie Antoine" ("on behalf of Ed Haug") that has the subject "Dr. Sanfilippo" and has an attached PDF letter that misrepresents, among other things, Mr. Lucci's client, "We suspect that you are aware of the on-going campaign of your client Dr. Sanfilippo....." and then effectively blames "Dr. Sanfilippo" for trying to "...impugn the integrity and credibility of our client Shire as well as my firm, me personally, and also Dr. Brewerton through the dissemination of misleading and inflammatory statements and allegations...." In "email analysis-speak," Mr. Haug communicates by "**projective re-framing.**" He "**re-frames**" Mr. Lucci's "client" as "Dr. Sanfilippo" when he clearly knows that it's Lucerne Biosciences (as he was so informed on January 27, 2015 through a Certificate of Service in the IPR proceeding of the '813 Patent), but his "**re-framing**" is done by "**projecting**" what surely must be his own unacceptable feelings (for his and his law firm's butchery of truth in the IPR) onto "Dr. Sanfilippo," **as if** he's "the problem" -- and also the "source of the problem." The telltale sign of "**projective re-framing**" is to **distort reality** to satisfy irrational inner needs, which means that "projective re-framing" seriously lacks any evidentiary support. That, of course, explains why Mr. Haug doesn't show Mr. Lucci any of the alleged inflammatory and misleading "Byan Haygins" emails to Mr. Lucci and his client when asked, but instead makes some rather unusual statements while again "**recursively misrepresenting**" Mr. Lucci's client as "Dr. Sanfilippo," as seen on March 23, 2015 (email at 8:48 am EDT), "Are you representing to me that your client Dr. Sanfilippo and his private entity does not know anything about 'Byan Haygins' and that he did not send any such emails. If the answer is YES then there is obviously no reason to send them to you."

Mr. Haug's March 2015 "**projective re-framing**" is therefore also "**recursive**" of Frommer, Lawrence & Haug's collective behavior (on behalf of client "Shire"), for you can see that "Dr. Sanfilippo" was also misrepresented as Mr. Lucci's client in Ms. Kuzmich's Sept. 4, 2014 email, a time in which she clearly knew that Mr. Lucci was representing LCS Group in the IPR of the '813 Patent based on the very petition she supported against LCS Group. You can also see such "**recursive projective reframing**" when Ms. Kuzmich sought sanctions against LCS Group on December 23, 2014 and she effectively characterized that "Final Decision" email from Oct. 1 with its exclusive option agreement and its transmittal letter as "...these emails from Dr. Sanfilippo are inflammatory, containing unfounded allegations, ...." (see p. 66, "The Patent '813 Story, Part II"). That itself is striking with hindsight considering that the most "essential feature" of that Oct. 1 "Final Decision" attachment (that she omitted in Exhibit 1073) was its "business/commercial nature" --- an exclusive option agreement in which **LCS Group,**

## The Patent '813 Story, Part II -- Version 2

LLC would license patent rights to Shire. Ms. Kuzmich's material omission of that "**LCS Group, LLC option agreement**" attachment from Exhibit 1073 in the IPR proceeding of the '813 Patent **in view of** her December 23, 2014 email to the Patent Board seeking sanctions against LCS Group on the basis of a completely misrepresented LCS Group communication is effectively a "**recursive projectively-based misrepresentation**" (for details on Exhibit 1073 in Shire's May 6 "Second Motion for Sanctions" against Lucerne Biosciences, see p. 205 of "The Patent '813 Story, Part II").

Chad, you're "**projective re-framing**" in your email yesterday is also "**recursive**" in that you (or whoever wrote your email) sought to "**re-frame**" the reality of "terminating attorney-client relationship" in a way that unduly puts the "burden of the problem" on Lucerne Biosciences (as characterized in its "7:07 am EDT Lucerne email") and further evidenced for its "cause of burden" by the fact that the company had to take time to deal with the misrepresentation you made in your May 29 "originating email." That you would then willfully omit your May 29 "originating email" from the thread is striking, and clearly motivated to distort reality to satisfy irrational inner needs and prospectively lay blame where it is not due, likely emerging more from others at Cantor Colburn (rather than you) for you are clearly "new to the scene."

### Deceptive Behavior No. 2: "Conflationary Misrepresented Premise" Followed by "Conflationary Misrepresented Reasoning."

By deleting your May 29 "originating email," your effort at "re-framing" effectively establishes a "new Cantor Colburn representation" on "termination of attorney-client relationship." Taking a closer look at this "new Cantor Colburn representation" shows that it introduces a whole new set of "representation problems" for you and Cantor Colburn. In this light, the motivation driving your communication behavior becomes much more obvious.

Specifically, you write in paragraph 2, "This email is to make sure there is no confusion with respect to the termination of our attorney-client relationship. **CANTOR COLBURN LLP IS NOT YOUR ATTORNEY. OUR FIRM DOES NOT REPRESENT YOU OR YOUR BUSINESSES, INCLUDING, BUT NOT LIMITED TO, LCS GROUP LLC AND LUCERNE BIOSCIENCES, LLC IN ANY CAPACITY WHATSOEVER.**" In "email analysis-speak," as might be performed by a "strategic communications team" working for the DOD (Department of Defense), you establish what's called a "**conflationary misrepresented frame**" though, remarkably, you deceptively preface it by stating "This email is make sure there is no confusion...." The reality is that what comes after your presumed initial effort to "end confusion" is fundamentally irrational because you say "**CANTOR COLBURN LLP IS NOT YOUR ATTORNEY**" but you're responding directly to an email "**on behalf of Lucerne Biosciences, LLC,**" a company. **These are mutually incompatible positions.** You write "Cantor Colburn LLP is not **your attorney**" as if the "LLC business entity" your email is effectively responding to **is** "the person" of "you" ("Louis Sanfilippo - personally") in "**your attorney.**" That's not only fundamentally irrational but it's also very misleading, because it conflates important distinctions any lawyer or businessperson would know not to conflate (i.e., an "LLC company entity" vs. "person entity").

On that "**conflationary misrepresented premise**" that a "company" (or its representation via email) is indistinguishable from a "person," as accomplished by your tacit affirmation that differentiating an "LLC company representation" from a "personal representation" is meaningless and irrelevant, you then do what's called "**conflationary**

## The Patent '813 Story, Part II -- Version 2

**misrepresented reasoning**” by additionally stating “our firm does not represent **you** or your business, including, but not limited to, LCS Group LLC and Lucerne Biosciences, LLC...,” **as if** there’s no need whatsoever to treat “person” and “business” any differently because they’re **essentially the same**. In other words, you go on to **reason** on the “**misrepresented conflationary premise**” that there’s no distinction or differentiation between “person entity” and “LLC company entity” (or at least that the distinction is unimportant and irrelevant). After all, had you made the distinction -- or at least though it important --you would have not responded to an email **on behalf of a company** speaking as you do, namely, “personally” -- and even pre-supposing your “company-related comments” by establishing a “**conflationary misrepresented frame**” based on “personal representation” (i.e., “Cantor Colburn in not **your** attorney”).

To make this concrete in a way that any reasonable person would understand it, your “**conflationary misrepresented premise and reasoning**,” as applied to Shire, would be as if there was no distinction between “Dr. Ornskov” and “Shire Plc.” As applied to you, it would be as if there was no distinction between “Chad Dever” and “Cantor Colburn LLP.” But surely neither “Dr. Ornskov” and “Shire Plc” -- nor “you” and “Cantor Colburn LLP” -- nor any representative of any legitimate company -- would want to be treated in that indiscriminate undifferentiated way, **because it would be unlawful**. So why do you insist on treating “Lucerne Biosciences,” LCS Group” and “Louis Sanfilippo” that way, as if “Louis Sanfilippo - personally” is essentially the same as “LCS Group, LLC” and “Lucerne Biosciences, LLC.” That’s not only unlawful but it’s also hypocritical in view of how you, and Cantor Colburn, surely must treat just about all your other clients. It’s also a remarkable thing for an attorney to do in view of a named partner on the email thread and Ms. Maxwell (who certainly understands these legal distinctions and their relevance to a company owning a patent, seeking to make a commercial transaction, etc....).

Yet perhaps what’s most remarkable about your “**conflationary misrepresented premise and reasoning**” is that it’s the **sine quo non of Shire’s, its outside counsel’s and its declarant’s “communication behavior” in the IPR of the ‘813 Patent**. There are many examples of this but the most obvious one of all is the “conflationary misrepresented premise” of Dr. Brewerton’s Declaration on which Shire’s IPR petition is based, namely, that “binge eating” is “essentially the same” regardless of its “diagnostic context,” whether in “Obesity,” “Binge Eating Disorder,” or “Bulimia Nervosa.” That “conflationary misrepresented premise” leads to Dr. Brewerton to engage in “conflationary misrepresented reasoning” to represent that you can therefore pharmacologically treat all of those disorders as “essentially the same” because, as he reasons in his Declaration, differentiating between disorders like BED, BN and obesity -- on the basis of their essential diagnostic **differences** -- is essentially **irrelevant** for their treatment implications so long as they have the same “essentially same symptom.” Outside eating disorders, it’s kind of like “pharmacologically treat depression the same,” whether it’s “depression” in “Bipolar Disorder,” “Major Depressive Disorder” or “Depression due to a Medical Illness,” because “depression” is essentially the same in its core features in all three of them (which is good way to declare one’s incompetency as a psychiatrist). Ms. Maxwell is very familiar with the severe misrepresentation and reasoning problems in Dr. Brewerton’s Declaration and how badly he twisted the eating disorder art to actually reason to the ‘813 Patent’s “obviousness,” yet remarkably she seems to support your “conflationary misrepresented reasoning” on some of the most rudimentary concepts involving law and business.

Chad, that your email responds to a “company representation” from Lucerne Biosciences by conflating it with “Louis Sanfilippo - personally,” **as if** the two are essentially the same,

## The Patent '813 Story, Part II -- Version 2

is itself extraordinary. Lawyers don't reason that way, nor do MD's reason the way Dr. Brewerton does, because they're trained to reason the basis of "differentiating" rather than "conflating." And certainly business persons don't reason that way either. If they did, everybody in business would be making it "personal" and they're be no motivation to have such things as LLCs, Plc's, Inc.'s, etc....

In this light, LCS Group wouldn't sub-license the '813 Patent to "Dr. Ornskov" or "Heather Bresch" (CEO of Mylan), nor would you or another attorney at Cantor Colburn seek to make "Dr. Ornskov" or "Heather Bresch" the assignee of a patent in an outright acquisition. That sub-license or patent assignment (on acquisition), for instance, would go to a "business entity" like "Shire LLC" (or another "Shire entity") or to "Mylan Inc." That's why LCS Group, LLC in its executed Oct 1 "Final Decision" wrote "Shire" into the exclusive option agreement (for an exclusive license) followed by a gray empty space in which the proper Shire "entity designation" could be written, like "LLC," "Plc," "Development LLC," or "Acquisition Inc." Frankly, Chad, your email is not only highly deceptive but it's very insulting because it conflates the most basic legal and business distinctions, ones on which LCS Group, LLC, for instance, has spent considerable resources to differentiate itself from other businesses through its website that went up in 2010 (and has been maintained since that time), assignments of IP that date back to April 15, 2008, business cards, a company checking account and credit card, press releases, etc...

This kind of "**conflationary misrepresented framing and reasoning**" in which "person entity" and "business entity" are regarded as meaningless distinctions is the hallmark behavior of Shire's outside counsel in its practice of unfair and deceptive trade practice to "harm the competition." This is best evidenced by the fact that "**LCS Group, LLC**" entered into a CDA with "Shire LLC" on October 24, 2013 and "**LCS Group, LLC**" was the company against which Shire Development LLC filed its IPR petition on May 9, 2014, yet Ms. Kuzmich states in her September 4, 2014 email to Mr. Lucci "Shire understands that **Dr. Sanfilippo** is represented by you in these matters" (see p. 8, "The Patent '813 Story, Part II"). You really can't misrepresent things more egregiously than that which, considering Ms. Kuzmich also writes in that same email "Please inform **Dr. Sanfilippo** all **negotiations** will involve in-house and outside counsel representing Shire," you have one of the most obvious cases of misrepresentation (by "conflationary misrepresented framing") to perpetrate deceptive trade practice perhaps in recent time. Surely, could you imagine that Mr. Lucci or any competent attorney would respond by saying, "indeed, Dr. Sanfilippo would like to license the '813 Patent to Dr. Ornskov"? Of course not, because it's irrational -- and it would be unlawful.

You can also see how Mr. Haug extends the same "**conflationary misrepresented premise and reasoning**" in that March 20 and March 23, 2015 email exchange with Mr. Lucci, as characterized above and also in yesterday's "Lucerne 7:07 am EDT email." Of course, you can find more extensive "conflationary misrepresented framing and reasoning" (with specific evidentiary support) from Shire and its outside counsel in the May 12, 2015 LCS Group email in "The Patent '813 Story, Part II" (see p. 232-245) or in that "Email from LCS Group, LLC sent on May 15, 2015" featured Exhibit 3001 of the '813 Patent's IPR (see bottom of p. 7; Exhibit 3001 is in PDF at <http://www.4shared.com/download/hcA1pDnaba/Exhibit-3001.pdf?lgfp=3000>).

If you consider the "**conflationary misrepresented framing**" of (i) Mr. Lucci of late, as characterized in the hyperlinked PDF from the May 25 Lucerne Biosciences' email to the Patent Board (as featured in the "Lucerne June 1 7:07 am EDT email" your 2:53 pm EDT

## The Patent '813 Story, Part II -- Version 2

email yesterday responded to) and (ii) the Patent Board of late (also in that May 25 Lucerne email to the Patent Board, see pp. 4-5), it's easy to see the fundamental nature of this "behavioral/business intelligence experiment." Like your email, its basis is "**personal**," as "Louis Sanfilippo - personally" is its "subject/target." Therefore, all its "informed participants" are obligated to do everything possible to foundationally conflate "Louis Sanfilippo - personally" with any "business entity" he may legitimately be involved with because "Louis Sanfilippo - personally" is its "human subject" and "legitimate business entities" interfere with the experiment's "personal subject nature." That, of course, effectively makes these "informed participants" one and the same as "third-party interferers" abetting anti-competitive conduct that aims to harm any legitimate business entity that "Louis Sanfilippo" is legitimately involved with. This would explain the nature of the "**conflationary misrepresented framing**" of all those highly aberrant email communications in "The Patent '813 Story, Part II" characterized in the "Lucerne 7:07 am EDT email" you received yesterday. And just like you and those "third-party interferers," Shire, and Frommer, Lawrence & Haug and Baker Hostetler have all sought to foundationally conflate "Louis Sanfilippo - personally" with "LCS Group, LLC" and "Lucerne Biosciences, LLC," which surely must make them (like Cantor Colburn) "informed participants" in an unlawful, unethical and unprofessional experiment -- unlawful, unethical and unprofessional because (among other reasons) no one ever obtained "informed consent" from "Louis Sanfilippo - personally" to participate in this experiment that has now caused him serious harm personally because it has **personally interfered** with his ability to make any kind of living through two important legitimate businesses that he has been legitimately involved with.

**Deceptive Behavior No. 3: Willfully Omitting the Most Important Email In Your Email Response.** The most revealing "communication behavior" of all, perhaps, is that you omitted from your "June 1 at 2:53 pm EDT email" the May 29 Lucerne Biosciences email that was sent to Ed Haug of Frommer, Lawrence & Haug regarding how Lucerne Biosciences provided guidance to Shire on a prospective "final resolution" through the '249 Application. That omission, of course, effectively confirms the motivation behind all this "omission communication behavior" and that Cantor Colburn is aligned with the same "third-party conflict of interest" as Shire and Frommer, Lawrence & Haug. After all, why would you (on behalf of Cantor Colburn) willfully omit a legitimate **LLC-entity supported** "final resolution" to one the biggest "legal/business stories" of this generation (and that would help get those invoices paid), unless Cantor Colburn had a "primary source client" like "Yale" or a federally supported "intelligence entity" that demanded Cantor Colburn stick to its "personal modus operandi" however it needed to do so, including even by deception and misrepresentation if necessary. That, of course, would effectively make Cantor Colburn an instrument of "anti-competitive conduct by misrepresentation," the hallmark behavior of Shire, its outside counsel of Frommer, Lawrence & Haug, and Dr. Timothy Brewerton. Here's that Lucerne Biosciences email that you omitted (but it's also in the PDF hyperlinked above).

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** the '249 application  
**Date:** May 29, 2015 3:33:18 PM EDT  
**To:** Ed Haug <EHaug@flhlaw.com>  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Mr. Haug,

On behalf of Lucerne Biosciences, LLC, please let me know as soon as possible

## The Patent '813 Story, Part II -- Version 2

if Shire would like to seek "final resolution" to "The Patent '813 Story" vis-à-vis the '249 Application. As you know, the '813 Patent will effectively invalidate as of Wednesday June 3, 2015 if the company fails to comply with the Board's Order of May 21, 2015 (Paper 30). You and Shire should know that the company has absolutely no intention to comply with the Board's Order.

Insofar as Shire has any interest in seeking a fast and meaningful final resolution to the obvious, it would seem befitting that you provide the company a CDA at your earliest convenience. Attorney Lucci is cc'd. As he has withdrawn as the company's counsel in the IPR of the '813 Patent, there is no conflict of interest in his involvement on the '249 Application. Also, there is no one at all bcc'd on this email thread.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **Deceptive Behavior No. 4: Letting the Associate Speak On Behalf of the Named Partner and Ms. Maxwell When There's No Evidence the Associate Has a Clue as to What's Going On.**

You write, Chad, "we respectfully disagree with most of the issues raised in your email and the characterization of the past events." Since when did an associate become a spokesperson for a major law firm on a serious legal matters that potentially involve an unlawful intelligence experiment so egregious in its scope that people from an elite academic institution could end up in serious trouble, perhaps even some of them going to jail -- and that also happens to involve a patent for an FDA-approved drug that is the first of its kind to treat a common eating disorder? For you to step on the scene at 1:19 pm EDT on Friday May 29, and to respond about eight hours after that dense June 1 7:07 pm EDT email from yesterday in your 2:53 pm EDT email to say, "we respectfully disagree with most of the issues raised in your email and the characterization of the past events" when there's no evidence (from either LCS Group or its strategic collaborator Lucerne Biosciences) that you (or anyone at Cantor Colburn) even looked at, or even downloaded, **one PDF file** among the many made available in yesterday's email from Lucerne Biosciences tells the story, namely, **that you can't possibly understand it**. And if you can't possibly understand the story, how can you honestly represent you're place in that "**we** respectfully disagree with most of the issues raised in your email and the characterization of past events"? That comment would be best served coming from Ms. Maxwell herself, who at least understands the scope of the story and how it relates to events (in 2006) that took place about the time that you came on as an Associate with Cantor Colburn -- which, had she made it, she should have left you off the thread. Besides that, are you even familiar with scope of misrepresentations in the IPR of the '813 Patent? Have you even read "The Patent '813 Story, Part II" to understand why you might be receiving this email now **from LCS Group** as you are, about seven hours from the time that the '813 Patent effectively will invalidate because Lucerne Biosciences' has indicated that it won't comply with the Patent Board's May 21 and May 26 procedural orders?

That just about tells the story, doesn't it? Which means that it's about time to provide the Patent Board some additional information that memorializes this LCS Group, LLC

## The Patent '813 Story, Part II -- Version 2

communication to you as part of the IPR proceeding of the '813 Patent, including Lucerne Biosciences' email to you yesterday at 7:07 am EDT. That's why the Lucerne's direct email "lucernbio@lucernbio.com" is cc'd on this email thread. Surely, "final resolution" is fast making its way into the greater public consciousness with LCS Group and Lucerne Biosciences each having **very different roles**, according to the Exclusive License Between the two companies. Hold on tight and be ready for ride!

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** "Dever, Chad" <CDever@CantorColburn.com>  
**Subject:** RE: Termination of attorney-client relationship  
**Date:** June 1, 2015 2:53:16 PM EDT  
**To:** 'Louis Sanfilippo' <lsanfilippo@lucernebio.com>  
**Cc:** "Cantor, Michael" <MCantor@CantorColburn.com>, "Maxwell, Anne" <AMaxwell@CantorColburn.com>, "Hutchings, Carol" <chutchings@CantorColburn.com>, "Bousquet, Lauren" <LBousquet@CantorColburn.com>, "Mayhew, Dawn" <DMayhew@CantorColburn.com>, Joseph Lucci <jlucci@bakerlaw.com>, "skestner@bakerlaw.com" <skestner@bakerlaw.com>, "lsanfilippo@lcsgroupllc.com" <lsanfilippo@lcsgroupllc.com>

Dr. Sanfilippo,

Thank you for your email dated June 1, 2015. We respectfully disagree with most of the issues raised in your email and the characterization of the past events.

This email is to make sure there is no confusion with respect to the termination of our attorney-client relationship. **CANTOR COLBURN LLP IS NOT YOUR ATTORNEY. OUR FIRM DOES NOT REPRESENT YOU OR YOUR BUSINESSES, INCLUDING, BUT NOT LIMITED TO, LCS GROUP LLC AND LUCERNE BIOSCIENCES, LLC IN ANY CAPACITY WHATSOEVER.**

Kind Regards,

-Chad Dever

**From:** Louis Sanfilippo [mailto:lsanfilippo@lucernebio.com]  
**Sent:** Monday, June 01, 2015 7:07 AM  
**To:** Dever, Chad  
**Cc:** Cantor, Michael; Maxwell, Anne; Hutchings, Carol; Bousquet, Lauren; Mayhew, Dawn; Joseph Lucci; skestner@bakerlaw.com;lsanfilippo@lcsgroupllc.com  
**Subject:** Re: Termination of attorney-client relationship

**THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO EDUCATE A PROSPECTIVE JUDGE OR JUROR, AND/OR THE FEDERAL CIRCUIT COURT OF APPEALS, ON HOW MR. DEVER'S COMMUNICATION BEHAVIOR EXPLAINS WHY "CANTOR**

## The Patent '813 Story, Part II -- Version 2

**COLBURN LLP” IS HIGHLY LIKELY TO BE INVOLVED IN THE SAME “THIRD-PARTY CONFLICT OF INTEREST” AS (I) “SHIRE,” (II) “FROMMER, LAWRENCE & HAUG” (III) “BAKER HOSTETLER” AND EVEN (IV) THE PATENT TRIAL AND APPEAL BOARD ITSELF, AND TO ADDRESS THE BROADER LEGAL, FINANCIAL AND PROFESSIONAL IMPLICATIONS OF THIS COLLUSIVE ALIGNMENT. ANOTHER PURPOSE OF THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC IS TO FURTHER CLARIFY “ROOT-CAUSE SOURCING” AND “FINAL RESOLVING” OF THIS “THIRD-PARTY CONFLICT OF INTEREST” THAT HAS NOT ONLY SUPPORTED SHIRE’S PERPETRATION OF A FRAUDULENT INTER PARTES REVIEW OF U.S. PATENT NO. 8,318,813 BUT ALSO SHIRE’S REPEATED ENGAGEMENT IN ANTI-COMPETITIVE CONDUCT AND DECEPTIVE TRADE PRACTICE, NOTABLY THROUGH A “THIRD-PARTY INTERFERENCE NETWORK” COORDINATED BY TWO “PRIMARY SOURCE ENTITIES.” THIS EMAIL SHOULD BE READ IN THAT CONTEXT ONLY.**

Dear Mr. Dever,

On behalf of Lucerne Biosciences, LLC, I would like to highlight several revealing features of your email. But it’s important to preface them with a few important background comments that help explain their significance and implications.

To begin with, your email’s “communication features” strongly support Cantor Colburn’s “firm-wide involvement” (i.e., at the named partner level) in a “third-party conflict of interest” stemming from a Cantor Colburn “client.” The nature of this “third-party conflict of interest,” based on all the evidence the company has accumulated in its collaboration with (i) “LCS Group, LLC,” (ii) “Louis Sanfilippo - personally” and (iii) “Louis C. Sanfilippo, MD, LLC” is of such an extraordinary and unprecedented dimension that it’s hard to believe, except that its details are in “public view” by virtue of the large number of “third-party interferers” involved, as supported by the coordinated effort of two “primary source entities.” One of these “primary source entities” (as identified and characterized below) must surely be one of Cantor Colburn’s “clients,” and the nature of this “attorney-client relationship” must also surely be unlawful, unethical and unprofessional because it supports Shire’s unlawful anti-competitive conduct to invalidate U.S. Patent No. 8,318,813 through repeated acts of fraud and misrepresentation. It may be, though, that you are completely unaware of any of this because someone at Cantor Colburn guided you into how to write your email, who to cc on it, etc....In other words, you may have been “used” to abet “third-party interference” to support anti-competitive conduct in a way in which you were not even made aware. This modus operandi appears to be the case for a fairly significant number of “third-party interferers” who have been exploited in this way. For a recent example of how a person, in their representative role for a particular company, appears to be “used” (even unknowingly) to engage in “Shire anti-competitive conduct” (as likely coordinated through two “primary source entities”), take a look at the self-explanatory May 21-28 email thread between VWR International and Lucerne Biosciences’ strategic

## The Patent '813 Story, Part II -- Version 2

partner and exclusive licensee LCS Group, LLC (in PDF at: [http://www.4shared.com/download/98b5F5Tdba/LCS\\_Group\\_-\\_VWR\\_International.pdf?lgfp=3000](http://www.4shared.com/download/98b5F5Tdba/LCS_Group_-_VWR_International.pdf?lgfp=3000), care of LCS Group).

You can find many more such “third-party interference” examples in “The Patent ‘813 Story, Part II,” available in PDF in the “Inquiries/Business Development” Section of a May 13, 2015 Press Release from LCS Group at: <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>. Among such examples and their respective explanations for their “third-party interference” role that aims to interfere in Lucerne Biosciences’ business practice involving its wholly owned ‘813 Patent and U.S. Patent Application No. 14/464,249, you can find the following involved persons/companies beginning as early as January 20, 2015: (i) **Lifetime Television’s “The Balancing Act”** (pp. 69, 73-75), (ii) **“The FDA Group”** and its representative Susan Walsh (pp. 81-82, 120-121, 132-133, 136-139), (iii) **“Aegis Capital Ventures”** and its managing partners Michael Siek and Steven Nicholson (pp. 85-86, 122-123), (iv) **“Charles River Labs”** and its representatives Toni Wolinski and Gina Mullane (pp. 86-87, 92-93, 96, 110, 123-125, 131-132, 133-135), (v) **“MTS Health Partners”** and its partner Andrew Fineberg (pp. 100, 144-152), (vi) **“Pearson”** and its representative Evan Skoures (pp. 101, 113-117, 133, 135-136, 142-143), (vii) **“Assurgent Medical Solutions”** and its representative Christine Jordan (pp. 107-108, 126-130), (viii) **“Guidepoint Global”** and its representative Sarah Wade (pp. 161-162), (ix) **“Rosaasen Group”** and its representative Harry Rosaasen (pp. 171-173), and (x) **“Primary-i-Research, LLC”** and its CEO Dr. Anna Kazanchyan (pp. 175-183).

To this effect, if Mr. Michael Cantor (or Ms. Anne Maxwell) is aware of his firm’s involvement with such a “client” for which there is now massive evidence that supports ongoing active “third-party interference” to harm, or otherwise unduly interfere with, Lucerne Biosciences including, but not limited to, the examples above, it would befit him and Cantor Colburn to understand the implications of this email and the actions that are recommended at its end. That’s because it should be clear that Lucerne Biosciences and its collaborators have planned very well to take action against that presumed “client” and its own “primary source collaborator” to finally and equitably end its longstanding engagement in unlawful, unethical and unprofessional behavior.

With respect to your “communication behavior” (as characterized below), Mr. Dever, it is revealingly consistent with not only the “third-party interference” examples above but also with the pervasive “misrepresentation behavior” that has taken place in the *inter partes* review of the ‘813 Patent. It therefore strongly supports that the IPR of the ‘813 Patent was a staged “behavioral/business intelligence experiment” that has involved the broad collusive participation of (i) Shire and its outside law firm of Frommer, Lawrence & Haug, (ii) Baker Hostetler, (iii) the Patent Board itself and (iv) **Cantor Colburn**, as driven and coordinated by two “primary source entities” (through a “third-party

## The Patent '813 Story, Part II -- Version 2

interference” network) of which one is highly likely to be a client of Cantor Colburn. The nature of this “behavioral/business intelligence experiment” and its relationship to “third party interference” in the IPR of the '813 Patent (as driven and coordinated by “two primary source entities”) can be found in a recent Lucerne Biosciences’ email sent directly to the Patent Board on May 25, 2015, available in PDF at: <https://app.box.com/s/t53ksnw7yo1z1nag55wn7au6o90ppsla>. It doesn’t take long to see that the IPR of the '813 Patent would have profoundly far-reaching implications if it’s exposed for its “collusive experimental basis” (to develop and apply “deception-based intelligence technology”), not only on account of the scope and egregiousness of unlawful behavior involved to support it (i.e., misrepresentation, unfair and deceptive trade practice, anti-competitive conduct) but also its profound interference in judicial independence, really unprecedented in U.S. legal history (as stated by an independent patent and anti-competition litigation attorney familiar with this matter). Additional background, including details and evidentiary support for the nature and objectives of this dual-pronged “behavioral/business intelligence experiment” can be found in “The Patent '813 Story, Part II” (see pp. 162-171, 179-183, 202-204, 224-225, 232-245).

Remarkably, Mr. Dever, your “deceptive communication behavior” (or that of the person who guided the writing of your email) is also revealingly consistent with “third-party interference” communication behavior evidenced in a number of highly aberrant emails to “Louis Sanfilippo” at his “aol.com” and “yale.edu” emails since lisdexamfetamine dimesylate (“Vyvanse,” marketed by Shire) was FDA approved on January 30, 2015 to treat Binge Eating Disorder according to the '813 Patent’s claims. This highly aberrant communication notably intensified in late March 2015 when the company filed its “Supplemental Amendment Prior to Examiner Interview” with the USPTO (by Ms. Maxwell). Evidentiary support for the “timing” and “content” of these emails as “third-party interference” during the company’s prosecution of the '249 Application (as made public on PAIR) and the IPR of the '813 Patent can be found in “The Patent '813 Story, Part II” following the March 24, 2015 entry “Supplemental Amendment Prior to Examiner Interview” (see p. 91). In view of such “third-party interference” during a highly sensitive time for the company’s handling of both the '813 Patent and '249 Patent Application in their respective legal venues, it goes without saying that the legal, financial and professional implications for many individuals and companies is likely unprecedented in U.S. “legal/business history” (including for Cantor Colburn in its own history).

With your respect to your email, Mr. Dever, you indicate that “you [Louis Sanfilippo] previously disengaged our law firm for all legal representation” and “we regretfully formally terminate our relationship with you and your businesses.” **These are mutually incompatible representations.** In other words, one of them is a misrepresentation. “LCS Group, LLC” and “Lucerne Biosciences, LLC” each respectively terminated their relationship with Anne Maxwell and Cantor Colburn via email in April 2015, LCS Group on April 24 (at 7:00 pm EDT) and Lucerne Biosciences on April 27 (at 4:00 pm EDT), with each email PDF’d below for reference. These two “termination notices”

## The Patent '813 Story, Part II -- Version 2

clearly relate to two different “businesses,” as represented in your email’s linguistic use of the word “businesses.” Yet you state that “you [Louis Sanfilippo] previously disengaged our law firm for **all** legal representation” and “regretfully formally terminate our [Cantor Colbiurn’s] relationship with **you** and your businesses,” **as if** “Louis Sanfilippo *personally*” actually “disengaged” Cantor Colburn’s representation for “himself personally.” **But there’s no such “termination notice” email or letter or communication of any kind disengaging “Louis Sanfilippo personally,” because “Louis Sanfilippo personally” was not actively engaged as a client of Cantor Colburn anytime recently (and therefore “Louis Sanfilippo - personally” did not need to make any such “disengagement”).** Lucerne Biosciences knows this because it is closely collaborating with “Louis Sanfilippo - personally,” as well as “LCS Group, LLC” and “Louis C. Sanfilippo, MD, LLC,” to identify and resolve the massive “third-party conflict of interest” that is causing massive (and unlawful) “third-party interference” (as disclosed on p. 225-226 of “The Patent ‘813 Story, Part II” for the “collaborative four-entity team”). To this effect, Cantor Colburn has been engaged for work on behalf of (i) **“LCS Group, LLC”** (for its IPR involving its then-wholly owned U.S. Patent No. 8,318,813 and for which the company has an outstanding balance for “invoices to you for past legal services” as referenced in your email) and (ii) **“Lucerne Biosciences, LLC”** (to prosecute U.S. Patent Application 14/464,249, wholly owned by the company). The last time that “Louis Sanfilippo -- personally” would have effectively been a “client of,” or “engaged by,” Ms. Maxwell (and therefore Cantor Colburn) would have been well before 2010, perhaps in the vicinity of April 14, 2008. That’s the day before the executed assignment of U.S. Provisional Patent Application 60/972,046 took place that gave rise to the IP lineage for the ‘813 Patent and ‘249 Application. You can find the details of this assignment in “The Patent ‘813 Story, Part II” by following its chronological order. Which raises an important question: why would your email work so hard to deceptively seek to (i) misrepresent “Louis Sanfilippo -personally” as a client of, or engaged by, Ms. Maxwell and Cantor Colburn when he’s not and hasn’t been in a long time and also (ii) misrepresent that “Louis Sanfilippo - personally” terminated his own representation of “himself personally” by presumably having given notice like LCS Group and Lucerne Biosciences (and for which you or Ms. Maxwell will be hard pressed to find any such “termination or disengagement notice” because there is none)?

In this respect, Mr. Dever, you (or whoever guided the writing of your email) conflate matters of legal representation so as to actually make a serious misrepresentation, of just the kind Shire’s outside counsel Sandra Kuzmich made on September 4, 2014 in an email to LCS Group attorney Mr. Joe Lucci identifying “Dr. Sanfilippo” as Mr. Lucci’s client when she clearly knew that Mr. Lucci was representing “LCS Group, LLC” by virtue of the IPR certificate of service served to her on June 2, 2014 (see p. 8, “The Patent ‘813 Story, Part II”), not to mention that “LCS Group, LLC” was in a CDA with Shire “to discuss a potential business opportunity involving the ‘813 Patent and related patent applications” for which Mr. Lucci had represented the company in discussions (see p. 12 and p. 51, “The Patent ‘813 Story, Part II”). Your “conflationary

## The Patent '813 Story, Part II -- Version 2

misrepresentation” is also strikingly similar to the way Shire’s outside counsel Ed Haug misrepresents Mr. Lucci’s “client” on May 20 and May 23, 2015 by misidentifying Mr. Lucci’s client as “Dr. Sanfilippo” when Mr. Haug clearly knows, from the certificate of service he received on January 27, 2015 in the IPR, that Lucerne Biosciences was Mr. Lucci’s client at that time, as also affirmed in Mr. Lucci’s emails at that time that directly identified his client as an “it” rather than a “he” (see pp. 89-91, “The Patent ‘813 Story, Part II”).

This kind of “deceptive communication behavior” (that closely resembles your own email’s “deceptive communication behavior”) is more extensively characterized for its nature, methodology and implications in (i) a May 15 Shire IPR filing in support of invalidating the ‘813 Patent (see p. 3, parag. 3 of Lucerne’s May 25 email to the Patent Board, “Email from LCS Group, LLC sent on May 15, 2015’ is available at: [http://www.4shared.com/download/L0AdPYMwba/LCS\\_Group\\_Email\\_51515.pdf?lgfp=3000](http://www.4shared.com/download/L0AdPYMwba/LCS_Group_Email_51515.pdf?lgfp=3000)”), (ii) an email Lucerne Biosciences sent to named partners William Lawrence and William Frommer of Frommer, Lawrence & Haug that directly references the “client misrepresentation behavior” of Mr. Haug and Ms. Kuzmich (see pp. 183-185 of “The Patent ‘813 Story, Part II) and (iii) Mr. Lucci’s own “deceptive communication behavior” to his own client (see Lucerne’s May 25 email to the Patent Board, hyperlink in last line of p. 3). That extreme degree of consistency is a remarkable thing and it strongly supports your own, and Cantor Colburn’s, collusive involvement with the same “third-party conflict of interest” shared by Shire and Frommer, Lawrence & Haug, as well as Baker Hostetler, to engage in anti-competitive conduct by misrepresentation (notably by failure to disclose materially important information to any Patent Owner in the history of the ‘813 Patent from the time of its provisional filing on September 13, 2007 or even before then for any work Ms. Maxwell might have done involving the collaboration of “Louis Sanfilippo - personally” and “Louis C. Sanfilippo, MD, LLC” as there are cited patients treated in that practice used to enable the patent’s claims). Or you can frame it differently, namely, as your own, and Cantor Colburn’s, collusive involvement in a “behavioral/business intelligence experiment” of colossal proportions whose “business objective” has been to interfere with LCS Group, first, and then Lucerne Biosciences by targeting “Louis Sanfilippo - personally” through various kinds of misrepresentations as supported by “third-party interferers.”

Further, Mr. Dever, you indicate that “We do advise that you retain an attorney as soon as convenient. I personally am not familiar with patent law firms in New Haven. St. Onge in Stamford is a good option. McCormick, Paulding, & Huber is a long standing IP boutique in Hartford which is also a good option. Axinn, Veltrop and Day Pitney have patent groups, but they both are considered more expensive. We can transfer your files to you directly, or any firm you instruct us to. Please provide instructions at your earliest convenience.” However, take note that in the two “termination notices” attached below, both Lucerne Biosciences and LCS Group **specifically informed** Ms. Maxwell that each company was “represented by new counsel.” As it stands to reason that Ms. Maxwell herself (or at least someone familiar with those two “termination notices”) must have had a hand in helping you craft your

## The Patent '813 Story, Part II -- Version 2

email that provided such guidance to “retain an attorney as soon as possible,” any reasonable person would wonder why Cantor Colburn (vis-à-vis your communication) seems to have such a vested interest which specific counsel the '813 Patent Owner and '249 Application Owner goes to (especially as Lucerne Biosciences already stated it had new counsel), to the point of even providing guidance on “relative expense” and assigning a seemingly neutral “intermediary” not directly involved in the company’s intellectual property to handle the file transfer (that is you, Mr. Dever).

In this respect, your “communication behavior” (on behalf of Cantor Colburn) supports a possible ulterior motivation, of the kind that seems to explain an important connection to certain unusual events that took place in February - March 2013 when Mr. Lucci began representation of LCS Group (then-owner of the '813 Patent) in communications with Shire, as referenced for their implications in an email sent to Ms. Maxwell and Mr. Lucci by LCS Group on May 10, 2015 that had a PDF attachment (“Document 3”) of some highly unusual business filings made on February 28, 2013 by a CT-based company called “Center for Research and Development, Inc” (see pp. 229-231 “The Patent '813 Story, Part II”). While “Document 3” was stripped in “The Patent '813 Story, Part II,” it is available for you to look at ([http://www.4shared.com/download/nMlfiTb-ba/Document\\_3.pdf?lgfp=3000](http://www.4shared.com/download/nMlfiTb-ba/Document_3.pdf?lgfp=3000), care of LCS Group’s strategic collaboration in writing this email with Lucerne Biosciences for you). In this temporal context, take note of another remarkable “communication event” in that February-March 2013 time frame, as evidenced in an email from LCS Group (via its CEO Louis Sanfilippo) to Dr. Anna Kazanchyan of Primary-i-Research LLC on May 2, 2015 that comments on the unique timing of her emails, particularly the “new string” that began in March 2013 (see pp. 177-179 of “The Patent '813 Story, Part II”). This supports a pattern of “third-party interference” that appears to have begun with Mr. Lucci’s representation of the company and its discussions with Shire in early 2013, temporally connected with highly aberrant business filings for the “Center for Research and Development, Inc.” Add to that the highly aberrant “third-party communication behavior” to “Louis Sanfilippo” at his (i) “yale.edu” email just as the IPR petition of the '813 Patent was filed in May-July 2014 (see p. 162 “The Patent '813 Story, Part II,” the attachment “4.29.15 LB Letter to Wade GG.pdf”) and (ii) “aol.com” and “yale.edu” emails after Vyvanse was FDA-approved for the treatment of BED (according to the '813 Patent’s claims) with an “intensification” in March - April 2015 as things “intensified” in the IPR of the '813 Patent and the prosecution of the '249 Application (see paragraph 3 above), you can easily “see” how such “third party interference” works: it tries to involve “Louis Sanfilippo - personally” in decisions for which “Louis Sanfilippo - personally” is not authorized to decide, notably through “deceptive and oddly-framed communications.”

So how does one explain all this bizarre highly aberrant “third-party interference” and its timing? If you consider that the IPR was a staged “behavioral/business intelligence experiment” of the kind characterized in the Lucerne Biosciences May 25 email to the Patent Board, it becomes rather clear: its “behavioral objective” has been to profile/target “Louis

## The Patent '813 Story, Part II -- Version 2

Sanfilippo -- **personally**” and its business objective has been to interfere in any legitimate business entity that “Louis Sanfilippo” is associated with (i.e., in the IPR: first “LCS Group, LLC” and then “Lucerne Biosciences, LLC”) through “personal interference” (i.e., “invasion of privacy”). And as the “business stakes” for any of these “legitimate business entities” increase such that they threaten to harm Shire, so too does the “personal interference” with “Louis Sanfilippo” to attempt to harm the respective business in which he is involved (i.e., the patent owner of the ‘813 Patent or ‘249 Application). But who would be motivated to profile/target “Louis Sanfilippo - personally” and seek to engage in such “personal interference” (tantamount to anti-competitive conduct based on deceptive communication behavior) that aims to harm legitimate business entities of which “Louis Sanfilippo” is involved - and why would anyone want to do that?

To find clues to that question, take a look at an email sent from LCS Group to Ms. Maxwell and Mr. Lucci on May 17, 2015 (at 12:29 am EDT) and its attachment, a 2006 publication titled “Consulting to Government Agencies -- Indirect Assessment,” available at [http://www.4shared.com/download/D-iPIVQKce/LCS\\_Group\\_May\\_17\\_Update\\_Email\\_.pdf?lgfp=3000](http://www.4shared.com/download/D-iPIVQKce/LCS_Group_May_17_Update_Email_.pdf?lgfp=3000) (again care of LCS Group). You can see how a “behavioral/business intelligence experiment” of unprecedented scope (as characterized in the May 25 Lucerne Biosciences’ email to the Patent Board) that seeks to “indirectly assess” a “profiled subject” (i.e., “Louis Sanfilippo”) involved in various “businesses” (i.e., LCS Group, Lucerne Biosciences) could recruit “volunteers” (or “third-party interferers”). And you can see that the objective of these “volunteers” (or “third-party interferers”) would be to exploit communications that, while on the surface might be used for “indirect assessment,” actually seriously interfere in his capacity to practice business in his authorized role(s) and/or even unduly attempt to influence him in a manner that attempts to cause harm to the very company which he is authorized to represent. Such an experiment would be, by its nature, unlawful “anti-competitive conduct” because the “experiment” could only take place so long as its “personal target” of “Louis Sanfilippo” conducts business **outside** his “authorized roles” (i.e., in an un-authorized personal capacity).

In this light, the “experiment” would likely seek to justify its unlawfulness under the pretense of achieving certain important “intelligence objectives,” perhaps for national security purposes. Such “intelligence objectives,” for instance, might be to enhance the methodology for “indirect assessment,” develop and apply “deception-based intelligence technology” and experiment with behaviorally-based interventions like “tactical leveraged splitting,” as obviously applied by Shire in its engaging LCS Group in a CDA to discuss a business opportunity involving ‘813 Patent” but concurrently pursuing an IPR that alleged the ‘813 Patent was unpatentable and therefore valueless. In view of the May 17 LCS Group email to Ms. Maxwell and Mr. Lucci, it’s also easy to see how an experiment of this kind could go “catastrophically bad” when its “planners” and “implementers” are completely incompetent and have no idea what to do when it rapidly falls apart through a deteriorating group dynamic involving heavy regressive “projective identification” and “acting

## The Patent '813 Story, Part II -- Version 2

out” in the face of its increasing public exposure. If you consider that May 17 email in view of the May 25 email (from Lucerne Biosciences to the Patent Board), you begin to see how “third-party interference” would be “sourced” in the coordinated efforts of an elite academic institution and a federally-supported intelligence agency under the cover of a “behavioral/business intelligence experiment” to motivate people to behave just as they have during the timeframe of the IPR of the '813 Patent and the prosecution of the '249 Application (as featured in “The Patent '813 Story, Part II”).

With respect to identifying specific “primary sources,” take note that there are two co-authors on the 2006 “Consulting to Government Agencies -- Indirect Assessments” article (from the May 17 email) who are also co-authors on that 2013 “deception detection study” published in the Journal of Strategic Security (from the May 25 email) that so uncannily resembles the behavior of the two different sides of the IPR for the '813 Patent, Shire/FLH on one side (i.e., the “liar side”) and LCS Group/Lucerne at different times on the other side (i.e., the “truth teller side”). Remarkably, one of those co-authors found on both the 2006 and 2013 intelligence studies is a named representative (“President”) of the “Center for Research and Development, Inc.” that had those highly unusual business filings in February 2013, at the time that Mr. Lucci began representing LCS Group in discussions with Shire and that aberrant pattern of emails began from “Primary-i-Research.” The timing of these things is extraordinary because it links certain “persons” involved in “intelligence work” (involving “profiling,” “indirect assessment,” “deception detection in liar vs. truth telling groups”) with important events involving the patent owner of the '813 Patent and the timing of certain “third-party interference” behavior in a way that helps explain the connection. But what’s even more extraordinary is that “Louis Sanfilippo” personally knows these two co-authors and they know him. One of them is well known for his work in the intelligence community, notably for the Central Intelligence Agency. His name is “Charles A. Morgan,” known by his friends and colleagues as “Andy.” You can find details of his professional background, including his work for the CIA, at:[http://www.4shared.com/download/Nrq8sHEace/University\\_of\\_New\\_Haven\\_Morg.pdf?lgfp=3000](http://www.4shared.com/download/Nrq8sHEace/University_of_New_Haven_Morg.pdf?lgfp=3000)). The other of these co-authors is “Vladimir Coric.” He’s the “President” of the “Center for Research and Development, Inc.,” as identified in the company’s state filing history (at:[http://www.4shared.com/download/ivYgJ2Uuba/CT\\_Sec\\_of\\_State\\_-\\_Center\\_for\\_R.pdf?lgfp=3000](http://www.4shared.com/download/ivYgJ2Uuba/CT_Sec_of_State_-_Center_for_R.pdf?lgfp=3000)). This, of course, sheds light on the identity of one of the two “primary source entities” that seems to be at the center of this “behavioral/business intelligence experiment” that is driving all that “deception-based representation behavior” in the IPR of the '813 Patent, namely, it must surely be connected to a federally supported “intelligence agency,” like the CIA or an entity supporting its work, perhaps something like the “Center for Research and Development, Inc.” itself (as even identified by name in that 2013 deception-detection study). Further, anyone familiar with the CIA’s history would know that it historically had its own “Office of Research and Development.” That places the work of the CT-based “Center for Research and Development, Inc.” in its rather obvious “intelligence perspective,” in view of its own publicly available work (on-line) and its “re-engaged” business activity

## The Patent '813 Story, Part II -- Version 2

(vis-à-vis its five years of business filings in one day) at just about the same time that Mr. Lucci was making plans to reach out to Shire on behalf of the '813 Patent's owner LCS Group.

But who, then, would be the other "primary source entity"? In other words, how do you get to the involvement of an "elite academic institution" (as noted on p. 5 of the May 25 Lucerne Biosciences email to the Patent Board)? For one, an "elite academic institution" is where you find the "behavioral experts" identified in that May 17 LCS Group email to Ms. Maxwell and Mr. Lucci. Surely, any "behavioral/business intelligence experiment" of such colossal scope would need institutional support of some kind involving, at least, self-identified "behavioral experts" who have experience conducting behavioral research on human subjects. But which "elite academic institution"? Harvard? Yale? Princeton? Or perhaps Stanford? Or the University of Chicago? To answer that question, consider that besides the fact that "Charles A. Morgan" and "Vladimir Coric" are both (i) associated with "intelligence-related academic work" whose timing and nature is extraordinary for its '813 Patent implications (ii) personally acquainted with "Louis Sanfilippo" and (iii) Yale (voluntary) faculty members just as "Louis Sanfilippo," it stands to reason that "Yale" would be the most logical other "primary source entity." At least if the objective is to have a coordinated and seamless infrastructure between the two "primary source entities" based on already existent "primary source intermediaries" (i.e., "Charles A. Morgan" and "Vladimir Coric") and a particularly "personal subject" known to that "elite academic institution" which would have its own motivational dynamics.

In this context, you and the others at Cantor Colburn (particularly Mr. Cantor and Ms. Maxwell) should know that there's plenty of communication evidence that Lucerne Biosciences, in its strategic collaboration with (i) "LCS Group, LLC" (ii) "Louis Sanfilippo - personally" and (iii) "Louis Sanfilippo, MD, LLC," has amassed under the umbrella of shared counsel that puts "Yale" squarely in the middle of this colossal failure of a "behavioral/business intelligence experiment." That, then, also puts Yale squarely in the middle of one of the most egregious and persistent acts of willfully perpetrated fraud and misrepresentation for anti-competitive purposes perhaps ever seen in U.S. legal/business history. The evidence of "Yale's" involvement as a "primary source entity" in such egregious misconduct is most dramatically evidenced by certain highly aberrant communications made to "Louis Sanfilippo" at his "yale.edu" email address, particularly "Yale-specific" communications in April and May 2015. To provide one easy-to-understand example of "deception-based communication behavior" of the kind repeatedly evidenced by Shire, FLH, Dr. Brewerton in the IPR proceedings of the '813 Patent (as documented in "The Patent '813 Story, Part II), take a look at the following email thread involving "Louis Sanfilippo" (in his role as a Yale School of Medicine voluntary faculty member dealing with a teaching matter) and "Michelle Silva" (also a Yale School of Medicine faculty member, Dept. of Psychiatry) at: [http://www.4shared.com/download/HqWaGL\\_dce/Email\\_Thread\\_involving\\_Louis\\_.pdf?lgfp=3000](http://www.4shared.com/download/HqWaGL_dce/Email_Thread_involving_Louis_.pdf?lgfp=3000) (care of "Louis Sanfilippo - personally"). Specifically, take note of Dr. Silva's egregious

## The Patent '813 Story, Part II -- Version 2

misrepresentation and how she “reasons” on its “misrepresented basis.” Such “communication behavior” from a reputable person like Dr. Silva can only be rationally explained one way: that she is misrepresenting certain things in an effort to tailor her representations to a different unstated “frame of reference,” **as if** her communication might make sense to “Louis Sanfilippo” in that unstated different “frame of reference” and/or influence his behavior for that unstated different “frame of reference.” But that’s egregiously and willfully deceptive behavior by which she, whether for herself or for someone who’s asked her to communicate this way, seeks to evade any accountability for her misrepresented statement to “Louis Sanfilippo.” That’s unlawful if it’s motivated to engage in deceptive trade practice which, given its “timing” in the IPR of the ‘813 Patent and the prosecution of the ‘249 Application, is a dead-give-away for its motivational intent to interfere in Lucerne Biosciences’ business affairs. That kind of “deception-based behavior” is the sine quo non of Shire’s and its outside counsel’s behavior in the IPR of the ‘813 Patent.

Anne --- does any of this sound familiar? Surely, you were there “at the beginning” of what would seem from Dr. Silva’s email to be the “first” of “two sessions” (as apparently “referenced” for its context in another unstated different “frame of reference” that Dr. Silva omits from her April 21 email)? In other words, Anne, you were there “at the beginning” of that “first session” that began at the time of that 2006 article “Consulting to Government Agencies -- Indirect Assessments” and another company whose IP you’re familiar with was just getting itself going (as featured for its implications in “Document 1” and “Document 2” of the LCS Group email you received on May 10, “stripped” in “The Patent ‘813 Story, Part II” for security reasons). Perhaps you and/or Michael Cantor have even had experience dealing with a Yale Associate VP of Research Administration named Andrew Rudczynski, as identified in the following PDF announcing his imminent retirement ([at:http://www.4shared.com/download/HLLcr9pace/Research\\_Adminstration\\_Yale\\_-\\_pdf?lgfp=3000](http://www.4shared.com/download/HLLcr9pace/Research_Adminstration_Yale_-_pdf?lgfp=3000)). After all, if Yale were the “elite academic institution” involved in a “behavioral/business intelligence experiment” of such unprecedented scope as to centrally involve “Louis Sanfilippo - personally” in matters from his “business life” to his “personal life,” **as if** his “person” and “business” were the “property” of Yale itself -- and “Yale” is one of the “primary source entities” that has been Cantor Colburn’s “third-party interfeerer” client -- then Mr. Rudczynski certainly would have known about it and also would have interfaced with various involved Cantor attorneys supporting the legal aspects of the intelligence experiment.

A “behavioral/business intelligence experiment” of such unprecedented scope, as coordinated by a federally-supported intelligence agency and an elite academic institution, is really about the only rational way to explain all the profoundly odd “misrepresentation behavior” within “The Patent ‘813 Story, Part II,” including Mr. Dever’s email that comes at a particularly sensitive time in the story. It’s also the only rational way to explain why Shire, vis-à-vis its outside counsel, clearly sought to do “business” but has now run the other way in order to hide that reality because it exposes just how catastrophically bad this

## The Patent '813 Story, Part II -- Version 2

“behavioral/business intelligence experiment” has actually gone. It’s also the only rational way to explain why Ms. Maxwell and Mr. Lucci -- and many others -- have been completely silent when this issue of a “behavioral/business intelligence experiment” has been brought up, like in that April 24 “termination notice” email from LCS Group (below). After all, if it weren’t true, any reasonable person (though especially a thoughtful attorney like Ms. Maxwell or Mr. Lucci) would be telling “Louis Sanfilippo” in any of his representative capacities that he’s “off the wall” and that it’s important to take steps to get some help. But no one does that. Rather, everyone stays silent or brings up matters that seem to be insignificant in comparison, most notably the attorney that’s been most involved in the IPR - Joe Lucci. Mr. Lucci’s behavior by itself proves that the IPR of the ‘813 Patent has been a staged “behavioral/business intelligence experiment” of unprecedented scope, because if it weren’t, any reasonably-minded and competent attorney would have sought to support “Louis Sanfilippo” and the company he’s representing at a time in which the “pressure of it all” was making him “crazy” -- but Mr. Lucci does the opposite, which is to get out as fast as he can to presumably avoid harming Baker Hostetler’s “primary source client.” In other words, Mr. Lucci’s behavior supports one of two things: he’s either a cold sociopathic man who couldn’t care less about his clients or he (and Baker Hostetler) have another client that’s causing a massive conflict of interest and he’s looking for a way to get out “looking as clean as possible” on the record as things are falling apart in this “behavioral/business intelligence experiment.” There’s an extensive written record that shows how this all unfolds and any reasonable person would see it because it’s become so obvious. That Dr. Silva never responded to Louis Sanfilippo’s analysis of her own misrepresented email, in view of the fact that “Dr. Sanfilippo” has been teaching that seminar for many years, itself goes to show that he’s clearly identified some “willful lying” on her part that has significant implications and she doesn’t want to go near it but would rather hide from any accountability of her (or others’) misrepresentations.

All of this itself is remarkable, because no one asked “Louis Sanfilippo” for his informed consent to participate in such a “behavioral/business intelligence experiment,” whether for “himself personally” or for his LLC businesses, but it’s clear that he continues to be a “subject” in it even after repeated protests he has made in any number of “representative capacities” that it needs to stop because it’s perhaps one of the most unlawful and unethical experiments in the past century given the scope of its deceptive communication practice and interference in business activity. Perhaps this explains why Mr. Rudczynski is retiring on June 30, so that he can “get out” before anyone makes him accountable for putting so many people in harm’s way for the serious legal, financial and professional implications of such an “experiment,” including potential loss of federal funding for human research, suspension of physician licensures, and irreparable damage to institutional reputation. Then again, calling it an “experiment” might be a euphemism. It might better be called one of the most unconscionable invasions of privacy, misrepresentation and deceptive trade practice ever undertaken in human history, under the pretense that if all the involved “third parties” were looking out for the “best interests” of “Louis Sanfilippo - personally”

## The Patent '813 Story, Part II -- Version 2

by “keeping an eye on him” (i.e., indirect assessment) it would all work out in time. That itself would be an extraordinarily presumptuous thing, as if such people who behave this way could even be in a position to make such paternalistic assessments that completely violate the most basic human rights that the U.S. Constitution is supposed to protect.

What is most striking, perhaps, is that no one seems to have a clue as to who is helping “Lucerne Biosciences, LLC” and its collaborators (i) “LCS Group, LLC” (ii) “Louis Sanfilippo - personally” and (iii) “Louis Sanfilippo, MD, LLC” to put this extraordinary story together so that it can become one of the biggest public stories in recent time given its fascinating intersection of law, medicine, behavioral and intelligence matters. It’s obvious that it can’t be “Louis Sanfilippo” in whatever authorized capacity he is working, because he’s not superhuman to do all these things. Clearly, there’s some formidable help behind-the-scenes that’s very well-coordinated and highly responsive to the dynamic events unfolding in “The Patent ‘813 Story, Part II.” So who’s the help and in what manner is the help helping? For one, the membership and management of Lucerne Biosciences, LLC is highly restricted information, so perhaps its “membership” and “management” involves more people and a communication infrastructure of which no one on “the other side” even knows? Further, “The Patent ‘813 Story, Part II” repeatedly discloses that there is a “behavioral intelligence team” supporting (i) Lucerne Biosciences, LLC (ii) LCS Group, LLC, (iii) Louis Sanfilippo - personally” and (iv) “Louis C. Sanfilippo, MD, LLC” to expose the “truth of the matter” so that “final resolution” can take place. So who’s the team and its individual participants? Could that team be an NSA behavioral intelligence unit, like “LA-7” (i.e., “linguistic analysis” that uses a seven-tiered algorithm in its CRAY supercomputing analysis)? Or could it be two psychiatrists from New York University School of Medicine’s forensic department who routinely consult on intelligence matters and run a highly secretive profiling program that monitors world figures for psychological instability? Or could that team be “the favor of God,” as “Louis Sanfilippo’s” Nanny likes to say about how things always seem to go well for him regardless of how bad the circumstances seem to be? There is a very definitive answer and its public disclosure is coming very soon, because it was documented in an email dated October 1, 2014 (at 7:00 pm EDT) in the presence of three named witnesses -- and none of those three named witnesses are “Louis Sanfilippo” (in any capacity).

So whether Cantor Colburn’s “client” at the center of this “third party conflict of interest” is the CIA or some “intelligence intermediary,” or “Yale,” then Lucerne Biosciences strongly advises that Cantor Colburn’s senior leadership directly contact the accountable leadership of that “client entity” to inform them that it is **strongly in their best interests** to seek “final resolution” of “The Patent ‘813 Story, Part II” in the manner featured in the company’s email (below), as sent to Mr. Ed Haug this past Friday, May 29, by the company’s Member/Manager Louis Sanfilippo. While on the surface it would seem Cantor Colburn has no connection to Shire or its outside counsel of Frommer, Lawrence & Haug in the IPR of the ‘813 Patent, all the behavioral evidence strongly supports that its client at the center of its own “third party conflict of

## The Patent '813 Story, Part II -- Version 2

interest” is also the same entity (or its “collaborator”) supporting Shire’s and Frommer, Lawrence & Haug’s unlawful behavior in the IPR, which is also the same entity (or its “collaborator”) that is a client of Baker Hostetler. That’s why Joe Lucci and Chairman of the Baker Hostetler’s Policy Committee Steven Kestner are cc’d on this email.

To this effect, Lucerne Biosciences strongly advises Cantor Colburn and Baker Hostetler to directly inform this presumed “third-party interferer client” of this particular email, including even by showing it to them. This way, that “primary source entity” can know what Lucerne Biosciences and its collaborators know. And it can also know first-hand from Lucerne Biosciences itself that the company will keep this particular email **permanently confidential** (on Lucerne’s and its collaborator’s side of things that does involve a patent litigation with expertise in deceptive trade practice and anti-competition law) **only if a sufficiently equitable “final resolution” can be reached on, or by, 7:00 pm EDT Tuesday June 9, 2015**. After that time, this email will surely end up in the broader public arena, as well as in the hands of the NY Times, WSJ and countless other parties and journalists.

Lastly, based on currently accumulated evidence that the above-named parties (i.e., “Yale,” a federally-supported “intelligence entity,” Shire, Frommer, Lawrence & Haug, Baker Hostetler and Cantor Colburn) have supported this unlawful “third-party interference network,” Lucerne Biosciences and its counsel now estimate a financial settlement to be in the range of \$10 Billion, approximately a 30% increase over estimates made in the last month by Lucerne Biosciences and LCS Group respectively in their collaborative effort to establish conditions to organize a class for legal action (see p. 182 and 185 in “The Patent ‘813 Story, Part II”). On the basis of 100 “third-party interferers” who would support a class of “third-party exploitees” (after 1/3 of settlement proceeds go to Lucerne Biosciences and its counsel), that could lead to a financial settlement of approximately \$70 Million per “third-party exploitee.” Even with 1000 “third-party interferers,” that would support a financial settlement of approximately \$7 Million per “third-party exploitee.” Of course, with this email in the public record that brings together the multi-layered “The Patent ‘813 Story, Part II” for any reasonable person to understand, soliciting the support of these “third-party exploitees” who were unknowingly made subjects in a “behavioral/business intelligence experiment” that recruited them to unlawfully interfere in business through the coordinated efforts of two “primary source entities,” it should be very easy to organize a class and to take action **very quickly**. But any reasonable person would also readily see that any “leadership representative” of either “primary source entity” waiting for that to happen would have to be incompetent or seriously mentally ill, which may explain why things have gotten to this point where Mr. Dever is receiving an email like this **at this point in time, less than 48 hours before the ‘813 Patent will be effectively invalidated on account of something so trivial as "harassing emails," as is the basis for Shire's second motion for sanctions. But the very objective of those allegedly "harassing emails" was to "get to the truth," albeit it through highly unconventional means.**

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**5:19 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 5:19 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/f0lyE\\_CJce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/f0lyE_CJce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Wednesday June 3, 2015:**

**From:** "Pragati Kapoor" <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>  
**Subject:** Partnership Web Design & SEO Services?  
**Date:** June 3, 2015 6:58:27 AM EDT  
**To:** <lsanfilippo@lcsgruopluc.com>

Respected Sir/Madam, Greetings of the day!!!

I hope business is keeping you busy!

I work as a Business Developer. I would like to discuss a business opportunity with you.

We are a **SEO, Web Design & Development firm, Mobile Application, Logo Design** with over 3 years of experience. **We have been partnering with various digital agencies over U.S. UK, UAE, Canada, Australia and Europe.**

Since your company offers Web services to its clients, may I propose a business association between my firm and yours?

**Together we can provide affordable, high quality Web Designing & Development, SEO, SMS Marketing, Email Marketing, Digital Marketing services to clients.**

Kindly revert back if you are interested.

Awaiting your response and looking forward to a long term association with you!

**Kind Regards,**  
Pragati Kapoor  
Business Development Consultant.

Disclaimer: Orca Web Solutions accepts no liability for the content of this email, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

## The Patent '813 Story, Part II -- Version 2



This email has been checked for viruses by Avast antivirus software. [www.avast.com](http://www.avast.com)

**11:19 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 5:19 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/6M46TPfhba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/6M46TPfhba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>

**Subject: Re: Partnership Web Design & SEO Services?**

**Date:** June 3, 2015 12:00:06 PM EDT

**To:** Pragati Kapoor <[SOCIALMEDIAEXPERTS@ORCAMAILER.COM](mailto:SOCIALMEDIAEXPERTS@ORCAMAILER.COM)>

**Cc:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Dear Mr. Kapoor,

On behalf of LCS Group, LLC, I would like to ask you a few important questions and request some information before answering your question of, "Since your company offers Web services to its clients, may I propose a business association between my firm and yours?" A written reply to this email, that also cc's "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" (as cc'd above) **and** a senior management person at Orca Web Solutions, **is strongly advised**.

1. From who/what source (*i.e.*, person, marketing list, etc...) did you/Orca obtain the email address "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)"? If a person(s), please name that person(s), what you know about them and your relationship to them.
2. Did any person(s) provide you/Orca guidance in writing your email in any way whatsoever? If so, please (i) name that person(s), (ii) how they guided you and (iii) the communication medium of that guidance (*i.e.*, email, text, phone). If such guidance was provided by email, please forward any such communications to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" (as cc'd above) for further analysis.
3. Please provide the **name of at least one accountable senior management representative of Orca Web Solutions (other than you) and the mailing address of the company to whom a hard-copy letter can be sent to that person**. A company telephone number would also be appreciated.
4. Do you have any direct or indirect knowledge of, or relationship to, a person named "Reena Kapoor" that is an Assistant Professor of Psychiatry at Yale University School of Medicine and also Associate Program Director of the Forensic Psychiatry Fellowship in Yale's Department of Psychiatry? If so, please explain that knowledge and/or relationship. If "Dr. Reena Kapoor" was involved in any way with the email below you sent to "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)," please (i) explain how and (ii) forward any related electronic communications to/from her on this matter to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)."
5. In your email below, is the language "kindly revert back" (specifically the use of the word "revert") your own or did another person (either inside or outside Orca) give it to you, or did you intentionally take it from another communication context (*i.e.*, it's your own language but you

## The Patent '813 Story, Part II -- Version 2

paraphrased it from an email communication you recently saw elsewhere)? If the language came from another person or you took it from another communication context, please (i) explain how (including naming persons, their affiliations and "other communication contexts") and (ii) forward any such related electronic communications to "lucernebio@lucernebio.com."

6. Do you know **anything** about "Louis Sanfilippo" or "LCS Group" other than that (i) "Louis Sanfilippo" appears to be the "person" and (ii) "LCS Group" appears to be "the company" that your email was sent to? If you do, please explain the nature of your knowledge as specifically as possible.

7. If you were guided and/or supported **in any way** into the writing and/or sending of the email below to "[lsanfilippo@lcsgruppilc.com](mailto:lsanfilippo@lcsgruppilc.com)" by another person(s), do you know **anything at all** about why such a person(s) may have guided and/or supported your writing/sending of it? **This is a very important question** because this email from LCS Group has been written in collaboration with three other "entities" to support potential legal actions in which you and Orca Web Solutions may be identified as "third-party interferers" involved in unlawful anti-competitive conduct and deceptive trade practice that could have **very serious legal and financial implications that directly involve you and Orca Web Solutions.**

To answer the question of "Since your company offers Web services to its clients, may I propose a business association between my firm and yours?," LCS Group currently has absolutely no interest in a business association between it and your firm. Let me explain why. Your email's "Disclaimer" states, "Orca Web Solutions accepts no liability for the content of this email, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing." The serious "legal problem" with that statement is it shows that Orca Web Solutions **willfully** seeks to avoid any accountability for the email you sent on its behalf to solicit business for the company, as well as any related consequences that may come of the email's contents. Further, by stating that Orca foregoes all accountability (i.e., "accepts no liability") whatsoever from the email's contents "unless that information is subsequently confirmed in writing," Orca is willfully seeking to place the "burden of accountability" (i.e., "burden of liability") on the "responder" of the email you sent (that is LCS Group vis-a-vis its CEO "lsanfilippo"). The only people/companies that communicate that way are ones who are either actively involved (or considering engagement in) unlawful activities like fraud and deceptive trade practice and intentionally trying to cover it up (or pre-emptively trying to excuse themselves) with that kind of "exculpatory language."

That's why it would strongly benefit you, Pragati Kapoor -- **on behalf of Orca Web Solutions** - to respond to this email in writing providing the information/answers requested above **and to also cc a senior management person at Orca Web Solutions**, because your **lack of response** to this email may be used in a legal action by a one or more collaborators of LCS Group to explain why the email you sent today **necessarily implicates** you and Orca Web Solutions in unlawful anti-competitive conduct through "third-party interference." After all, the questions above have been written in a way that would **vindicate you and Orca Web Solutions** from involvement in such unlawful activity if you truthfully answered them all, so not answering them would strongly suggest that you and Orca are trying to intentionally conceal your own and Orca's involvement in such unlawful conduct by "non-response."

So when you write "Together we can provide affordable, high quality Web designing & Development, SEO, SMS Marketing, Email Marketing, Digital Marketing services to clients," you can see that LCS Group's perspective is that "working together" with Orca Web Solutions and you would be a serious liability and conflict of interest. That's because LCS Group is informing **you**

## The Patent '813 Story, Part II -- Version 2

**and Orca Web Solutions** that today's email from you/Orca has extremely serious legal and financial implications, and that actions are currently being planned by one or more LCS Group collaborators to use it to support legal action. Not only that, but your/Orca's response to this email -- **or lack of response to it** -- also has extremely serious legal and financial implications for the same reason. That, of course, makes your concluding sentence "Awaiting your response and looking forward to a long term association with you!" really nothing more than a fantasy, because LCS Group won't actively do business with a company and/or person that may be involved in unlawful activity for which LCS Group may be providing evidentiary support for certain legal actions. However, your **written reply to this particular email on behalf of Orca Web Solutions with answers and information** could turn that fantasy of "working together" into reality -- but that decision is for you and your company to make. And it would be best made **very soon** because the nature of those legal actions could be made public as early as **7:00 am EDT on Wednesday June 10, 2015**. That's less than one full week from "now."

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

Cantor Colburn's "**Petition with Withdraw of Attorney or Agent in the Patent ProsiECTION of Lucnere Bioscineces' U.S. Patent Application 14/464,249**" is available at:  
<http://www.4shared.com/download/QUzmllez0ce/12202146-4.pdf?lgfp=3000>

**From:** Tom MacAllister <tmacallister.argus@gmail.com>  
**Subject:** Vyvance Bing Eating  
**Date:** June 3, 2015 5:44:21 PM EDT  
**To:** "lsanfilippo@lcsgroupllc.com" <lsanfilippo@lcsgroupllc.com>

Dear Dr Sanfilippo,

We have been following your IPR dispute with Shire and believe we could provide you assistance. Will you please let me know if this is of interest?

Kind regards,

Tom

Thomas W. MacAllister, JD, PhD  
Principal  
Argus Holdings, LLC  
1466 Highwood Drive  
McLean, VA. 22102  
703-282-0524

**Thursday June 4, 2015:**

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your "#1 Method To Restore Your Hearing" Email to "louiscsan@aol.com"  
**Date:** June 4, 2015 5:00:06 AM EDT

## The Patent '813 Story, Part II -- Version 2

To: Sam Miller <updates@updates.couponhunters.net>

Dear Mr. Miller,

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who have sent email communications to certain email addresses of a person named "Louis Sanfilippo" (such as "[louiscsan@aol.com](mailto:louiscsan@aol.com)") based on the suggestion, encouragement and/or support of these "primary source perpetrators," even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters." "Louis Sanfilippo" and two business entities have been closely collaborating with Lucerne Biosciences, LLC to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending your "#1 Method To Restore Your Hearing" email to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" on June 1 at 11:44 am EDT (as below, forwarded to Lucerne Biosciences to accomplish certain legal objectives) was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever, any information you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or your business may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action could be very substantial.

Any information that you can provide the company on this matter would be appreciated and should be sent to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" (from which this email was sent). If you would like additional background on (i) the nature of "third-party interference" by electronic communications (ii) whether you and/or your business may qualify as a "third-party exploiter" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see a Press Release issued by LCS Group, LLC on May 13, 2015 (see "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section, notably pp. 179-186, pp. 211-214, pp. 224-225), at:

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

### Lucerne Biosciences, LLC

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Fwd: #1 Method To Restore Your Hearing  
**Date:** June 3, 2015 1:17:04 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** "Sam Miller" <[updates@updates.couponhunters.net](mailto:updates@updates.couponhunters.net)>

**Subject:** #1 Method To Restore Your Hearing

**Date:** June 1, 2015 11:44:13 PM EDT

**To:** <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

**Reply-To:** [updates@updates.couponhunters.net](mailto:updates@updates.couponhunters.net)

### Weird Hearing Loss Method Forbidden For Being Too Good?!

There are so many scam products out there, you feel like locking your credit card in a safe.



But when something REALLY good comes out (and we both know how rare that is)... **it gets BANNED!**

This is exactly what happened to this natural remedy for hearing loss **that's already helped 45,657 people!**

[>> Check out the forbidden hearing loss formula here <<](#)

And if you think it was banned because it's too dangerous... you couldn't be more wrong.

It was forbidden because it was TOO good and **hearing aids producers started losing massive profits**. So they sent their lawyers to hunt down the owner of this website:

[Click here to see the website now\(I hope it's still up\)](#)

Now the guy who made this natural remedy public is facing lawsuit threats and might actually lose the battle, [\[...read more...\]](#)

[Forbidden formula - step by step instructions](#)

**Make sure you watch the presentation until it's over, because the end will blow your mind!**

## The Patent '813 Story, Part II -- Version 2



Coupon Hunters respects your privacy. If you would like to unsubscribe from our future mailings, please click here.

Coupon Hunters | 3 Church Circle, Suite 246 | Annapolis, MD 21401

You were added to the system on April 1, 2015. For More information, [click here](#). [Update your preferences](#) | [Unsubscribe](#)

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your "Disseminating your work" Email to "louis.sanfilippo@yale.edu"  
**Date:** June 4, 2015 6:00:12 AM EDT  
**To:** Jonathan Ezer <jonathan@kindealabs.com>

Dear Dr. Ezer,

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who have sent email communications to certain email addresses of a person named "Louis Sanfilippo" (such as [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)) based on the suggestion, encouragement and/or support of these "primary source perpetrators," even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters." "Louis Sanfilippo" and two business entities have been closely collaborating with Lucerne Biosciences, LLC to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending your "Disseminating your work" email to [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu) on June 1 at 2:33 pm EDT (as below, forwarded to Lucerne Biosciences to accomplish certain legal objectives) was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever, **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or your business may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action could be very substantial.

**Any information** that you can provide the company on this matter would be appreciated and should be sent to [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com) (from which this email was sent). If you would like additional background on (i) the nature of "third-party interference" by electronic communications, (ii) whether you and/or your business may qualify as a "third-party exploiter," and (iii) how "third-party interference" by electronic communications has been used to engage in

## The Patent '813 Story, Part II -- Version 2

unlawful anti-competitive conduct, then please see a Press Release issued by LCS Group, LLC on May 13, 2015 (see "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section, notably pp. 179-186, pp. 211-214, pp. 224-225), at:

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

### Lucerne Biosciences, LLC

**From:** "Sanfilippo, Louis" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: Disseminating your work  
**Date:** June 3, 2015 4:25:40 PM EDT  
**To:** "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Begin forwarded message:

**From:** Jonathan Ezer <[jonathan@kindealabs.com](mailto:jonathan@kindealabs.com)>  
**Subject:** Disseminating your work  
**Date:** June 1, 2015 2:33:34 PM EDT  
**To:** <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Dear Dr. Sanfilippo,

My name is Jonathan Ezer, and I recently founded a startup to promote academic research. We create and disseminate unique videos using animation.

We would like to create a **compelling video to disseminate your work.**

We work with research institutes and thought leaders - those that are looking to share their mission and findings. We help them get the word out through catchy videos that resonate.

You can see some samples at [www.KindeaLabs.com](http://www.KindeaLabs.com)

Please let me know if you're interested in having a great video to disseminate your work.

Best wishes,

Jonathan

--

**Jonathan Ezer, PhD**  
Founder, Kindea Labs  
[Jonathan@kindealabs.com](mailto:Jonathan@kindealabs.com)  
212.786.2920  
[www.KindeaLabs.com](http://www.KindeaLabs.com)

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

## The Patent '813 Story, Part II -- Version 2

**Subject: Regarding Your "Vyvanse Bing Eating" Email to "Isanfilippo@lcsgrupp.com"**

**Date:** June 4, 2015 7:00:10 AM EDT

**To:** Tom MacAllister <tmacallister.argus@gmail.com>

Dear Dr. MacAllister,

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who have sent email communications to "LCS Group, LLC" (such as "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)" or "[info@lcsgrupp.com](mailto:info@lcsgrupp.com)") based on the suggestion, encouragement and/or support of these "primary source perpetrators," even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters." "LCS Group, LLC" and two other "entities" have been closely collaborating with Lucerne Biosciences, LLC to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending your "Vyvanse Bing Eating" email to "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)" yesterday on June 2 at 5:44 pm EDT (as below, forwarded to Lucerne Biosciences, LLC to advance certain legal objectives) was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever, **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or your business may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7-10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action could be very substantial.

**Any information** that you can provide the company on this matter would be appreciated and should be sent to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" (from which this email was sent). If you would like additional background on (i) the nature of "third-party interference" by electronic communications, (ii) whether you and/or your business may qualify as a "third-party exploiter" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see a Press Release issued by LCS Group, LLC on May 13, 2015 (see "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section, notably pp. 179-186, pp. 211-214, pp. 224-225), at:

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

**Lucerne Biosciences, LLC**

**From:** "Louis Sanfilippo, MD" <[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)>

**Subject:** Fwd: Vyvanse Bing Eating

**Date:** June 3, 2015 8:09:10 PM EDT

**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** Tom MacAllister <[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)>  
**Subject:** Vyvance Bing Eating  
**Date:** June 3, 2015 5:44:21 PM EDT  
**To:** "[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)" <[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)>

Dear Dr Sanfilippo,

We have been following your IPR dispute with Shire and believe we could provide you assistance. Will you please let me know if this is of interest?

Kind regards,

Tom

Thomas W. MacAllister, JD, PhD  
Principal  
Argus Holdings, LLC  
1466 Highwood Drive  
McLean, VA. 22102  
703-282-0524

**From:** "Baker, Patrick" <[Patrick.Baker@USPTO.GOV](mailto:Patrick.Baker@USPTO.GOV)>  
**Subject:** **Entry of Adverse Judgment - IPR2014-00739**  
**Date:** June 4, 2015 10:15:28 AM EDT  
**To:** "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Dear Patent Owner,

The Patent Trial Appeal Board at the U.S. Patent and Trademark Office has entered on June 4, 2015, "Entry of Adverse Judgment" via the Patent Review Processing System website. A courtesy copy has been attached.

Regards,

Patrick E. Baker  
Trial Paralegal  
United States Patent and Trademarks Office  
Patent Trial and Appeal Board  
[Patrick.baker@uspto.gov](mailto:Patrick.baker@uspto.gov)  
Direct: 571-272-6192  
Board: 571-272-7822

**ATTACHMENT:** "**IPR2014-00739 adverse judgment.pdf**" is available at:  
[http://www.4shared.com/download/XJiiJ9Nece/IPR2014-00739\\_adverse\\_judgment.pdf?lgfp=3000](http://www.4shared.com/download/XJiiJ9Nece/IPR2014-00739_adverse_judgment.pdf?lgfp=3000)

**10:43 AM EDT:**

## The Patent '813 Story, Part II -- Version 2

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 10:43 AM EDT**" is available as a merged PDF:

[http://www.4shared.com/download/B6eXmnY-ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/B6eXmnY-ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Tom MacAllister <[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)>  
**Subject: Re: Regarding Your "Vyvanse Bing Eating" Email to "Isanfilippo@lcsgruppilc.com"**  
**Date:** June 4, 2015 1:04:09 PM EDT  
**To:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Dear Sir,

Please feel free to call me if you wish to discuss.

Thomas W. MacAllister, JD, PhD  
Principal  
Argus Holdings, LLC  
1466 Highwood Drive  
McLean, VA. 22102  
703-282-0524

On Jun 4, 2015, at 7:00 AM, Lucerne Biosciences, LLC <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)> wrote:

Dear Dr. MacAllister,

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who have sent email communications to "LCS Group, LLC" (such as "[Isanfilippo@lcsgruppilc.com](mailto:Isanfilippo@lcsgruppilc.com)" or "[info@lcsgruppilc.com](mailto:info@lcsgruppilc.com)") based on the suggestion, encouragement and/or support of these "primary source perpetrators," even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters." "LCS Group, LLC" and two other "entities" have been closely collaborating with Lucerne Biosciences, LLC to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending your "Vyvanse Bing Eating" email to "[Isanfilippo@lcsgruppilc.com](mailto:Isanfilippo@lcsgruppilc.com)" yesterday on June 2 at 5:44 pm EDT (as below, forwarded to Lucerne Biosciences, LLC to advance certain legal objectives) was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever, **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or your business may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive

## The Patent '813 Story, Part II -- Version 2

conduct, is in the range of approximately \$7-10 Billion. Therefore, depending on the number of "third-party exploitees" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action could be very substantial.

**Any information** that you can provide the company on this matter would be appreciated and should be sent to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" (from which this email was sent). If you would like additional background on (i) the nature of "third-party interference" by electronic communications, (ii) whether you and/or your business may qualify as a "third-party exploitee" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see a Press Release issued by LCS Group, LLC on May 13, 2015 (see "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section, notably pp. 179-186, pp. 211-214, pp. 224-225), at:

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

### Lucerne Biosciences, LLC

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: Vyvanse Bing Eating  
**Date:** June 3, 2015 8:09:10 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** Tom MacAllister <[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)>  
**Subject:** Vyvanse Bing Eating  
**Date:** June 3, 2015 5:44:21 PM EDT  
**To:** "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>

Dear Dr Sanfilippo,

We have been following your IPR dispute with Shire and believe we could provide you assistance. Will you please let me know if this is of interest?

Kind regards,

Tom

Thomas W. MacAllister, JD, PhD  
Principal  
Argus Holdings, LLC  
1466 Highwood Drive  
McLean, VA. 22102  
703-282-0524

## The Patent '813 Story, Part II -- Version 2

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** NOTICE: Class Organization Planning for Class Action Lawsuit

**Date:** June 4, 2015 2:23:14 PM EDT

**To:** totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, anna@pirllc.com, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>

**Cc:** fornskov@shire.com, lohr@nytimes.com, ed.silverman@wsj.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>

**Reply-To:** lucernebio@lucernebio.com

Dear Prospective "Third-Party Class,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who sent email communications to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" and (iv) "info@lcsgrupp.com." "Louis Sanfilippo" (the person) and two other business entities have been closely collaborating with Lucerne Biosciences, LLC to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending an email that you have been identified as having sent (and likely "initiated") to at least one of the four email addresses above since January 30, 2015 was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploiters" a potential settlement to each one "third-party exploiter" could be well into the tens of millions (U.S. dollars).

**Any information** that you can provide the company on this matter would be appreciated and

## The Patent '813 Story, Part II -- Version 2

used to support your respective personal and/or business interests, and should be sent to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" (from which this email was sent). If you would like additional background on (i) the nature of "third-party interference" by electronic communications (ii) whether you and/or your business may qualify as a "third-party exploitee" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to "class actions"):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

Every person/party "TO" whom this email has been sent has been identified by a very skilled team with whom Lucerne Biosciences, LLC has been closely working to have a very high likelihood of being a "third-party exploitee" that has unknowingly abetted certain "primary source perpetrators" to promote, support and engage in unlawful anti-competitive conduct through "third-party interference" made by electronic communications, particularly for the purpose of harming the company during its *inter partes* review of U.S. Patent No. 8,318,813 and its prosecution of U.S. Patent Application 14/464,249. Both the '813 Patent and '249 Application specifically relate to claimed methods for the use of lisdexamfetamine dimesylate ("Vyvanse®") to treat Binge Eating Disorder (as FDA approved on January 30, 2015). By replying to this email at "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" to provide information or even simply to acknowledge its receipt, Lucerne Biosciences, LLC will keep you informed of developments in its organization of the "third-party class" through the electronic email medium and will also work "electronically" with you and/or the business you represent to clarify the nature of how you may have been exploited to promote, support and/or engage the unlawful anti-competitive conduct of the "primary source perpetrators." Given the scope and unprecedented nature of this legal story, journalists Steve Lohr of the New York Times and Ed Silverman of the Wall Street Journal are cc'd, as is Shire Plc CEO Dr. Flemming Ornskov. Also cc'd are attorneys from two different law firms familiar with different legal aspects of this matter.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Subject:** Fwd: Lucerne Biosciences  
**Date:** June 4, 2015 8:39:42 PM EDT  
**To:** "lucernebio@lucernebio.com" <lucernebio@lucernebio.com>, "Louis Sanfilippo, MD" <louiscsan@aol.com>

Louis

Please see below. It isn't clear what information would be appropriate for me to convey to this fellow, so I'm forwarding his message in case you would like to contact him.

Joe

----- Forwarded message -----  
From: Thomas MacAllister <tmacallister@agpharm.com>  
Date: Jun 4, 2015 6:42 PM

## The Patent '813 Story, Part II -- Version 2

Subject: Lucerne Biosciences  
To: "Lucci, Joseph" <JLucci@bakerlaw.com>, "Farsiou, David"  
<DFarsiou@bakerlaw.com>  
Cc:

Gentlemen,

I wonder if we might have a quick call. I am hoping to contact an ex-client of yours, Lucerne Biosciences. I was hoping to get a telephone number and potentially some guidance on the principal(s) in the context of what I envision and can share with you when we talk.

I understand the situation and, thus, very much appreciate anything you can tell me. It will not take much of your time.

If you are willing, you may call me on 703-282-0524 or if you give me a time and number I will call you.

Kind regards,

Tom

Thomas MacAllister, JD, PhD  
Chief Executive Officer  
Argentum Pharmaceuticals, LLC  
tmacallister@agpharm.com

### **Friday June 5, 2015:**

**From:** Anubhav Sharma <anubhav\_sharmaseo@outlook.com>  
**Subject:** Website Design & SEO!!!  
**Date:** June 5, 2015 8:31:12 AM EDT  
**To:** Undisclosed recipients

Hi,

I am Anubhav, a Web Development Consultant in New Delhi (India) and I work with 200+experienced IT professionals who are into:

1. Web Site Design, Web Site Development, Flash Design.
2. Hire Dedicated Designers/ Developers /App Developer.
3. Hire Dedicated SEO Expert .
4. Internet Marketing, Search Engine Optimization (SEO), PPC, SMO.
5. E-Commerce Solutions, any type of website Development. Mobile iPhone, Android Apps Development.

Beginning April 21, 2015, mobile friendly website will be given a higher priority in search results. Make your website mobile Responsive otherwise you are going to lose rank with the next change in Google Algorithm which is going to be taken place on April 21, 2015

We are Professional, Trust worthy, and Reliable and offer Quality Service Experience and a Quick Turn!

## The Patent '813 Story, Part II -- Version 2

If you are interested in any of our, please message back to me. I can send you company information and an **affordable quotation with the best offer.**

Your prompt response will be highly appreciated!!

Thanks & Regards,  
Anubhav Sharma,  
Web Development Consultant  
**2:43 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249** **"as of 10:43 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/hwpWSR\\_Mba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/hwpWSR_Mba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Saturday June 6, 2015:**

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** '813 Patent and Critical Development Implicating Dr. Tom W. MacAllister  
**Date:** June 6, 2015 8:27:04 AM EDT  
**To:** totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>  
**Cc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, skestner@bakerlaw.com, Michael Cantor <MCantor@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com

This email from Lucerne Biosciences, LLC is to inform its "readership" that the company has determined certain critical "boundary conditions" have been satisfied for it to implement important actions with its collaborators to bring about a "final resolution" to "The Patent '813 Story, Part II" so that its last and final chapter can finally begin. While the content of this email may be somewhat technical for its behavioral commentary, its implications for human perception, group dynamics and predictive behavioral modeling are highly significant. So too are its legal implications. The company has also determined that it has become necessary to introduce a novel "communication platform" (at the end of the email) that is based on "non-projective recursive communication." The objective of this new "communication platform" is to help prevent "third-party exploiters" (as previously characterized by the company) from experiencing significant perceptual and cognitive disturbances due to the extremely imminent collapse of the "third-party interference communication network" and ensuing public exposure based on actions that the company and its collaborators expect to take.

## The Patent '813 Story, Part II -- Version 2

The basis of this email is an analysis of Dr. Tom W. MacAllister's "communication behavior" on June 3-4, 2015, in view of emails he sent identifying himself as a Principal of Argus Holdings, LLC in one thread and a CEO of Argentum Pharmaceuticals, LLC in another thread. **The behavioral nature of these communications and their legal implications are of unprecedented significance** and the basis for establishing a "threshold boundary condition" on which the company can begin taking certain "terminal actions" designed to drive a permanent "final resolution." To this effect, **Dr. Tom MacAllister** and both of these businesses with which he is associated, **Argus Holdings, LLC** and **Argentum Pharmaceuticals, LLC, now stand squarely in the middle of a massive legal (and publicity) liability** from a "third-party conflict of interest" involving the "primary source perpetrators" who have supported, encouraged and engaged in anti-competitive conduct and deceptive trade practice to harm Lucerne Biosciences, LLC, including supporting the invalidation of its '813 Patent and attempting to interfere in the prosecution of its '249 Patent Application. Another feature of this email is to explain why Dr. MacAllister's "communication behavior" through these two "company email threads" also reveals that there has been **profound deterioration in the "third-party interference" network** that has been repeatedly used to interfere with Lucerne Biosciences intellectual property development and prosecution since "Vyvanse®" was FDA approved for the treatment of Binge Eating Disorder on January 30, 2015, as claimed in the '813 Patent whose claims were invalidated on Thursday June 4 by the Patent Trial and Appeal Board (from the *inter partes* review initiated by Shire Development LLC). This profound deterioration in the "third-party interference" network" stems from highly regressive group "projection and splitting" and a reciprocating dynamic of "projective identification and acting out" (as briefly described in the June 5 "Kate Gordon" email but also in "The Patent '813 Story, Part II"). The communication behavior of Dr. Tom MacAllister makes it unmistakably clear that the "third-party interference network's" **complete and catastrophic collapse with high public exposure** is not only extremely imminent but inevitable, for which the company has expected and planned.

The apparent "first ever" email **from** Dr. MacAllister and Argus Holdings, LLC **to** LCS Group, LLC CEO Dr. Louis Sanfilippo was sent from "[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)" to "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" on **Wednesday June 3, 2015 at 5:44 pm EDT**, as attached ("Email 1"). It states, "Dear Dr. Sanfilippo, We have been following your IPR dispute with Shire and believe we could provide you assistance. Will you please let me know if this is of interest? Kind regards, Tom." LCS Group, LLC forwarded that email to Lucerne Biosciences at 8:09 pm EDT that same day and Lucerne Biosciences responded to the Dr. MacAllister/Argus email the next morning, **Thursday June 4 at 7:00 am EDT**, by email to inform him and his company that Lucerne Biosciences "has been making preparations to organize a 'class' of 'third-party exploiters' for the purpose of a class action lawsuit against certain 'primary source perpetrators' for promoting, supporting and engaging in unlawful anti-competitive conduct through 'third-party interference' made by electronic communications" and that he and/or his business may qualify in the 'class of third-party exploiters,'" as attached ("Email 2"). This email was of the same nature as the company's "NOTICE: Class Organization Planning for Class Action Lawsuit" email on Thursday June 4 at 2:23 pm EDT. **At 1:04 pm EDT on Thursday June 4**, Dr. MacAllister replied from his "[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)" to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" writing, "Dear Sir, Please feel free to call me if you wish to discuss. Thomas W. MacAllister, JD, Phd..." ("Email 3," as attached). Of note, in this temporal vicinity (perhaps a few hours earlier) the Patent Board publicly posted on its reporting system that an adverse entry was rendered against Lucerne Biosciences that invalidated all thirteen of the '813 Patent's claims that involve the use of lisdexamfetamine dimesylate ("Vyvanse®," marketed by Shire U.S. Inc.) to treat Binge Eating Disorder.

Remarkably, approximately five-and-a-half hours after his "Dear Sir, Please..." reply email, Dr. MacAllister emailed attorney Joe Lucci of Baker Hostetler cc'ing attorney David Farisiou (**Thursday June 4 at 6:42 pm EDT**) from "[tmacallister@agpharm.com](mailto:tmacallister@agpharm.com)," and identified himself as

## The Patent '813 Story, Part II -- Version 2

“Chief Executive Officer” of Argentum Pharmaceuticals, LLC (this was about the same timeframe as Kate Gordon’s email). The email is attached (“Email 4”). Its subject was “Lucerne Biosciences.” The email writes to attorneys Lucci and Farisiou, “Gentlemen, I wonder if we might have a quick call. I am hoping to contact an ex-client of yours, Lucerne Biosciences. I was hoping to get a telephone number and potentially some guidance on the principal(s) in the context of what I envision and can share with you when we talk. I understand the situation and, thus, very much appreciate anything you can tell me. It will not take much of your time. If you are willing, you may call me on 703-282-0524 or if you give me a time and number I will call you.”

This June 4 “Dear Sir, Please...” email has very serious legal implications, particularly in view of Dr. MacAllister’s other communications over the preceding 24 hours. The email’s most striking feature is that it was sent just hours after the 1:03 pm email communication made to Lucerne Biosciences in which he simply stated, “Please feel free to call me if you wish.” That Dr. MacAllister/Argentum would contact Mr. Lucci “behind the back” of “Lucerne Biosciences” when he/Argus had just communicated with the company informing its management to reach out “if you wish” is **highly implicating behavior**. So too is the fact that he could have retrieved the phone number of Lucerne Biosciences by simply googling the company’s name “Lucerne Biosciences,” at which time he would have found the company’s March 6 press release with a telephone number and contact person without making Mr. Lucci a “third-party intermediary” through whom certain kinds of discussions might take place and/or be made on the written record.

Dr. MacAllister’s two different “company email threads,” as handled in the manner that he did, is not only **highly idiosyncratic (if not bizarre) communication behavior but actually reveals his active engagement in “third-party interference,”** because there is no logical reason for him to communicate with Mr. Lucci that way (in view of how he had just communicated with Lucerne Biosciences hours earlier) -- **unless he was intentionally seeking to interfere in the company’s communications and engage in some kind of unfair and deceptive trade practice, if only for future use or “leverage.”** This very obvious display of troubling and untoward behavior is what’s called a “manifest symptom” that the “third-party interference network” (as supported by the “primary source perpetrators”) is effectively collapsing on itself in “real-time” through its own “public exposing” with a behavioral toll on those most exposed. This “real-time collapse,” however, isn’t surprising behaviorally because the psychodynamic basis of “third-party interference” is “projectively-based splitting.” That means that its “human methodology” is inherently unstable “intrapsychically” based on the primitive nature of these coupled defense mechanisms. And that “intrapsychic instability” can lead its “third-party interferers” to experience serious impairments in perception and cognition under high regressive strain, as might happen when these defense mechanisms (i.e., projection and splitting) are confronted by conscious exposure of the unacceptable feelings and realities that they are trying to hide, distort and/or attribute to another from within the “third-party interferer’s theater of consciousness.”

Regarding Dr. MacAllister’s **June 4 at 6:42 pm EDT email** to Mr. Lucci and Mr. Farisiou (“Email 4”), by which he/Argentum “bypassed” Lucerne Biosciences entirely without even so much as a “cc” on the communication even as he was provided the company’s email contact information hours earlier, take note that it is a **“tactically leveraged split.”** In other words, Dr. MacAllister/Argentum tried to tactically “bypass communication” with “Lucerne Biosciences” and its management by **going outside the company’s visible view** to its two prior IPR attorneys, Mr. Lucci and Mr. Farisiou, in a manner that clearly supports its willfully “deceptive and interfering” nature. After all, why would he do that unless he was trying to be deceptive about how he was interfering in communication “to involve” himself (or Mr. Lucci) as a “third-party intermediary,” if for no other reason than to simply communicate something “onto the written record” that could be leveraged at a future time and/or could be actively used to engage in deceptive trade practice through “third-party interference methodology.”

## The Patent '813 Story, Part II -- Version 2

**“Tactical leveraged splitting”** is precisely how Ms. Sandra Kuzmich of Frommer, Lawrence & Haug “behaved” on behalf of Shire when she communicated with LCS Group attorney Joe Lucci of Baker Hostetler on Sept. 4, 2014, a time that LCS Group was then-patent owner of the '813 Patent and in the IPR proceeding represented by Mr. Lucci (see p. 8 of “The Patent '813 Story, Part II”). Notably, Ms. Kuzmich’s Sept. 4 email to Mr. Lucci (on behalf of Shire) is “in response” to an email LCS Group sent (via its CEO Sanfilippo) to Shire (its CEO Ornskov) **but she does not even cc LCS Group/Sanfilippo**, thus effectively “bypassing LCS Group/Sanfilippo” from the “communication dynamic.” **That highly deviant communication behavior strongly suggests a willful motivation to “deceive and interfere,”** such as in unfair business and trade practice and anti-competitive conduct, **in just the same way** that Dr. MacAllister would be expected to use his **highly deviant communication** to Mr. Lucci by very oddly leaving the ball directly in Lucerne’s court to contact him only for him to secretly contact Mr. Lucci hours later **outside** Lucerne’s “visible view” asking Mr. Lucci for information. With respect to Ms. Kuzmich/Shire’s Sept. 4, 2014 communication behavior, her email misrepresents Mr. Lucci as representing “Dr. Sanfilippo” when she knows that he’s representing LCS Group in the IPR proceeding and she even unashamedly brings up “negotiations” with Mr. Lucci (for which “LCS Group, LLC” is at that time in a CDA) while clearly **intentionally excluding the authorized party to make business decisions on behalf of LCS Group from the communication dynamic** (who is its CEO Louis Sanfilippo). Considering that Ms. Kuzmich’s email was in clear response to an important “business matter” for which LCS Group/Sanfilippo first emailed Shire/Ornskov on Sept. 4, namely, to see if Shire was interested in acquiring rights to the '813 Patent and any that follow, her behavior is **very obviously intended to “deceive and interfere”** (see pp. 6-7 of “The Patent '813 Story, Part II”). Add to this that the IPR of the '813 Patent itself was based on a massive constellation of misrepresentations of seemingly unimaginable scope, it’s easy to see that the IPR of the '813 Patent was motivationally conceived as a “behavioral strategy” that effectively would make it **one massive “tactically leveraged split”** whose objective was to **“deceive and interfere”** with the respective patent owner of the '813 Patent. That, of course, is featured in the many rich details of “The Patent '813 Story, Part II” and why any reasonable person in view of its written record would understand Shire’s IPR as a reprehensible act of deceptive trade practice from its outset, having no regard for the truth at any time in its history.

**The “behavioral methodology” of (i) Dr. MacAllister (on behalf of Argus and Argentum), (ii) Ms. Kuzmich (on behalf of Shire) and (iii) the IPR itself are all identical, namely, to leverage a “tactically leveraged split” that seeks to “control the communication dynamic.”** The nature of that “communication control” is to conceal and/or minimize materially important information from the person/entity that should be the **“primary authorized communicant” receiving it** (on account of being authorized to communicate, make decisions, etc....). In other words, the behavioral methodology of Dr. MacAllister/Argus-Argentum and Ms. Kuzmich/Shire is to facilitate their own role as a “third-party intermediary” to presumably “deceptively interfere” in any communications between (i) **“LCS Group, LLC”** and Shire (as in Ms. Kuzmich/Shire’s Sept. 4, 2014 example) and (ii) **“Lucerne Biosciences, LLC”** and Shire (as in the June 4, 2015 Dr. MacAllister/Argentum communication to Mr. Lucci/Mr. Farisiou). This effectively puts the burden of identifying and clarifying the “deceptive and interfering communication” (from the respective “third-party interferer”) on Mr. Lucci and/or the '813 Patent Owner, when its real burden should be on Ms. Kuzmich and Dr. MacAllister to practice ethically and professionally according to established norms (for persons with attorney credentials). Further, the shared nature of this behavioral methodology of “tactically leveraged splitting” convincingly demonstrates that Dr. MacAllister and Ms. Kuzmich, vis-à-vis their respective companies, are **completely aligned** in support of the same “primary source entities” that have encouraged and engaged in anti-competitive conduct through novel kinds of deceptive trade practice (like “leveraged splitting”) and that these objectives are also **completely aligned** with (i) Shire (vis-à-vis its highly misrepresented IPR petition and baseless invalidation of the '813 Patent) and (ii) the “third-party interference” that escalated during the '249 Application’s patent prosecution during March-April

## The Patent '813 Story, Part II -- Version 2

2015 (as characterized in the “Kate Gordon” email but also repeatedly featured in “The Patent '813 Story, Part II).” **It’s easy to see that the degree of coordinated collusion to deceptively interfere with the respective '813 Patent Owner is itself so massive that it’s virtually impossible to grasp, but remarkably the “deceptive interference behavior” is limited to a very narrow range of behavioral methods (i.e., misrepresentation and tactically leveraged splitting) that makes them highly obvious, especially in view of their “recursive practice.”**

But because Lucerne Biosciences, under the guidance of a skilled behavioral intelligence team, intentionally took itself out of this **“recursive tactically leveraged split”** (that was the IPR of the '813 Patent) by failing to comply with the Patent Board’s May 21 and May 26 procedural orders out of which the '813 Patent was invalidated, **Dr. MacAllister and his two companies now stand in the middle of what may be one of the most massive “tactically leveraged splits” in human history that couldn’t be any more obvious for its serious legal implications because of all the obvious unlawfulness that supported it. That, then, puts Dr. MacAllister and his two companies squarely in the middle of what may be one of the biggest legal liabilities (and scandals) in all U.S. history involving influential “primary source perpetrators” and their extensive “third-party interference network” that has been used to repeatedly and even mercilessly engage people in deceptive trade practice and anti-competitive conduct by exploiting their psychological defense mechanisms.**

This is the “boundary condition” that Lucerne Biosciences, LLC has been waiting for, because it now has Dr. MacAllister and his two companies right in its cross-hairs to “get at the truth.” Any reasonable person would see that Dr. MacAllister knows something significant, or he wouldn’t have said in his emails, “I understand the situation” (“Email 4”) and “[we] believe we could provide you assistance” (“Email 1”). Clearly, Dr. MacAllister “knows” certain very important things about what’s taken place **outside the view** of Lucerne Biosciences or any of its collaborators regarding Shire’s fraudulent IPR of the '813 Patent that led to its invalidation. That “knowing” effectively renders him a willful “third-party interferer” acting on behalf of a “proximal source entity” (i.e., closer to the “primary source perpetrators” but may not be the primary perpetrator). Surely, it’s no coincidence that Dr. MacAllister/Argentum is “secretly communicating” only to Mr. Lucci/Farisiou outside the view of Lucerne Biosciences, saying “I understand the situation,” **on the very day that the '813 Patent was invalidated.** This, of course, indicates that the “primary source perpetrator” supporting Dr. MacAllister’s involvement realized it now has a massive liability on its hands on account of the Patent Board’s invalidating a perfectly valid patent based on an egregious act of fraud. From a behavioral perspective, that **massive problem and liability** was effectively “projected” onto Dr. MacAllister by the “primary source perpetrator(s)” in a way that sought to exploit him as a “third-party splitter/interferer,” to which he very unwisely “projectively identified” and “acted out” (the split) in a manner that has now put that massive liability’s virtually infinite weight **directly on him** by implicating him in a very obvious “third-party conflict of interest” that any reasonable person would appreciate for its **profound and far-reaching legal implications.** That’s because it’s clear that his June 4 communication was motivated to act as a “third-party intermediary” for another party whose identity he seeks to keep hidden but that was somehow foundationally involved in the repetitive unlawful behavior that supported events that led to the invalidation of the '813 Patent that same day. Also from a behavioral perspective, this reveals **highly regressive behavior that has manifested itself in seriously impaired judgment.** Simply based on Dr. MacAllister’s “profiled competence” (as would be determined on a preliminary basis from a few google searches), it would seem that he is a “competent enough JD” to not directly walk into massive liabilities of this kind in which he and his two companies would be the very first litigation target to “open up the path” for class action involving a potential financial settlement currently projected on the scale of \$7 to 10 billion. But he does just that, likely because of extremely heavy “projectively-based splitting” which motivates him to do the “dirty work” for another party that itself doesn’t want to be seen on the written record doing it. Yet the “projectively identified (distorted) nature” of his motivation makes it impossible for him to see

## The Patent '813 Story, Part II -- Version 2

what he's walking into. In this respect, it's not hard to see how Dr. MacAllister could have been "behaviorally exploited" by **how** he was supported, encouraged and/or engaged to enter into this massive liability problem in the first place.

So who supported, encouraged and/or engaged Dr. MacAllister to "deceptively interfere"? Who's provided him the information that allows him to say "I understand the situation"? Who's guided him to behave **exactly** the way that Shire's outside counsel of Frommer, Lawrence & Haug behaved to invalidate the '813 Patent, namely, through serial "**tactically leveraged splits**" in which the "primary source entity" is hidden while he/Argentum/Argus (or Frommer, Lawrence & Haug) do the "dirty work" as "third-party deceptive interferers." That's just the way Shire hid behind Frommer, Lawrence & Haug in the IPR by insisting all communications go through the law firm **including business communications**, when any reasonable person would see that Frommer, Lawrence & Haug clearly had a "conflict of interest" arguing the obviousness of a patent in one venue while also negotiating a transaction for its valuable rights while in that same IPR venue. That third-party "conflict of interest" is clearly the source of the "**deceptive interference dynamic**" Dr. MacAllister surely must be trying to establish through his communications, as evidenced by the fact that his communication itself reveals that he himself is implicated right in the middle of its "**deceptive interference**," most notably with his June 4 communication to Mr. Lucci and Mr. Farisiou. So who would be motivated to support, encourage and/or engage Dr. MacAllister (on behalf of Argentum/Argus), as well as Frommer, Lawrence and Haug (on behalf of Shire), to engage in such "deceptive interference"? That, of course, begs the question: who would be interested in developing and applying "deceptive interference technology" (that gets in the way of the "other side") in the first place? Considering that Dr. MacAllister is writing from "McLean, Virginia" and one of the key themes of "The Patent '813 Story, Part II" relates to "intelligence" and "national security" matters, any reasonable person would certainly wonder whether the Central Intelligence Agency supported, encouraged and/or engaged him to involve himself and his two businesses as "third-party intermediaries" in order to hide their own **central involvement** in one of the most unlawful and unethical acts of fraud and anti-competitive conduct in U.S. legal history, in the context of a colossal failure of a "third-party interference" intelligence experiment used to develop and apply deception-based intelligence technology (see "The Patent '813 Story, Part II" for details on all of this).

Perhaps the most revealing and important features of Dr. MacAllister's two different "lines of communication" is that together they are highly predictive of a very ominous behavioral development for the persons who are the "primary source perpetrators" that established the foundation for all this "**projectively-based splitting**" through "third-party interference." That ominous development is rooted in a concept called "**reversion of projectively-based splitting**" to its "**primary source projectively-based splitters**." As briefly discussed in the "Kate Gordon email" yesterday morning but characterized in more detail in "The Patent '813 Story, Part II," "**projectively-based splitting**" is highly regressive in its nature and based ("intrapsychically") on a perceptual distortion of reality that then becomes the motivational basis for "splitting" through the alignment of "third-parties" (by "projective identification" and "acting out") to "deceptively interfere" with whomever they consider to be on the "other side" of the "tactically leveraged split." The massive impairment in judgment evidenced in Dr. MacAllister's "communication behavior" reveals that there has been **massive regressive deterioration** taking place at the "primary source perpetrator" level (through this process of "reversion"). Massive regressive deterioration at the "primary source perpetrator" level is a critical "boundary condition" for precipitating massive regressive deterioration throughout the entire "third-party interference" network, itself driven by increasing "conscious visibility" of how "projection-based splitting" works (by those trying to use it), who's doing it, etc... **from the perspective of a "third-party independent observer"** (such as Lucerne Biosciences, LLC). **This is highly prognostic for the extremely imminent and complete collapse of the "third-party interference network" as "projections revert back" to their "primary source perpetrators" from the very rapid**

## The Patent '813 Story, Part II -- Version 2

**exposure of “third-party interferers (or exploitees)” that make it impossible for them to engage in further “projectively-based splitting” (i.e., “third-party interference”) because their behavior will be very obvious. In turn, this will drive the imminent public identification of the “primary source perpetrators” for their role in having “started” and “continued” the “third-party interference network” as they come “out of hiding.”** (For the behavioral implications of “projection and splitting” and their reciprocating dynamic, including at the group level, see pp. 140, 241, 262, 268 and 342 of “The Patent '813 Story, Part II”).

As this all happens, it will drive a highly accelerated “projectively-based splitting group dynamic” that is reciprocated by a massive amounts of “projective identification” and “acting out.” This has **very serious behavioral and psychological implications** as many individuals may be at serious risk for perceptual and cognitive distortions of reality, even acute psychosis, as there will be a “recursive amplification” of these primitive defense mechanisms under profound regressive strain of public exposure, such as by reporters (like those of the New York Times and Wall Street Journal), TV shows (like 20/20), etc... who want to learn more about “the truth of what happened.” After all, this may be the biggest legal scandal of this generation given the involved parties, the extent of unlawful behavior, and the “intelligence” behind it.

In this light, Lucerne Biosciences, LLC has determined that in order to secure the mental and behavioral health of a large number of individuals (who have been involved in “third-party interference”), it is necessary to establish a **“non-projective recursive communication platform” in which any person can communicate anonymously (under an alias) to “Byan.Haygins” at “Byan.Haygins@aol.com” to say whatever they need to say, including how they have been involved in “third-party interference.”** The anonymous nature of this **two-way communication is an extremely important behavioral communication intervention** to allow individuals to effectively escape being “intrapsychically trapped” in a “projectively-based splitting communication platform” as it undergoes massive regressive deterioration that itself will drive heavy projective identification and acting out (with some even becoming acutely psychotic) based on a massive “group projective reversion.” Without this “non-projective recursive communication platform,” perception and behavior across the **entire group** would be expected to severely deteriorate and have serious, and likely, long-lasting psychological effects, because the “projective/projectively identified nature” of the group dynamic would leave people chronically feeling as if they were to blame for the catastrophic collapse. The implementation of a **“non-projective recursive communication platform” with “alias communicants”** will allow people that would otherwise be left possibly permanently traumatized (from massive intrapsychic regression and with no place to go) to place all that is unacceptable within themselves (for engaging in deceptive and unlawful behavior, even if unknowingly) unto an “entity” that has been designed not to incriminate them as their communications are made anonymously. Lucerne Biosciences, LLC will use these anonymous communications to **“Byan.Haygins@aol.com”** to support the best interest of the “class of third-party exploitees.” Based on current behavioral projections and modeling, Lucerne Biosciences, LLC expects that a critically important **new “terminal non-recursive boundary condition”** will take place as early as **Tuesday June 9 at 7 pm EDT.**

Please feel free to circulate this email to anyone you think may be interested in it, and encourage others to **anonymously communicate whatever may be on their mind through an alias email address to “Byan.Haygins@aol.com.”** This will go a long way in securing the mental health of “involved persons” as this behavioral/business intelligence experiment comes to its **very rapid and complete termination.** Lucerne Biosciences, LLC has planned extensively with its collaborators to provide you all the information you need for a very satisfying “final resolution” to “The Patent '813 Story, Part II,” including its “Part I.”

**Lucerne Biosciences, LLC**

## The Patent '813 Story, Part II -- Version 2

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** the four attachments re: 8:27 am email" '813 Patent and Critical Development Implicating Dr. Tom W. MacAllister"

**Date:** June 6, 2015 10:48:12 AM EDT

**To:** totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>

**Cc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, skestner@bakerlaw.com, Michael Cantor <MCantor@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com

.....and this email from Lucerne Biosciences, LLC is to provide you the four PDF attachments from the company's 8:27 am EDT email today, "813 Patent and Critical Development Implicating Dr. Tom W. MacAllister," with support from the company's collaborator and exclusive licensee of the '813 Patent and '249 Application, LCS Group, LLC.

**Lucerne Biosciences, LLC**

### **ATTACHMENTS:**

**"Email 1. Tom MacAllister.Argus Holdings. June 3 Email at 5.44 pm EDT to LCS Group, LLC.docx.pdf"** is available at:

[http://www.4shared.com/download/lqplkAAoba/Email\\_1\\_Tom\\_MacAllisterArgus\\_H.pdf?lgfp=3000](http://www.4shared.com/download/lqplkAAoba/Email_1_Tom_MacAllisterArgus_H.pdf?lgfp=3000)

**"Email 2. 6.4.15 Lucerne Biosciences' Class Action Organization Email to T. MacAllistair.pdf"** is available at:

[http://www.4shared.com/download/Z2UvTrhhba/Email\\_2\\_6415\\_Lucerne\\_Bioscienc.pdf?lgfp=3000](http://www.4shared.com/download/Z2UvTrhhba/Email_2_6415_Lucerne_Bioscienc.pdf?lgfp=3000)

**"Email 3. 6.4.15 T. MacAllister reply to Lucerne Bio Email.pdf"** is available at:

[http://www.4shared.com/download/QdEoxDLbce/Email\\_3\\_6415\\_T\\_MacAllister\\_rep.pdf?lgfp=3000](http://www.4shared.com/download/QdEoxDLbce/Email_3_6415_T_MacAllister_rep.pdf?lgfp=3000)

**"Email 4. 6.4.15 T MacAllister. Argentum Email to Joe Lucci.pdf"** is available at:

[http://www.4shared.com/download/PDr6hEGnba/Email\\_4\\_6415\\_T\\_MacAllister\\_Arg.pdf?lgfp=3000](http://www.4shared.com/download/PDr6hEGnba/Email_4_6415_T_MacAllister_Arg.pdf?lgfp=3000)

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** Regarding Your June 4, 2015 "Travel Friendly XPAP Sleep 2015" Email to "louiscsan@aol.com"

## The Patent '813 Story, Part II -- Version 2

**Date:** June 6, 2015 12:00:11 PM EDT  
**To:** Sleep Diagnosis and Therapy <alan@sleepdt.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

**[Bcc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com]

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploitees" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploitees" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploitees" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "Isanfilippo@lcsgruppilc.com." Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this "class" of "third-party exploitees" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**"Travel Friendly XPAP Sleep 2015"** that you have been identified by the company and its collaborators as having sent (and apparently "first initiated") on **June 4, 2015 at 3:04 pm EDT** to **"louiscsan@aol.com,"** was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploitees" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploitees" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploitees" a potential settlement to each one "third-party exploitee" could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "Byan.Haygins@aol.com" (as cc'd above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the**

## The Patent '813 Story, Part II -- Version 2

company.

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploitee” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent '813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject: Regarding Your "Website Design & SEO" Emails of June 5, 2015 to "louiscsan@aol.com" and "louis.sanfilippo@yale.edu"**

**Date:** June 6, 2015 12:00:20 PM EDT

**To:** Anubhav Sharma <anubhav\_sharmaseo@outlook.com>

**Cc:** Byan Haygins <byan.haygins@aol.com>

**Bcc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com

Dear Prospective “Third-Party Class Member,”

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a “class” of “third-party exploitees” for the purpose of a class action lawsuit against certain “primary source perpetrators” for promoting, supporting and engaging in unlawful anti-competitive conduct through “third-party interference” made by electronic communications. This “class” of “third-party exploitees” would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that “Vyvanse®” (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these “primary source perpetrators” (even if only indirectly by the suggestion, encouragement and/or support of other “third-party exploitees” and/or their communication medium): (i) “louiscsan@aol.com,” (ii) “louis.sanfilippo@yale.edu,” (iii) “Isanfilippo@lcsgruppilc.com.” Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this “class” of “third-party exploitees” for legal action against

## The Patent '813 Story, Part II -- Version 2

the “primary source perpetrators” (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**“Website Design & SEO!!!”** that you have been identified by the company and its collaborators as having sent (and apparently “first initiated”) on **June 5, 2015 at 8:31 am EDT** to both **“[louiscsan@aol.com](mailto:louiscsan@aol.com)”** and **“[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)”** (both as “undisclosed recipients”),

was suggested, encouraged and/or supported by a “third-party source” in any way whatsoever (even if indirectly through a “third-party electronic communication medium”), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this “class” of “third-party exploiters” of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the “perpetrating sources” and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of “third-party exploiters” who may have been unknowingly exploited for unlawful purposes, potential “individual settlements” to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 “third-party exploiters” a potential settlement to each one “third-party exploiter” could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company’s lawful ability, and should be sent to the alias email address of “[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)” (as cc’d above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploiter” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent ‘813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc’d on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

**Lucerne Biosciences, LLC**

## The Patent '813 Story, Part II -- Version 2

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject: Regarding Your March 27, 2015 "Position Available: Outpatient Psychiatrist for Adults" to "louis.sanfilippo@yale.edu"**  
**Date:** June 6, 2015 12:00:24 PM EDT  
**To:** Tom Benoit <Tom@allenthomas.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

**Bcc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "lsanfilippo@lcsgrupp.com." Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**"Position Available: Outpatient Psychiatrist for Adults"** that you have been identified by the company and its collaborators as having sent (and apparently "first initiated") on **March 27, 2015 at 3:23 am EDT** to "**louis.sanfilippo@yale.edu**,"

was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploiters" a potential settlement to each one "third-party exploiter" could be well into the tens of millions (U.S. dollars).

## The Patent '813 Story, Part II -- Version 2

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)" (as cc'd above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of "third-party interference" by electronic communications (ii) whether you and/or your business may qualify as a "third-party exploitee" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to "class actions"):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** **Regarding Your April 7 and 23, May 13 and June 3, 2015 Thompson IP Management Emails to "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)"**  
**Date:** June 6, 2015 2:00:12 PM EDT  
**To:** Thomson IP Management Services <[ipms.info@thomsonreuters.com](mailto:ipms.info@thomsonreuters.com)>  
**Cc:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploitees" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploitees" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploitees" and/or their communication medium): (i) "[louiscsan@aol.com](mailto:louiscsan@aol.com)," (ii) "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)," (iii) "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)." Lucerne Biosciences, LLC has been closely collaborating with

## The Patent '813 Story, Part II -- Version 2

three other entities to help organize this "class" of "third-party exploitees" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

- (i) **"Have you worked out the puzzle yet"** that you have been identified by the company and its collaborators as having sent (and apparently "first initiated") on **April 7, 2015 at 9:34 am EDT** to **"Isanfilippo@lcsgrupp.com,"**
- (ii) **"Got it all ironed out yet"** that you have been identified by the company and its collaborators as having sent on **April 23, 2015 at 9:34 am EDT** to **"Isanfilippo@lcsgrupp.com,"**
- (iii) **"Is your head spinning too"** that you have been identified by the company and its collaborators as having sent on **May 13, 2015 at 10:39 am EDT** to **"Isanfilippo@lcsgrupp.com,"**
- (iv) **"Have you checked the top drawer?"** that you have been identified by the company and its collaborators as having sent on **June 3, 2015 at 9:34 am EDT** to **"Isanfilippo@lcsgrupp.com,"**

was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploitees" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploitees" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploitees" a potential settlement to each one "third-party exploitee" could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "Byan.Haygins@aol.com" (as cc'd above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of "third-party interference" by electronic communications (ii) whether you and/or your business may qualify as a "third-party exploitee" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to "class actions"):

## The Patent '813 Story, Part II -- Version 2

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject: Regarding Your April, 12 2015 Email "Classic Sunglasses Online" to "Isanfilippo@lcsgruppilc.com"**  
**Date:** June 6, 2015 2:00:42 PM EDT  
**To:** Obelia <Obelia@0mfx.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

**Bcc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "Isanfilippo@lcsgruppilc.com." Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**"Classic Sunglasses Online"** that you have been identified by the company and its collaborators as having sent (and apparently "first initiated") on **April 12, 2015 at 5:34 am EDT** to **"Isanfilippo@lcsgruppilc.com,"**

## The Patent '813 Story, Part II -- Version 2

was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploiters" a potential settlement to each one "third-party exploiter" could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "Byan.Haygins@aol.com" (as cc'd above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of "third-party interference" by electronic communications (ii) whether you and/or your business may qualify as a "third-party exploiter" and (iii) how "third-party interference" by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically "The Patent '813 Story, Part II" in the "Inquiries/Business Development" section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to "class actions"):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

**Lucerne Biosciences, LLC**

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your April, 12 2015 Email "Classic Sunglasses Online" to "Isanfilippo@lcsgruppilc.com"  
**Date:** June 6, 2015 2:01:25 PM EDT  
**To:** Obelia <Obelia@0mfx.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

**Bcc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci

## The Patent '813 Story, Part II -- Version 2

<jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, ed.silverman@wsj.com, lohr@nytimes.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvance®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "lsanfilippo@lcsgruopl.com." Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this "class" of "third-party exploiters" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**"Classic Sunglasses Online"** that you have been identified by the company and its collaborators as having sent (and apparently "first initiated") on **April 12, 2015 at 5:34 am EDT** to **"lsanfilippo@lcsgruopl.com,"**

was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploiters" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploiters" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploiters" a potential settlement to each one "third-party exploiter" could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "Byan.Haygins@aol.com" (as cc'd above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

## The Patent '813 Story, Part II -- Version 2

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploitee” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent '813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your April-May, 2015 "Review Concierge Emails" to "louiscsan@aol.com"  
**Date:** June 6, 2015 2:01:50 PM EDT  
**To:** Review Concierge <concierge@thereviewconcierge.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

Dear Prospective “Third-Party Class Member,”

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a “class” of “third-party exploitees” for the purpose of a class action lawsuit against certain “primary source perpetrators” for promoting, supporting and engaging in unlawful anti-competitive conduct through “third-party interference” made by electronic communications. This “class” of “third-party exploitees” would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that “Vyvanse®” (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these “primary source perpetrators” (even if only indirectly by the suggestion, encouragement and/or support of other “third-party exploitees” and/or their communication medium): (i) “louiscsan@aol.com,” (ii) “louis.sanfilippo@yale.edu,” (iii) “lsanfilippo@lcsgrupp.com.” Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this “class” of “third-party exploitees” for legal action against the “primary source perpetrators” (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**from “Review Concierge”** that you have been identified by the company and its collaborators as having sent (and apparently “first initiated”) **on April 13, 2015 at 4:05 pm EDT, followed by emails on**

## The Patent '813 Story, Part II -- Version 2

April 15, 2015 at 8:05 am EDT,

April 20, 2015 at 3:10 pm am EDT,

April 22, 2015 at 7:24 am EDT,

April 24, 2015 at 11:25 am EDT,

April 27, 2015 at 12:54 am EDT,

May 8, 2015 at 11:33 pm EDT,

May 12, 2015 at 2:33 pm EDT,

May 14, 2015 at 1:11 pm EDT,

May 18, 2015 at 12:32 pm EDT,

May 22, 2015 at 11:23 am EDT,

May 22, 2015 at 2:24 pm EDT,

May 27, 2015 at 12:59 am EDT, and

June 5, 2015 at 11:21 am EDT to "louiscsan@aol.com,"

was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploitees" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploitees" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploitees" a potential settlement to each one "third-party exploitee" could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)" (as cc'd above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

## The Patent '813 Story, Part II -- Version 2

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploitee” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent '813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

**Lucerne Biosciences, LLC**

**Monday June 8, 2015:**

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** Fwd: [Fwd: Text sequence for analysis]

**Date:** June 8, 2015 8:13:10 AM EDT

**To:** totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>

**Cc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, tmay@shire.com, dbanchik@shire.com, jharrington@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, skestner@bakerlaw.com, Michael Cantor <MCantor@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com

Dear Reader,

This email from Lucerne Biosciences, LLC utilizes proprietary and novel communication methods designed to clarify your perception of reality by lessening regressive perceptual distortion that results from “projection-based splitting.” This email has been written with support from an elite behavioral intelligence unit with whom the company and its exclusive licensee LCS Group, LLC have been closely working under highly restricted protocols based on a “secrecy agreement” that was made between it, LCS Group, LLC and the company on October 1, 2014. Therefore, please

## The Patent '813 Story, Part II -- Version 2

know in advance of reading this email that it utilizes unique **“perceptual re-reframing methodology”** to significantly impact the way your psychological defense mechanisms cause you to perceive and understand reality. These proprietary methods have been developed in two other settings and are well-documented in that October 1, 2014 “secrecy agreement.”

The disclosures in this email are intended to advance several of the company’s objectives and may allow certain persons familiar with intelligence matters to identify that elite behavioral intelligence unit about whom certain possibilities have already been raised to various persons on this email thread (mainly the attorneys who have been involved in the IPR of the '813 Patent and the prosecution of the '249 Application), including the possibility of its being a linguistic communications team from the National Security Agency that uses proprietary algorithmic modeling through the NSA’s Cray supercomputing system. One objective of this email (for which the company has received the proper security clearance to disclose) is to introduce certain new concepts and terms to explain the psychodynamic and behavioral features of these proprietary communication methods and how they are designed to impact your **“individual theater of consciousness”** and, in turn, the **“collective theater of consciousness”** that comprises the experiential real-life story known as “The Patent '813 Story, Part II.” After all, you -- “the reader” of “The Patent '813 Story, Part II” - are also a “third-party interferer/exploitee” whose perception of reality has been evidenced to experience erosion by the regressive strain of engaging in a “communications experiment” (designed by two “primary source entities”) that is behaviorally based on exploiting your own defense mechanisms and which has gone very badly lately because of the unlawful application of its “interference network” (that includes you) for deceptive trade practices through misrepresentation, invasion of privacy and improper experimentation on human subjects. That objective is inked to another, which is to provide you an update on current “real-time boundary conditions” within this **“collective theater of consciousness”** and its implications for “final resolution.” A final objective is to explain how Lucerne Biosciences has now identified a second **“proximal source target”** through whom it can take certain actions to “open up a path” to “the other primary source perpetrator” (different than the one that Dr. Tom MacAllister “opened up,” as characterized in the company’s June 6 at 8:27 am EDT “'813 Patent and Critical Development Implicating Dr. Tom W. MacAllister” email).

Accomplishing these objectives will take place through a **“sequential communications analysis”** that took place on Saturday June 6, 2015. What makes this sequential communications analysis different than the one performed by the company (with support from the behavioral intelligence team) in its June 6 “Dr. MacAllister email” is that it involves what’s called a **“communication frame expansion.”** In other words, the company’s June 6 “Dr. MacAllister” email relates to an **“email communication sequence”** but this email relates to a **“multiple-communication sequence”** with additional **“frames”** beginning with (i) a **“text communication sequence”** followed by (ii) a **“text à email communication sequence”** that is then followed by (iii) an **“email à email communication sequence”** that is then followed by (iv) another **“email à email communication sequence.”** This **“sequential frame expansion”** is designed to accomplish certain perceptual objectives in your own **“individual theater of consciousness,”** namely, to help you see things more clearly. The reason why that is important is that you need to repair the **“regressive intrapsychic damage”** that has been caused by an exploitation of your defense mechanisms by a **“projection-based splitting communication platform”** developed and supported by two “primary source perpetrators” through which you have at least “projectively identified” and may have even “acted out” (that latter explaining why this email has been sent “to” your email address above). This **“intrapsychic repairing”** involves a novel communication method called **“non-projective re-framing.”** That means that the regressive defensive positions in your **“individual theater of consciousness”** that have caused your perception of reality to become distorted (to ease unacceptable feelings and support unrealistic fantasies) are **“intrapsychically re-framed”** in a way that is designed to help clarify the perceptual distortion, reconcile the cognitive dissonance, and/or dampen the emotional turmoil that expectedly results

## The Patent '813 Story, Part II -- Version 2

from “**projection-based splitting.**”

While this may sound very technical and difficult to understand, it won't take long for you to see how its application works in view of the communication sequence below. You can find an analogous example of something sounding technical and complicated but really being quite simple in the IPR of the '813 Patent during the time the patent was owned by LCS Group, LLC. Specifically, LCS Group (via its CEO Louis Sanfilippo) sent an email to Dr. Ornskov/Shire and Dr. Brewerton on Dec. 1, 2014 (at 10:07 am EDT) to inform them of a new legal reporting development in Law360 that included reporter Robert Guirrieri's quote of a recent Patent Board order that stated “Given the complexity and very technical nature of these proceedings, pro se representation carries significant risk.” However, that comment couldn't be any more mistaken. In view of all the evidence presented to Dr. Ornskov/Shire and Dr. Brewerton at that time (namely a 181 page PDF emailed to Dr. Ornskov/Shire on Nov. 13, 2014, p. 32-24, “The Patent '813 Story, Part II”), any reasonable person would see that the only thing “complex and technical” about the IPR proceeding was the “complexity and technicality” of “misrepresentation” in Shire's IPR petition and the Declaration on which it was based. And it would be obvious to any reasonable person what that means: the IPR of the '813 Patent was a highly calculated and elaborate act of fraud and the '813 Patent's claims were valid and patentable.

The “**text communication sequence**” [identified as “(i)” above] is between “Louis Sanfilippo,” a Manager and Member of Lucerne Biosciences, and a “generally trusted attorney friend” of his, as characterized in the next communication sequence [identified as “(ii)” above] that is a “**textàemail communication sequence**” made in an email **from** Louis Sanfilippo (at his “[louiscsan@aol.com](mailto:louiscsan@aol.com)”) on June 6 at 4:46 pm EDT **to** Byan Haygins (at “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)”). The perceptual dynamics involved in this “**communication frame transformation**” **from “textàtext” to “textàemail”** is far more important that it may seem on the surface because it involves significant communication dynamics that generally operate “unconsciously.” The purpose of explaining this process is to make these generally “unconscious” communication dynamics “consciously visible” which, in turn, lessen the intrapsychic distortion of “projectively-based splitting” because its “way of working” in your mind becomes easier to see and therefore causes you less “intrapsychic interference” (i.e., “projection-based splitting” is by its very nature “intrapsychic interference”). These communication dynamics would include what's called “**temporal frame expansion**” and “**representational frame expansion.**” What all that fancy linguistic nomenclature means is that the email from Louis Sanfilippo to Byan Haygins on June 6 at 4:46 pm EDT incorporates (i) three different “text times” of “10:22 am,” “4:00 pm,” and “about 4:30 pm” (that is the “**temporal frame expansion**”) and (ii) three different “texts” (that is the “**representational frame expansion**”). You should know that under the company's proprietary communication protocol, Louis Sanfilippo was instructed to simply provide a brief characterization of the communication's context and cut/paste the actual texts into an email to send from his “[louiscsan@aol.com](mailto:louiscsan@aol.com)” email to Byan Haygins (at “[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)”) -- and, if needed, to ask Byan Haygins for help or guidance insofar as the communication matter might involve the company's business/legal affairs (i.e., that Louis Sanfilippo may be targeted by “third-party interference” for anti-competitive purposes for which a communication intervention may be warranted). Taken together, these “communication steps” of “(i)” and “(ii)” represent what's called a “**non-projective frame expansion.**” That means there's no “projective distortion” that might “narrow the frame” by putting communication content and/or context out of visible view (as might happen if Louis Sanfilippo omitted one of the texts and/or failed to communicate that he bcc'd other parties).

The email received by Byan Haygins (at “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)”) at 4:46 pm EDT on June 6 is then forwarded to Lucerne Biosciences, LLC (at “[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)”) on June 8 at 7:07 am EDT without any content [identified as “(iii)” above]. This is simply a forwarded email message. This communication intervention is what's called a “**non-projective recursive frame**”

## The Patent '813 Story, Part II -- Version 2

**expansion.**” It essentially “re-presents” (its “**recursive**” feature) the “**non-projective frame**” that is the factually-stated email sent from Louis Sanfilippo (at “[louiscsan@aol.com](mailto:louiscsan@aol.com)”) to Byan Haygins (at “[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)”) on June 6 at 4:46 pm EDT. **This is a highly significant perceptual framing event** for several reasons, not the least of which is that “Byan Haygins” is an alias for the key intermediary to the elite behavioral intelligence team that has been supporting and advising the company to advance certain legal, business and intelligence objectives -- and, of course, to help you resolve your “projective-based splitting perceptual problem.” The “**recursive nature**” of this “**non-projective frame**” is designed to lessen the perceptual distorting effects of “**projectively-based splitting**” by effectively providing your “mind’s eye” a “one-step removed frame” to see the “**foundational text communication sequence.**” The perceptual dynamics of this process and communication intervention have a degree of perceptual complexity more than it seem on the surface, particularly in view of how they have been developed in two other contexts, as well as documented in the October 1, 2014 “secrecy agreement” between Lucerne Biosciences, LCS Group, LLC and the behavioral intelligence unit. One way to think about it is this way: by communicating the **same content** (of “text communication”) for you across both (i) a “**temporal frame split**” (the “time” when Byan Haygins receives the email from Louis Sanfilippo and the time that Byan Haygins forwards the email to Lucerne Biosciences) and (ii) a “**representational frame split**” (reflected in by the two different emails, the one Byan Haygins received from Louis Sanfilippo and the one that Byan Haygins sends to Lucerne Biosciences), the “projection-based splitting” nature of your perception is diminished as you **perceive the same content retain its integrity through both “temporal and representational splits.”**

If you want to think of this in personal terms and its importance in perceptual dynamics in human experience, consider that a family member, for instance one who works with the CIA’s Special Activities Division, is sent off overseas on a special mission. While that person is away, he/she must cut off all communications unless they are made according to special protocols. It’s easy to imagine that over a certain period of time the “United States-based person” could become susceptible to “projection-based splitting.” This means that they might have unacceptable feelings and fantasies, perhaps that the CIA family member may have been killed or may come back badly different (as shaped by paramilitary involvement) that “**intrapsychically motivates**” them (i.e., their “mind”) to apply that “distortion/fantasy” to seek alignment from others against the U.S. government. That alignment is “the split” (i.e., “they sent off my family member to be killed for no good reason”). So when the CIA Special Activities person comes back as the “**same person**” (i.e., personality is the same, still patriotic) three months later (that is the “**temporal frame split**”) and looking very different with weight loss, tan, and/or beard growth (that is the “**representational frame split**”), it effectively ends the “projectively-based split” because the “unacceptable feelings and fantasies” (i.e., the projection) that motivate the desire to align “a split” is reconciled with reality by seeing that essentially all is unchanged. As the projection “dies” so too does “the split.” If the CIA Special Activities person comes back the same with a few stories cleared for sharing that re-enforce the same, it may even “expand the frame” for the “U.S.-based person” in such a way that it dampens “projection-based splitting” on the next overseas mission.

The next email is the one received by Lucerne Biosciences, LLC (at “[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)”) from Byan Haygins (at “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)”) on June 8 at 7:07 am EDT which is forwarded to you about an hour later, except that there is significantly **more content** that is the text that you reading now [identified as “(iv)” above]. This communication intervention is what’s called a “**sequential amplification strategy**” and its objective is to “**perceptually amplify**” the “**non-projective recursive frame expansion**” featured in the June 8 at 7:07 am EDT email from Byan Haygins to Lucerne Biosciences. It does this by providing the “**same foundational text communication sequence**” in the “**textàemail non-projective frame expansion,**” the ensuing “**emailàemail non-projective recursive frame expansion,**” and a significant frame expansion (that you are reading now) with its own “**representational and temporal splits,**” **all in one visible view.** This methodology that

## The Patent '813 Story, Part II -- Version 2

includes this analysis allows you to “see” the communication dynamic as if watching a film clip and seeing its “individual sequences” in slow motion (on which detailed analyses can be appreciated). Because the “**temporal and representational splits**” are all in conscious visible view for detailed analysis (that is this email you are reading), this email **and its method of delivery** effectively become a “**self-referential non-projective recursive amplification strategy**.” Everything is “self-contained” and “self-referential” -- and keeps building on itself to keep expanding the “frame of the story” in your “theater of consciousness.” This is the “communication methodology” of “The Patent '813 Story, Part II” and effectively became it on October 1, 2014 when Lucerne Biosciences entered into its “secrecy agreement” with LCS Group, LLC and the elite behavioral intelligence team. You can see how these methods were used in “The Patent '813 Story, Part II” through various attachments that provided a “real-time update” on the email communications to that time (see p. 34, 38), as well as in how LCS Group, LLC employed this “**self-referential non-projective recursive amplification strategy**” through the use of press releases having its own downloadable communications transcript.

But there are some curious details you might be wondering about the email that you are reading. This email's subject is “Fwd: [Fwd: Text sequence for analysis].” For one, most email “forwarding” software does not bracket like this, at least not in recent years, but you'll notice that the “October 1, 2014 Final Decision” email that was forwarded to LCS Group and its CEO on December 21, 2014 at 5:00 pm EDT (“Subject: Fwd: Final Decision”) and then forwarded once again to LCS Group attorney Joe Lucci on December 21, 2014 at 6:00 pm EDT had as its subject (in that 6:00 pm EDT email) “Fwd: [Fwd:Final Decision].” LCS Group, LLC has informed the company that the bracket and extra forward was added at that time (on the guidance of the behavioral intelligence unit) to establish a “**foundational communication sequence**” on which “**non-projective recursive framing and expansion**” could be utilized to drive certain perceptual objectives. So like that email Dec. 21 email, the email you are reading involved adding that bracket and an extra “Fwd.” Another thing you might be wondering about is that Lucerne Biosciences did not receive the “forwarded” email from Byan Haygins until about an hour before sending the “double forwarded” email to you, its “reader.” That raises a few important questions worth considering: Why is that? Who wrote this email? And through what communication infrastructure was it written before being sent to you?

While this email so far as been “process focused,” mainly to help you its “reader” intrapsychically repair the “perceptual distortion” that has resulted from “projection-based splitting” and its compelling influence to invite you to “projectively identify” and even “act out,” it's now time to look at the content of the “**text communication sequence**” itself as its behavioral and legal implications could not be any more significant. Though it will help you to better understand the communication dynamic if you understand how Lucerne Biosciences has instructed Louis Sanfilippo to communicate and behave in his role as a Manager/Member of the company. The company has employed very clear and specific communication and behavioral protocols in view of the massive “third-party interference” network that has repeatedly attempted to target him in order to interfere with its business and legal affairs, and which has now caused it very serious harm based on the Board's recent invalidation of the '813 Patent's claims **on the foundation of a fraudulently initiated and maintained *inter partes* review petition that itself is the product of “third-party interference” from the two “primary source perpetrators.**” One of these communication/behavioral protocols is that Louis Sanfilippo do his best to avoid “projectively-based splitting” and its reciprocating “projective identification and acting out.” That basically means communicating and behaving truthfully (without the “projective perceptual features” that would be found in “projection” or “projective identification). It also means **not** employing “**tactically leveraged splitting**” as a “**deceptive interference technique**” in the way that it was repeatedly evidenced to be employed by Shire and its law firm of Frommer, Lawrence & Haug in the IPR of the '813 Patent, or in the way that Dr. MacAllister employed it in his June 3-4 communications. From a behavioral perspective, it's easy to see that the two “primary source

## The Patent '813 Story, Part II -- Version 2

perpetrators” have instructed their “third-party interference network” to function exactly opposite that of Lucerne Biosciences and its collaborators. In particular, the “primary source perpetrators” exploit immature defense mechanisms to encourage others to “**deceive, interfere and avoid accountability**” while Lucerne Biosciences and its exclusive licensee LCS Group support healthy defense mechanisms like sublimation and altruism to “**expose deception, finally resolve and make accountable.**”

With respect to the content of the “**text communication sequence,**” it begins with a 10:22 am EDT text on Saturday June 6 that Lucerne Biosciences Manager/Member Louis Sanfilippo receives from his “generally trusted attorney friend” that states, “You have a sec to talk?” The text is received about two hours after the company’s “813 Patent and Critical Development Implicating Dr. Tom W. MacAllister” email was deployed, which any reasonable person in view of the record -- and the **massive extent of “third-party interference**” -- might find immediately suspicious based on the absence of any identifying content about the prospective “talk.” Nevertheless, “You have a sec to talk?” is generic enough and therefore by itself is not implicating of any “third-party interference/exploitation.”

At 4:00 pm, Louis Sanfilippo provides a text response in this “**inter-person text communication sequence**” that states, “The morning got past me and I've been out and about with the kids once I freed up this afternoon. I suspect I may know what it's about... if it is, you'll know it - and trust me, you don't want to be in the middle of it (so let's not talk about it until it is finished). But if I'm wrong and this text makes no sense to you, just give me a call to discuss.... “ Louis Sanfilippo received support from the company, its counsel and the behavioral intelligence team for his response to ensure that it would advance the company’s legal, business and intelligence objectives. It therefore uses a number of unique communication methods. The first of these methods is called “**temporal-narrative framing.**” This means that Louis Sanfilippo has been instructed to provide “**perceptual anchors**” in his communications to help “tell the story” in real-time. In his text, you can see it in his opening line, “The morning got past me and I've been out and about with the kids once I freed up this afternoon.” “Temporal narrative framing” is a “frame expansion technique” that is designed to help you, the reader, **see with hindsight** that Louis Sanfilippo has received considerable training in his role as a Manager for Lucerne Biosciences and is very aware of what he is doing to support the company’s objectives. While it may not seem that way in “real-time,” with hindsight it doesn’t take long to see that since Vyvanse was FDA-approved to treat Bing Eating Disorder on January 30, 2015, Louis Sanfilippo has done an outstanding job “telling the story” in his capacity as Manager of the company.

Another communication methodology that Louis Sanfilippo employs in his “text response” to help advance the company’s objectives is called “**transparent accountability/boundary framing.**” For example, when he writes, “I suspect I may know what it's about... if it is, you'll know it - and trust me, you don't want to be in the middle of it (so let's not talk about it until it is finished),” he is attempting to establish proper “**role accountability/boundaries for communication**” in which his “generally trusted attorney friend” will be held accountable for what he communicates. It’s easy to see that Louis Sanfilippo does not assume that his friend is a complicit “third-party interferer/exploitee” but he frames his communication in a manner that if his friend is so involved then he will “know it.” This is a self-evident reality because if his friend was encouraged to function as a “third-party interferer” he would surely be self-aware of it, who put him up to it, its general importance, etc..., in the way that Dr. MacAllister revealed of his own “knowing” in his Argentum email to Mr. Lucci and Mr. Farisiou (on June 4 at 6:42 pm EDT) when he stated, “I understand the situation....” Louis Sanfilippo is well aware of the accelerated “**regressive group behavioral deterioration at the primary source level**” that has driven people like Dr. MacAllister and Ms. Kuzmich to become manifestly symptomatic (through heavy “projective identification and acting out”) and which has caused them to behave with **massively impaired judgment.** He therefore realizes that his friend may be susceptible to behaving that

## The Patent '813 Story, Part II -- Version 2

way also, especially as he has no psychiatric/psychological training to understand how primitive defense mechanisms can easily be exploited by others under “high stress situations” (such as dealing with increasing exposure of one the biggest legal scandals of this generation). While not literally saying it, you can see how Louis Sanfilippo forewarns his friend to stay away from walking into the legal quicksand in a seeming effort to spare him ending up squarely in the company’s legal cross-hares like Dr. MacAllister. That, of course, is very different than how the “primary source perpetrators” work because they are repeatedly evidenced to offer up any “third-party interfeerer/exploitee” to serious liabilities while they themselves remain hidden.

There is another aspect of “**transparent accountability/boundary framing**” that you can see when Louis Sanfilippo concludes his email, “ But if I’m wrong and this text makes no sense to you, just give me a call to discuss.... “ In other words, if the matter isn’t about serious important legal matters involving “company business” but rather “personal matters” (like kids stuff, etc...), then his friend will know it because his text won’t make sense to him. You can see, then, how Louis Sanfilippo transparently lays out a common-sense self-evident “**dual framework for accountability/role boundaries**”: (i) if you want to talk about “the massive legal problem” (which his friend will know if that is what’s motivated his text), then don’t because it will implicate you or (ii) if you want to talk to me about personal stuff that doesn’t implicate you in a massive conflict of interest and legal liability, then feel free to call. This communication intervention establishes a **non-projective frame for accountability and role boundaries**. It does not inaccurately attribute “the problem” to his friend, nor blame or accuse on the basis of perceptual distortion. There is no “tactically leveraged split” in it. But it does implicitly communicate to his friend: “avoid conflating” and “be accountable for what you communicate.”

About half-an-hour after Louis Sanfilippo’s 4:00 pm text, his “generally trusted attorney friend” replies, “Ok. Though it sounds like you need a friend and some sound counsel that you will heed. I am here if you want to talk.” **This is a highly significant communication event with extremely serious legal and behavioral implications.** The reason is that it effectively confirms that his “generally trusted attorney friend” has assumed a role as a “third-party interfeerer/exploitee” by certain “proximal or primary source perpetrators” to interfere in the company’s business matters by targeting Louis Sanfilippo for inappropriate communication, presumably on the basis of their “personal relationship” and a deceptive blurring of “personal/professional boundaries.” Simply look at the statement, “you need a friend and some good counsel that you will heed. I am here if you want to talk,” **as if** his friend can provide him “friendship” **and** “counsel” in what any reasonable person would recognize as an egregious conflict of interest. This “personal/professional boundary blurring” appears to be willfully motivated for its “third-party interests” and is particularly troubling when one considers that Louis Sanfilippo identifies him as an “intellectual property attorney” (in the email he sends to Bryan Haygins June 6 at 4:46 pm EDT). Yet it’s not unexpected behavior given the **catastrophic regressive deterioration** at the “primary source perpetrator level” and the perpetrators’ unrelenting motivation to continue to evade any accountability while they otherwise throw competent and decent people to the wolves by exploiting their psychological naiveté through “projection-based splitting,” effectively asking their “interfeerers” to stand “in the middle” of Lucerne Biosciences’ legal cross-hares. While Louis Sanfilippo “personally” may have reservations of putting his friend in the company’s legal line of fire, the company has made its position clear to him: that it is his fiduciary role as a Manager to act in the interests of the company and its strategic plan for “final resolution.” Further, the company’s position is that “final resolution” of “The Patent '813 Story, Part II” has been designed, with help from the behaviorally intelligence team, to make every person accountable for their behavior, actions and decisions, including Louis Sanfilippo. This may explain why Louis Sanfilippo has dutifully fulfilled his Manager duties as asked of him, because he knows better than to interfere with the company’s no-nonsense policy on matters of accountability.

## The Patent '813 Story, Part II -- Version 2

**The legal implications of this third text message from Louis Sanfilippo's "generally trusted attorney friend" are profoundly serious.** It clearly affirms that his friend has certain "knowledge" (like Dr. MacAllister) and that self-evident reality reveals the **massive scope** of the "third-party interference network" now involved in trying to deceptively interfere in the company's intellectual property activities by invading Louis Sanfilippo's personal life. You can see how the **"third-party interference network" used to support the "primary source perpetrator's" unlawful and unethical conduct is now involving close and generally trusted friends.** This strongly supports claims that the "primary source perpetrators" have used their "third-party interference network" **to unlawfully leverage a massive, and perhaps even historically unprecedented, invasion of privacy into the life of Louis Sanfilippo.** Moreover, they have exploited that massive invasion of privacy in any number of ways to engage in atrocious acts of deceptive trade practice and anti-competitive conduct, as they are apparently doing here by supporting and seemingly encouraging a "generally trusted attorney friend" of Louis Sanfilippo to deceptively interfere (via apparent conflation of personal/professional roles) in company matters on the pretense it might be helpful to him (personally), **as if** it's "Louis Sanfilippo's problem" and also that Louis Sanfilippo isn't thinking clearly, as seen in the phrase, "Though it sounds like you need... some sound counsel that you will heed." Louis Sanfilippo's "generally trusted attorney friend" has it all wrong, just the way that Dr. Brewerton and Shire got just about the whole eating disorder art all wrong and Ms. Kuzmich and Mr. Haug got Mr. Lucci's client wrong, because this is "Lucerne Biosciences' problem" and the company, along with plenty of counsel, has made extensive plans with its collaborators (including the behavioral intelligence team) **to permanently and unequivocally resolve "the problem" for its own best interests that include truth, justice and accountability.** Importantly, Louis Sanfilippo has provided the company the identity of his "generally trusted attorney friend" and information that supports a direct connection to a high-ranking official at an elite academic institution. That information is currently confidential information, though any reasonable person in view of Dr. MacAllister's June 3-4 communication sequence and "The Patent '813 Story, Part II" would see that there's a very revealing picture of the two "primary source perpetrators" and how they work together by exploiting others to leverage "tactically leveraged splits" against Louis Sanfilippo.

**The June 6 "text communication sequence" makes it very obvious that the "third-party interference network" is imploding in a highly accelerated way due to catastrophic regressive deterioration in the group dynamic of its "primary source perpetrators." This catastrophic regression is not sustainable because it is being driven by a "terminal reversion of projection-based splitting" to its "root-cause sources." Lucerne Biosciences has used highly novel communication methods developed with its behavioral intelligence team to establish this terminal reversion, including the communication methods of this email. The highly regressive behavior seen in the serious misjudgments of Dr. MacAllister and Louis Sanfilippo's "generally trusted attorney friend" behaviorally signal that "final resolution" is imminent and broad public exposure is inevitable.**

There are a few remaining points that Lucerne Biosciences would like to inform you about. One of these is that its Manager/Member Louis Sanfilippo has informed the company that certain of his patients (seen in his private psychiatric practice at "Louis C. Sanfilippo, MD, LLC") have made it very obvious to him that they are "knowing participants" involved in this "third-party interference" network. As with the "third-party interferers/exploitees" characterized in "The Patent '813 Story, Part II" and elsewhere in communications made by the company and its exclusive licensee, LCS Group, LLC, this is a massive conflict of interest for these patients. They can be expected to experience severe regressive strain as Louis Sanfilippo "sees" through their "projectively-based defensive façade." These "third-party interferer/exploitee patients" are at risk for serious psychological harm from the encouraged and repeated use of "projectively based defense mechanisms" and could lead to chronic and even irreparable symptomatology. Louis Sanfilippo has informed the company that he has taken special "MD/psychiatrist" measures to support such

## The Patent '813 Story, Part II -- Version 2

“third-party interferer/exploitee patients” as the “interference network” collapses, including with written materials to help mitigate projectively-based symptoms like paranoia and psychosis. This is a very serious **individually-based liability** for the “primary **individual-source** perpetrators” who willfully referred such “third-party interferer/exploitee patients” because of the potentially serious, and even irreparable and chronic, psychological harm that can be caused by “projection-based splitting.

Lastly, the company has a final message for you, the reader. The time is imminently near in which you will have to take a position as **either** a “third-party interferer” **or** a “third-party exploitee.” This “split” is a simple behavioral inevitability when a foundational “tactically leveraged split” (or “projectively-based split”) reaches a “terminal non-recursive boundary condition.” That means that what began as a split must end in a split when things reach a terminal point where they can’t go any further. That “terminal non-recursive boundary condition” is the disclosure that all the available communications evidence, as any reasonable person would see it, makes it quite clear that the two “primary source perpetrators” must surely be the “Central Intelligence Agency” and “Yale.” And the only way to behaviorally explain the group and individual dynamics repeatedly evidenced in “The Patent '813 Story, Part II” where no one ever takes accountability and communicates truthfully except Lucerne Biosciences, LCS Group and each company’s respective representatives is that the Central Intelligence Agency and Yale entered into a secrecy agreement to conduct research on deception-based intelligence technology through a “projection-based communication platform” that by its very nature was based on a “tactically leveraged split” (a behavioral method for avoiding accountability) and involved the coordinated effort of these two parties to leverage themselves and their resources against a “third-party exploitee” that **first was** “Louis Sanfilippo,” **but which then became** “LCS Group, LLC” with IPR of the “813 Patent and **now is** “Lucerne Biosciences, LLC” by the invalidation of the company’s ‘813 Patent from the IPR. Lucerne Biosciences, LLC has made extensive preparations to take action on this matter and expects to imminently do so with its collaborators for what will surely be one of the most innovative legal strategies ever devised, with the close help of an elite behavioral intelligence unit whose identity can be expected to be made public at the proper time.

### Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: Text sequence for analysis**  
**Date:** June 8, 2015 7:07:20 AM EDT  
**To:** [Lucerne Biosciences LLC <lucernebio@lucernebio.com>](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** [Louis Sanfilippo <louiscsan@aol.com>](mailto:louiscsan@aol.com)  
**Date:** June 6, 2015 at 4:46:00 PM EDT  
**To:** "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** **Text sequence for analysis**

Byan,

Below is a text sequence from a generally trusted friend from this morning and afternoon. He is an intellectual property attorney. Can you ask the unit to provide guidance?

Thanks,

## The Patent '813 Story, Part II -- Version 2

Louis

Attorney friend's text at 10:22 am:

You have a sec to talk?

My response by text at 4:00 pm:

The morning got past me and I've been out and about with the kids once I freed up this afternoon. I suspect I may know what it's about... if it is, you'll know it - and trust me, you don't want to be in the middle of it (so let's not talk about it until it is finished). But if I'm wrong and this text makes no sense to you, just give me a call to discuss....

Attorney friend's "response text" about half an hour later:

Ok. Though it sounds like you need a friend and some sound counsel that you will heed. I am here if you want to talk.

Sent from my iPhone

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your April 13, 2015 "LouisRevenue Cycle ManagementLouis" Email to "louis.sanfilippo@yale.edu"  
**Date:** June 8, 2015 9:55:35 AM EDT  
**To:** Dudley Medlock <jogle@d-medcorp.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploitees" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploitees" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploitees" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "lsanfilippo@lcsgruppilc.com." Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this "class" of "third-party exploitees" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is

## The Patent '813 Story, Part II -- Version 2

confidential information).

To this effect, if sending the email(s):

**“LouisRevenue Cycle ManagementLouis”** that you have been identified by the company and its collaborators as having sent (and apparently “first initiated”) on **April 13, 2015 at 11:57 am EDT** to **“louis.sanfilippo@yale.edu,”**

was suggested, encouraged and/or supported by a “third-party source” in any way whatsoever (even if indirectly through a “third-party electronic communication medium”), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this “class” of “third-party exploiters” of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the “perpetrating sources” and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of “third-party exploiters” who may have been unknowingly exploited for unlawful purposes, potential “individual settlements” to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 “third-party exploiters” a potential settlement to each one “third-party exploiter” could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company’s lawful ability, and should be sent to the alias email address of “[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)” (as cc’d above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploiter” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent ‘813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc’d on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

**Lucerne Biosciences, LLC**

## The Patent '813 Story, Part II -- Version 2

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** Fwd: [Fwd: Another text sequence for analysis]

**Date:** June 8, 2015 11:29:37 AM EDT

**To:** totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>

**Cc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, tmay@shire.com, dbanchik@shire.com, jharrington@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, skestner@bakerlaw.com, Michael Cantor <MCantor@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com

Dear Reader,

This email from Lucerne Biosciences, LLC in view of the one that the company sent to you at 8:13 am EDT today should be self-explanatory. It's "intrapyschic objective" (i.e., its purpose for impacting your perception and consciousness) is simple: to lessen projectively-based splitting and to repair regressive perceptual distortion so that you can more clearly see what's happening in "The Patent '813 Story, Part II" as "terminal non-recursive boundary conditions" are solidified in the "collective theater of consciousness" comprised by "the collective readers" of the story. Three names have been "XXXX'd" out. Addition of "[ ]" and "Fwd:" has been made in the subject line of this email according to special communication protocols related to the company's advancement of "final resolution."

### Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)

**Subject:** Fwd: Another text sequence for analysis

**Date:** June 8, 2015 10:17:17 AM EDT

**To:** [Lucerne Biosciences LLC <lucernebio@lucernebio.com>](mailto:lucernebio@lucernebio.com)

Yes.

[Byan Haygins](mailto:byan.haygins@aol.com)

Begin forwarded message:

**From:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

**Date:** June 8, 2015 at 9:42:02 AM EDT

**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)

## The Patent '813 Story, Part II -- Version 2

### Subject: Another text sequence for analysis

Byan,

Here's a text sequence from the weekend I had with a close family friend who was very supportive of my wife during her struggle with cancer and has been great with our kids after her passing. Take a look at the language of her email but it's the part about "our boat" that is jarring. I may be mistaken but I'm not aware that she has a boat, so it could be more projective identification and acting out at the group level. Would you put the sequence in a non-projective recursive frame expansion?

Louis

Text from me to her on Saturday June 6 at 7:45 pm:

Hope you guys are well. We're making pizzas and struggling with the dough part of it. AAAAA and BBBB tell me CCCC's the man when it comes to pizza! I'll have to learn how he does it. From what the kids say, he's got a good fist technique.

Text response from close family friend Sunday June 7 at 7:44 pm EDT:

And he's Irish so go figure.... Sorry to respond a

So late but we were at an event last night and had out of town guests here all day on our boat. Hope you worked out the pizza issues. We should get together soon and make pizza together. I think this may be the last week of school so tell AAAAA and BBBB to enjoy it and that we hope to see them soon....

Sent from my iPhone

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your March 24 and April 15, 2015 "Rose Sheet" Emails to "louis.sanfilippo@yale.edu"  
**Date:** June 8, 2015 12:12:26 PM EDT  
**To:** The Rose Sheet <info@pharmamedtechbi.net>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploiters" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploiters" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploiters" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "Isanfilippo@lcsgruppilc.com." Lucerne Biosciences, LLC has been closely collaborating with

## The Patent '813 Story, Part II -- Version 2

three other entities to help organize this “class” of “third-party exploitees” for legal action against the “primary source perpetrators” (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

from “**Informa (at ‘[info@pharmamedtechbu.net](mailto:info@pharmamedtechbu.net)’),**” that you have been identified by the company and its collaborators as having sent (and apparently “first initiated”) **on March 24, 2015 at 4:21 pm EDT** with the subject “**The Latest insight on a recent hot topic**” and featuring “**The Rose Sheet**” followed by an email on

**April 15, 2015 at 1:46 pm EDT** having the subject “**The Latest insight on a recent hot topic**” and featuring “**The Rose Sheet**”

to “**[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu),**”

was suggested, encouraged and/or supported by a “third-party source” in any way whatsoever (even if indirectly through a “third-party electronic communication medium”), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this “class” of “third-party exploitees” of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the “perpetrating sources” and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of “third-party exploitees” who may have been unknowingly exploited for unlawful purposes, potential “individual settlements” to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 “third-party exploitees” a potential settlement to each one “third-party exploitee” could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company’s lawful ability, and should be sent to the alias email address of “[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)” (as cc’d above) from an alias email address so as to protect your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploitee” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent ‘813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

## The Patent '813 Story, Part II -- Version 2

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** Fwd: [Fwd: [Fwd: XXXXX's 11th birthday plans]]

**Date:** June 8, 2015 1:15:07 PM EDT

**To:** totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>

**Cc:** fornskov@shire.com, drtimothybrewerton@gmail.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, tmay@shire.com, dbanchik@shire.com, jharrington@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, skestner@bakerlaw.com, Michael Cantor <MCantor@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com

Dear Reader,

This email from Lucerne Biosciences, LLC is a "recursive amplification strategy" in view of the company's two prior emails today involving communication dynamics, methodology and interventions. Certain names have been "XXXX'd" out, as well as one date. Addition of "[ ]" and "Fwd:" has been made in certain subject lines according to special communication protocols related to the company's advancement of "final resolution."

### Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)

**Subject:** Fwd: [Fwd: XXXXX's 11th birthday plans]

**Date:** June 8, 2015 10:37:25 AM EDT

**To:** Lucerne Biosciences, LLC <lucernebio@lucernebio.com>

The unit agrees with Manager Sanfilippo.

Byan Haygins

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** Louis Sanfilippo <louis.sanfilippo@yale.edu>  
**Date:** June 8, 2015 at 10:13:27 AM EDT  
**To:** Byan Haygins <byan.haygins@aol.com>  
**Subject:** Fwd: XXXXX's 11th birthday plans

Byan,

Take a look at the odd language and contextual framing in the last line of this email I received yesterday evening. It's from the mother of a girl in YYYYYY's class. Frankly, the last line makes no sense to me because YYYYYY would love to do this. So what in the world is she talking about when she says "If you need to debate this with YYYYYY, good luck!" It's just the opposite, I don't see YYYYYY wanting to debate anything. And what does "putting a price on XXXXX's happiness" mean? I mean it's just a sleepover.

The communication could be used as an amplification strategy in the non-projective recursive frame expansion from the last email I sent you from that close family friend. Do you agree?

Louis

Begin forwarded message:

**From:** RRRRR NNNNN <CCCCC@gmail.com>  
**Subject:** XXXXX's 11th birthday plans  
**Date:** June 7, 2015 9:34:32 PM EDT  
**To:** Louis Sanfilippo <louis.sanfilippo@yale.edu>

Hi Louis,

I hope you are well! I think the girls have discussed having YYYYYY over for a sleepover the night before XXXXX's birthday party on Sunday June ZZth. I am very happy to have the girls have a sleepover the evening prior. I do not have any plans on Saturday late afternoon so I can come to collect YYYYYY, bring her to the party with us and return her to you after the party on Sunday.

Please let me know if this works for you. If you need to debate this with YYYYYY, good luck! I certainly can't put a price on XXXXX's happiness should she be able to to have a sleepover with YYYYYY :)

Sincerely,  
RRRRR

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Regarding Your April 2015 "Biostorage Technologies" Emails to "louis.sanfilippo@yale.edu"  
**Date:** June 8, 2015 3:04:18 PM EDT  
**To:** BioStorage Technologies <info@biostorage.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

## The Patent '813 Story, Part II -- Version 2

Dear Prospective "Third-Party Class Member,"

This email from Lucerne Biosciences, LLC is to inform you that the company has been making preparations to organize a "class" of "third-party exploitees" for the purpose of a class action lawsuit against certain "primary source perpetrators" for promoting, supporting and engaging in unlawful anti-competitive conduct through "third-party interference" made by electronic communications. This "class" of "third-party exploitees" would include persons and/or businesses who sent **one or more unsolicited email communications** to the following email addresses **from January 30, 2015**, the time that "Vyvanse®" (marketed by Shire U.S. Inc.) was FDA-approved for the treatment of Binge Eating Disorder, **to the present** based on the suggestion, encouragement and/or support of these "primary source perpetrators" (even if only indirectly by the suggestion, encouragement and/or support of other "third-party exploitees" and/or their communication medium): (i) "louiscsan@aol.com," (ii) "louis.sanfilippo@yale.edu," (iii) "lsanfilippo@lcsgruppilc.com." Lucerne Biosciences, LLC has been closely collaborating with three other entities to help organize this "class" of "third-party exploitees" for legal action against the "primary source perpetrators" (who have been identified but their identity currently is confidential information).

To this effect, if sending the email(s):

**from "BioStorage Technologies"** that you have been identified by the company and its collaborators as having sent (and apparently "first initiated")

**on March 26, 2015 at 8:01 am EDT, followed by emails on**

**April 15, 2015 at 8:02 am EDT,**

**April 16, 2015 at 8:02 am EDT, and**

**April 20, 2015 at 8:10 am EDT to "louis.sanfilippo@yale.edu,"**

was suggested, encouraged and/or supported by a "third-party source" in any way whatsoever (even if indirectly through a "third-party electronic communication medium"), **any information** you can provide to the company about the nature of that suggestion, encouragement and/or support will be helpful to take further steps for organizing this "class" of "third-party exploitees" of which you and/or the business you represent may be included. Current conservative forecasts of a potential financial settlement that have been conducted by Lucerne Biosciences, LLC with its collaborators, simply based on the identities of the "perpetrating sources" and the extent of unlawful anti-competitive conduct, is in the range of approximately \$7 to \$10 Billion. Therefore, depending on the number of "third-party exploitees" who may have been unknowingly exploited for unlawful purposes, potential "individual settlements" to any given person and/or business from a successful class action settlement could be very substantial. For example, on the basis of 100 "third-party exploitees" a potential settlement to each one "third-party exploitee" could be well into the tens of millions (U.S. dollars).

**Any information that you can provide the company on this matter would be appreciated and used to support your respective personal and/or business interests to the best of the company's lawful ability, and should be sent to the alias email address of "Byan.Haygins@aol.com" (as cc'd above) from an alias email address so as to protect**

## The Patent '813 Story, Part II -- Version 2

**your personal identity from disclosure and any potential incriminating actions that could be taken on the basis of its disclosure from communications you might make to the company.**

If you would like additional background on (i) the nature of “third-party interference” by electronic communications (ii) whether you and/or your business may qualify as a “third-party exploitee” and (iii) how “third-party interference” by electronic communications has been used to engage in unlawful anti-competitive conduct, then please see the following Press Release issued by LCS Group, LLC on May 13, 2015, specifically “The Patent ‘813 Story, Part II” in the “Inquiries/Business Development” section (notably pp. 179-186, pp. 211-214, pp. 224-225 for matters related to “class actions”):

<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

So you are aware, there are a number of communicants who have been bcc'd on this email communication, mainly attorneys along with two well-regarded journalists from two major news publications, the New York Times and the Wall Street Journal.

Thank you for your consideration in this most serious legal matter.

### Lucerne Biosciences, LLC

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

**Subject:** Fwd: [Fwd: [Fwd: MyImpactNetwork: Pharmaceutical Market Assessment - ADHD]]

**Date:** June 8, 2015 3:57:04 PM EDT

**To:** myimpactnetwork@myimpactnetwork.com, totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Andrew Fineberg <Fineberg@mtspartners.com>, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>

**Cc:** Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, fornskov@shire.com, drtimothybrewerton@gmail.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, skestner@bakerlaw.com, Michael Cantor <MCantor@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com

Dear Reader,

## The Patent '813 Story, Part II -- Version 2

This email from Lucerne Biosciences, LLC is to explain how the "collective reader theater of consciousness" of "The '813 Patent Story, Part II" is at the threshold of a "temporal convergence boundary condition." That means the projective nature of communications is reaching a place of real-time projective reversion. In a closed boundary system ("collective theater of consciousness") and absent any accountable party(ies) stepping forward accountably for a "final resolution" that ends projectively-based splitting communications, this process will drive further group regression through amplified cycles of projective identification and acting out. The company's position is that its Manager/Member Louis Sanfilippo shouldn't have to receive even a single one of these projectively-based communications (because there's no accountability in them), nor should Lucerne Biosciences bear that projective burden either on account of him being a target (in this case at his "[louiscsan@aol.com](mailto:louiscsan@aol.com)" email). So they revert. This reversion (that is this email) can be expected to drive a polarization of two communication platforms based on very different "group/individual theaters of consciousness," one that stays "locked in projectively-based communication" and the other that is "open and looks onto the other" (as in open public discourse). It would be mentally very unhealthy to remain in the former. The latter would provide significant relief from regressive strain.

Added to this email thread is "[myimpactnetwork@myimpactnetwork.com](mailto:myimpactnetwork@myimpactnetwork.com)." Also, the company has received guidance that this intervention technology could be helpful for certain interrogation groups like "HIG."

Added to subject lines are "[ ]" and "Fwd:" according to the company's special communication framing protocols.

### Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: [Fwd: MyImpactNetwork: Pharmaceutical Market Assessment - ADHD]**  
**Date:** June 8, 2015 12:43:28 PM EDT  
**To:** [Lucerne Biosciences LLC <lucernebio@lucernebio.com>](mailto:lucernebio@lucernebio.com)

Put this in today's frame and call it a "temporal convergence boundary condition." This is a sound real-time interference strategy based on leveraging accurate intel. Cuts off any kind of projective breeding/deception. Kind of thing that could help HIG (High Value Interrogation Group) in interrogations if they have good real-time intel. Recursively driven process.

Byan

Begin forwarded message:

**From:** [Louis Sanfilippo <louiscsan@aol.com>](mailto:louiscsan@aol.com)  
**Date:** June 8, 2015 at 12:31:50 PM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: MyImpactNetwork: Pharmaceutical Market Assessment - ADHD**

Byan,

## The Patent '813 Story, Part II -- Version 2

From a prelim search of targeted emails, it looks like this is the first ever email from "myimpactnetwork." Could put it in today's non-projective recursive frame but not sure what that's called. Any guidance would be appreciated on where to take it. Pass along as needed.

Louis

Begin forwarded message:

**From:** [myimpactnetwork@myimpactnetwork.com](mailto:myimpactnetwork@myimpactnetwork.com)  
**Date:** June 8, 2015 at 11:47:58 AM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)  
**Subject:** MyImpactNetwork: Pharmaceutical Market Assessment - ADHD

**[EMAIL CONTENTS: STRIPPED]**

**6:28 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 6:28 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/8WGuKqS0ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/8WGuKqS0ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Coming Soon: Additional Security Log In Step When You Are Off-Campus]]  
**Date:** June 8, 2015 7:39:16 PM EDT  
**To:** [myimpactnetwork@myimpactnetwork.com](mailto:myimpactnetwork@myimpactnetwork.com), [totaylor@shire.com](mailto:totaylor@shire.com), [susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com), [kdegennaro@aegiscap.com](mailto:kdegennaro@aegiscap.com), [msiek@aegiscap.com](mailto:msiek@aegiscap.com), [snicholson@aegiscap.com](mailto:snicholson@aegiscap.com), Toni Wolinsky <[Toni.Wolinsky@crl.com](mailto:Toni.Wolinsky@crl.com)>, [megan.anderson@marketingtopics.com](mailto:megan.anderson@marketingtopics.com), Andrew Fineberg <[Fineberg@mtspartners.com](mailto:Fineberg@mtspartners.com)>, Evan Skoures <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>, Christine Jordan <[cjordan@assurgentmedical.com](mailto:cjordan@assurgentmedical.com)>, [kate.gordon@curemd.com](mailto:kate.gordon@curemd.com), [gina.mullane@crl.com](mailto:gina.mullane@crl.com), [swade@guidepointglobal.com](mailto:swade@guidepointglobal.com), Rosaasen Group <[emdjobs@qwestoffice.net](mailto:emdjobs@qwestoffice.net)>, Pragati Kapoor <[SOCIALMEDIAEXPERTS@ORCAMAILER.COM](mailto:SOCIALMEDIAEXPERTS@ORCAMAILER.COM)>, [anna@pirllc.com](mailto:anna@pirllc.com), [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com), Jonathan Ezer <[jonathan@kindealabs.com](mailto:jonathan@kindealabs.com)>, Tom MacAllister <[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)>, Sam Miller <[updates@updates.couponhunters.net](mailto:updates@updates.couponhunters.net)>  
**Cc:** [fornskov@shire.com](mailto:fornskov@shire.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, [dbanchik@shire.com](mailto:dbanchik@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [tmay@shire.com](mailto:tmay@shire.com), Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, Derek Denhart <[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>, Christopher Romanello <[CRomanello@CantorColburn.com](mailto:CRomanello@CantorColburn.com)>, Michelle Rick <[mrick@bakerlaw.com](mailto:mrick@bakerlaw.com)>, Carol Hutchings <[chutchings@cantorcolburn.com](mailto:chutchings@cantorcolburn.com)>, [skestner@bakerlaw.com](mailto:skestner@bakerlaw.com), Michael Cantor <[MCantor@CantorColburn.com](mailto:MCantor@CantorColburn.com)>, [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [lohr@nytimes.com](mailto:lohr@nytimes.com)

Dear Reader,

This email from Lucerne Biosciences, LLC is entirely self-referential in view of today's self-

## The Patent '813 Story, Part II -- Version 2

referential non-projective recursive communication frame. Therefore nothing needs to be explained. Though Byan Haygins has put something your way for consideration.

**Lucerne Biosciences, LLC**

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: Coming Soon: Additional Security Log In Step When You Are Off-Campus]  
**Date:** June 8, 2015 5:09:57 PM EDT  
**To:** Lucerne Biosciences LLC <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Let the readers decide.

Byan Haygins

Begin forwarded message:

**From:** "Sanfilippo, Louis" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Date:** June 8, 2015 at 3:47:02 PM EDT  
**To:** "byan.haygins@aol.com" <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: Coming Soon: Additional Security Log In Step When You Are Off-Campus

Byan,

What do you think of this: routine communication? regressive acting out? Not sure I have a sense of it.

Louis

Begin forwarded message:

**From:** "Rich Mikelinich, Yale Chief Info Security Officer" <[itscomm2@yale.edu](mailto:itscomm2@yale.edu)>  
**Date:** June 8, 2015 at 3:37:31 PM EDT  
**To:** "Yale Faculty, Staff and Students" <[itscomm2@yale.edu](mailto:itscomm2@yale.edu)>  
**Subject:** Coming Soon: Additional Security Log In Step When You Are Off-Campus  
**Reply-To:** ITS Help Desk <[helpdesk@yale.edu](mailto:helpdesk@yale.edu)>

Dear Members of the Yale Community,  
As reports of security risks and incidents become increasingly common, the University is taking steps to safeguard the Yale community and protect its academic, research, and business intellectual property and data.

A security mechanism known as Multifactor Authentication, or MFA, will be introduced to the campus in phases over the course of the summer. This simple process is needed only when you are off campus or out of reach of one of Yale's wired or wireless networks. In the future, if necessary, Yale may require individuals to use MFA when they are on campus as well.

## The Patent '813 Story, Part II -- Version 2

MFA is a simple and quick log-in process that will require you to prove your identity utilizing a second factor (for example, a mobile device, a landline phone, or a key fob) after providing your Yale credentials. This process will be required to access YaleConnect Webmail, and to log in to the Virtual Private Network (VPN) or the Central Authentication Service (CAS) from an off-campus location. Yale ITS will partner with your school, department, or section to schedule a deployment date and ensure a smooth transition.

### Where to Learn More

Please visit the [Multifactor Authentication at Yale](#) section of the ITS website to access helpful materials and information related to Multifactor Authentication at Yale.

If you have any questions, please contact the [ITS Help Desk](#) at 203-432-9000 or [helpdesk@yale.edu](mailto:helpdesk@yale.edu). You also may visit one of the [Walk-In Computer Support Centers](#) or contact your [local support provider](#).

Please be assured that Yale ITS is working continuously to protect your intellectual property, your personal information, and Yale's data.

Cordially,

Rich Mikelinich  
Chief Information Security Officer  
Chief HIPAA Security Officer  
Yale University Information Technology Services  
Information Security, Policy & Compliance  
203-436-5872  
[ciso@yale.edu](mailto:ciso@yale.edu)

### Yale University Official Message

NOTE: This official Yale ITS message can also be viewed at:  
<https://messages.yale.edu/messages/ITS/itsmsgs/detail/122989>

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

**Subject:** Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]

**Date:** June 8, 2015 7:39:42 PM EDT

**To:** [myimpactnetwork@myimpactnetwork.com](mailto:myimpactnetwork@myimpactnetwork.com), [totaylor@shire.com](mailto:totaylor@shire.com), [susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com), [kdegennaro@aegiscap.com](mailto:kdegennaro@aegiscap.com), [msiek@aegiscap.com](mailto:msiek@aegiscap.com), [snicholson@aegiscap.com](mailto:snicholson@aegiscap.com), Toni Wolinsky <[Toni.Wolinsky@crl.com](mailto:Toni.Wolinsky@crl.com)>, [megan.anderson@marketingtopics.com](mailto:megan.anderson@marketingtopics.com), Andrew Fineberg <[Fineberg@mtspartners.com](mailto:Fineberg@mtspartners.com)>, Evan Skoures <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>, Christine Jordan <[cjordan@assurgentmedical.com](mailto:cjordan@assurgentmedical.com)>, Pragati Kapoor <[SOCIALMEDIAEXPERTS@ORCAMAILER.COM](mailto:SOCIALMEDIAEXPERTS@ORCAMAILER.COM)>, [kate.gordon@curemd.com](mailto:kate.gordon@curemd.com), [gina.mullane@crl.com](mailto:gina.mullane@crl.com), [swade@guidepointglobal.com](mailto:swade@guidepointglobal.com), Rosaasen Group <[emdjobs@qwestoffice.net](mailto:emdjobs@qwestoffice.net)>, Jonathan Ezer <[jonathan@kindealabs.com](mailto:jonathan@kindealabs.com)>, Tom MacAllister <[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)>, Sam Miller <[updates@updates.couponhunters.net](mailto:updates@updates.couponhunters.net)>  
**Cc:** Ed Haug <[EHAug@flhlaw.com](mailto:EHAug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, [fornskov@shire.com](mailto:fornskov@shire.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [tmay@shire.com](mailto:tmay@shire.com), Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, Derek Denhart <[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>, Christopher Romanello <[CRomanello@CantorColburn.com](mailto:CRomanello@CantorColburn.com)>, Michelle Rick <[mrick@bakerlaw.com](mailto:mrick@bakerlaw.com)>, Carol Hutchings <[chutchings@cantorcolburn.com](mailto:chutchings@cantorcolburn.com)>, Dawn Mayhew <[DMayhew@CantorColburn.com](mailto:DMayhew@CantorColburn.com)>, [skestner@bakerlaw.com](mailto:skestner@bakerlaw.com), Michael Cantor <[MCantor@CantorColburn.com](mailto:MCantor@CantorColburn.com)>, [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [lohr@nytimes.com](mailto:lohr@nytimes.com)

## The Patent '813 Story, Part II -- Version 2

Dear Reader,

This email from Lucerne Biosciences, LLC is entirely self-referential in view of today's self-referential frame and communication protocols, so no explanation is necessary. Byan Haygins has put something to you for consideration.

**Lucerne Biosciences, LLC**

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]  
**Date:** June 8, 2015 4:33:22 PM EDT  
**To:** Lucerne Biosciences, LLC <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

This one ought to be for the readers to decide, so place it in the frame.

Byan Haygins

Begin forwarded message:

**From:** "Sanfilippo, Louis" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Date:** June 8, 2015 at 4:29:57 PM EDT  
**To:** "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: Survey: Factors clinicians use in treatment decisions

Byan,

I'd call this a somewhat uncharacteristic email from Yale's Dept. of Psychiatry. By itself, I wouldn't give it any weight but I do wonder if it's a regressive effort to communicate on the matter of "third-party patient interferers/exploitees." If it is, that burden clearly isn't for me to step into. The accountability begins with agency in the persons who made the primary decisions to set the frame that way, including any such patients. Pass along any guidance per pro.

Louis

Sent from my iPhone

Begin forwarded message:

**From:** Yale Department of Psychiatry <[psychiatry@yale.edu](mailto:psychiatry@yale.edu)>  
**Date:** June 8, 2015 at 12:45:27 PM EDT  
**To:** Yale Psychiatry Alumni <[itscomm2@yale.edu](mailto:itscomm2@yale.edu)>  
**Subject:** Survey: Factors clinicians use in treatment decisions

*The email below is being shared with you as an alumnus of the Yale Department of Psychiatry. Investigators in the department are currently conducting research on factors that clinicians use in their treatment decisions. If you are a prescribing physician, please consider completing the survey linked below.*

## The Patent '813 Story, Part II -- Version 2

~~~~~

Dear Colleagues,

As you may be aware, clinicians currently have no tools for matching depressed patients with specific antidepressant treatments. This can lead to a prolonged period of illness before patients are serendipitously matched with an appropriate treatment regimen.

We are interested in the factors that clinicians use in their decisions regarding treatment. We created an online survey [http://survey.az1.qualtrics.com/jfe/form/SV\\_do3t8rFRpA8alz](http://survey.az1.qualtrics.com/jfe/form/SV_do3t8rFRpA8alz) that can be completed on mobile or desktop computers. Completers will be entered into a drawing for a \$100 Amazon gift card.

In the survey we will ask you to look at some information about a series of cases and decide whether you think each case will respond to a 12 week course of treatment with Celexa (Citalopram).

The survey will be open for two weeks.

We greatly appreciate your help in completing the survey.

Best regards,

Phil Corlett

--

Dr. Philip R. Corlett, PhD  
Assistant Professor  
Yale University Department of Psychiatry  
Ribicoff Research Facilities  
Connecticut Mental Health Center  
34 Park Street New Haven, CT 06519  
<http://medicine.yale.edu/labs/corlett/>

---

Office: 203-974-7866 Cell: 203-401-1428

---

**From:** "Fineberg, Andrew" <Fineberg@mtspartners.com>  
**Subject:** Re: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]  
**Date:** June 8, 2015 7:57:57 PM EDT  
**To:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

Please remove me from your list. Thank you

Andrew Fineberg  
MTS Health Partners  
623 Fifth Avenue, 14th Floor

## The Patent '813 Story, Part II -- Version 2

New York, NY 10022  
Office 212-887-2193  
Cell 917-519-9521  
Fineberg@mtspartners.com<mailto:Fineberg@mtspartners.com>

Sent from my iPhone so apologies for brevity.

On Jun 8, 2015, at 7:41 PM, Lucerne Biosciences, LLC  
<lucernebio@lucernebio.com<mailto:lucernebio@lucernebio.com>> wrote:

Dear Reader,

This email from Lucerne Biosciences, LLC is entirely self-referential in view of today's self-referential frame and communication protocols, so no explanation is necessary. Byan Haygins has put something to you for consideration.

**Lucerne Biosciences, LLC**

**[REST OF EMAIL THREAD STRIPPED]**

**Tuesday June 9, 2015:**

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: I 06.08.15 I Is Shire floating a \$19B takeover bid?; Seattle Genetics strikes \$645M deal]]  
**Date:** June 9, 2015 9:11:27 AM EDT  
**To:** fornskov@shire.com, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com, sfagan@shire.com, gfisher@shire.com, jcotrone@shire.com, dhibbett@shire.com, brclarke@shire.com, ssalah@shire.com, seltonfarr@shire.com, pvickers@shire.com, mgalen@shire.com  
**Cc:** myimpactnetwork@myimpactnetwork.com, totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>, drtimothybrewerton@gmail.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, skestner@bakerlaw.com, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michael Cantor <MCantor@CantorColburn.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Michelle Rick <mricks@bakerlaw.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, lohr@nytimes.com, ed.silverman@wsj.com

Dear Reader,

This email from Lucerne Biosciences, LLC raises a unique issue highly relevant to Shire. Byan Haygins has raised it through a very curious question for the readership of "The Patent '813 Story, Part II" to consider: is it possible for an adverse judgment by the Patent Trial and Appeal

## The Patent '813 Story, Part II -- Version 2

Board (i.e., the invalidation of the company's '813 Patent) to be reversed without a decision by the Federal Circuit Court of Appeals, but only needing one very unique communication under unprecedented conditions? What conditions would be needed for that to happen? What would the communication look like and who would make it?

Also, there was a highly critical communication event that took place at about 8 pm EDT yesterday that may be the most significant communication event yet because of its high probability direct linkage to a "primary source perpetrator person." The company is awaiting analysis on it from Byan Haygins.

### Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: I 06.08.15 I Is Shire floating a \$19B takeover bid?; Seattle Genetics strikes \$645M deal]  
**Date:** June 9, 2015 5:55:29 AM EDT  
**To:** Lucerne Biosciences, LLC <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Ask the readership if it believes that an adverse judgement by the PTAB can be reversed without a decision by the Federal Circuit Court of Appeals, simply through one unique communication intervention under unprecedented conditions? Then see if they can conceive of the context and nature of that communication intervention. Joe Lucci's profile supports that he may be the person in the group who may know how that could be done. Invert the delivery frame by sending TO Shire reps only with FOr in proximal loc. Expand TO with Shire investor and media. Drop prior TOframe to CCframe and keep attorney cluster as before in CCframe. Move Silverman@WSJ to the CCterminal position that Lohr@NYT has had in the last six company emails. ETC of SCA on last night's thread forthcoming, within 6 hrs. It's a CCE with high probability linkage to PSPP.

Byan Haygins

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Date:** June 8, 2015 at 7:01:25 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: I 06.08.15 I Is Shire floating a \$19B takeover bid?; Seattle Genetics strikes \$645M deal

Byan,

What do you think of the Shire article in Fierce Biotech? I'm still waiting to see if Ed Silverman will report on the adverse judgment against Lucerne... seems to me to be a much bigger story than the Kyle Bass IPRs he reported on back in April, as least as far as behavioral drama goes. Regardless, CEO Ornskov still doesn't know what's been planned for him and Shire to see the very patent his company invalidated make its way back to life with just one highly unconventional communication that could be the single most revolutionary marketing event in pharma history. Pass along accordingly.

Louis

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** FierceBiotech <editors@fiercebitech.com>  
**Subject:** I 06.08.15 I Is Shire floating a \$19B takeover bid?; Seattle Genetics strikes \$645M deal  
**Date:** June 8, 2015 1:04:33 PM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** editors@fiercebitech.com

**6:12 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 6:12 PM EDT**" is available as a merged PDF:

[http://www.4shared.com/download/NoaD7yE6ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/NoaD7yE6ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]]]]  
**Date:** June 9, 2015 8:13:06 PM EDT  
**To:** fornskov@shire.com, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com, sfagan@shire.com, gfisher@shire.com, jcotrone@shire.com, dhibbett@shire.com, brclarke@shire.com, ssalah@shire.com, seltonfarr@shire.com, pvickers@shire.com, mgalen@shire.com  
**Cc:** myimpactnetwork@myimpactnetwork.com, totaylor@shire.com, susanw@thefdagroupusa.com, kdegennaro@aegiscap.com, msiek@aegiscap.com, snicholson@aegiscap.com, Toni Wolinsky <Toni.Wolinsky@crl.com>, megan.anderson@marketingtopics.com, Evan Skoures <evan.skoures@pearson.com>, Christine Jordan <cjordan@assurgentmedical.com>, kate.gordon@curemd.com, gina.mullane@crl.com, swade@guidepointglobal.com, Rosaasen Group <emdjobs@qwestoffice.net>, Pragati Kapoor <SOCIALMEDIAEXPERTS@ORCAMAILER.COM>, anna@pirllc.com, tpp\_eu@vwr.com, Jonathan Ezer <jonathan@kindealabs.com>, Tom MacAllister <tmacallister.argus@gmail.com>, Sam Miller <updates@updates.couponhunters.net>, drtimothybrewerton@gmail.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, skestner@bakerlaw.com, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, Michael Cantor <MCantor@CantorColburn.com>, Christopher Romanello <CRomanello@CantorColburn.com>, Michelle Rick <mrick@bakerlaw.com>, Carol Hutchings <chutchings@cantorcolburn.com>, Dawn Mayhew <DMayhew@CantorColburn.com>, lohr@nytimes.com, ed.silverman@wsj.com

Dear Reader,

This email from Lucerne Biosciences, LLC is to inform you that the company now has all the communication evidence it needs to begin its planned actions with its collaborators. Enjoy what

## The Patent '813 Story, Part II -- Version 2

remains in "The Patent '813 Story, Part II" that is its experientially-based "final resolution."

### Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]]]  
**Date:** June 9, 2015 5:44:30 PM EDT  
**To:** Lucerne Biosciences, LLC <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Sorry for the delay. A more important national security matter came up. The requested analysis is below.

Byan Haygins

### Priority Code: 7

Introduction: The Fineberg/MTS 6.8.15 7:57 pm edt email to LB is a highly critical communication event and provides very high probability support in the identification of one PSP-e (primary source perpetrator entity) and its PSP-p (primary source perpetrator person) in TPI (third-party interference). This information provides very high probability support in the identification of the other PSP-e (primary source perpetrator entity) and its PSP-p (primary source perpetrator person).

Communication Context: Fineberg/MTS is located on the TOframe in seven originating emails from LB ([lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)) between 6.4.15 12 pm edt to 6.8.15 7:00 pm edt. Fineberg/MTS is also located on a TOframe of an eighth originating email LB ([lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)) sent approximately 30 seconds before the email to which he/MTS responded. This eighth LB email involved a NPRF (with expansion) on a foundational communication from Yale (its IT Dept); the ninth LB email, to which he/MTS responded, also involved a NPRF (with expansion) on a foundational communication from Yale's Dept. of Pyschiatry. Fineberg/MTS also received a detailed originating non-reframing email from Sanfilippo/LCS Group at "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" on 4.23.15 8:07 pm edt with the subject "Important Legal Matter Involving an MTS Partners' Email Communication to 'louis.sanfilippo@yale.edu'" (144-151, PA813 Story/II) to which he/MTS responded the next day (4.24.15) with two sequential re-framing (with expansion) emails about 30 minutes apart that are also highly significant communications events and analyzed here and discussed for their implications below.

Communication Analysis: The Fineberg/MTS 6.8.15 7:57 pm edt email is a request for removal from LB's email list. It was made to LB as a non-reframing email 16 minutes after Fineberg/MTS apparently received LB's email (time by thread representation) having as its foundational communication a non-originating re-framing "prescribing psychiatrist survey" email from Yale's Department of Psychiatry (from the dept's list serve) that was delivered to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" 12:45 pm edt through Yale's "[itscomm2@yale.edu](mailto:itscomm2@yale.edu)" list serve the same day and apparently part of a campaign to "share [the prescribing survey] with you [Louis Sanfilippo]" presumably because he is an "alumni" of Yale's Psychiatry Department. However, based on prior analysis of Yale emails sent to the "[itscomm2@yale.edu](mailto:itscomm2@yale.edu)" list serve that have been received at Louis Sanfilippo's "[yale.edu](mailto:yale.edu)" email, "[itscomm2@yale.edu](mailto:itscomm2@yale.edu)" is represented as a University-wide

## The Patent '813 Story, Part II -- Version 2

("School of Medicine" and "University") list serve, making this foundational communication from Yale's Department of Psychiatry to effectively the entire "Yale University community" (for a psychiatrist prescribing survey) but representing that it is going "To: Yale Psychiatry Alumni" a delivery method and representational reframing DCE (Deviant Communication Event) because it would have only made sense that it be sent to the Psychiatry Dept's Alumni list serve (as it represents) and would have no reason to be sent to faculty of the University, various employee groups, etc... (the survey was narrowly on psychiatrist prescribing practices). This foundational communication from the Yale Psychiatry Dept. also utilizes content re-framing methodology. It states "The email below" but omits any identifying features of any email in its content, presumably the features that would have identified it as being delivered to "Yale Psychiatry Alumni" on the appropriate list serve for that group. This makes it a non-originating content and delivery re-framing email. The constellation of these DCEs by themselves in one email provide high probability support that "Yale" is a PCP-e engaged in the application of DICT (Deception Intelligence Communication Technology) to support TPI and is actively supporting its TPI through the coordinated involvement of its Dept. of Psychiatry and IT depts. While highly implicating by itself, this email when taken in view of Fineberg/MTS's 6.8.15 7:57 pm edt email "response" to that foundational communication (to be removed from LBs email list) and Fineberg/MTS' two 4.24.15 communications, the communication evidence is effectively confirmatory and additionally provides more differentiated source identification of the PSPs at the person and entity levels.

Re: the Fineberg/MTS 4.24.15 9:21 am edtemail (152, PA813 Story/II), it responded to the LCS Group email with subject and delivery re-framing methodology. The new re-framed subject was "Email?" and it was sent to "louis.sanfilippo@yale.edu" (not "lsanfilippo@lcsgrupp.com"). It also included delivery method re-framing expansion methodology by newly cc'ing "vladimir.coric@yale.edu." Text content: "Louis I received an email from your address that was highly complex and had legal elements related to an IPR. Can we please have a phone call so that I may better understand it. Thank you, Andrew." The dual subject/delivery method reframing (with expansion) is a DCE and highly suggestive of ulterior motivation (i.e., deception) using DICT. This is further supported by how the Fineberg/MTS 4.24.15 9:21 am edt email employs representational conflation by its re-framed communication to Louis Sanfilippo at his yale.edu address and adding Vladimir Coric to the thread in a CCframe at his yale.edu address. It also employs content conflation by stating "I received an email from your address..." which makes it unclear, absent the foundational communication on the email's thread (that is omitted), where the originating email came from and what it stated. The CCframe of Vladimir Coric at his yale.edu email supports Fineberg/MTS' intent to employ tactically leveraged splitting at both the "person" (with "Vladimir Coric") and "representation" (with "Yale") levels, and perhaps even at other representational and/or business levels. As LB knows, Manager/Member Sanfilippo is acquainted with Vladimir Coric through the private company "Cenestra Health" that was founded as an LLC on January 13, 2006 (by CT Concorde, see "http://www.cenestrahealth.com" "about us" for involved persons that include Vladimir Coric and Louis Sanfilippo).

The Fineberg/MTS 4.24.15 9:21 am edt email utilizes very high DICT. By itself, the email supports that Yale's Dept. of Psychiatry and Vladimir Coric (its cc'd person), a publicly recognized member of the dept.

(see [https://medicine.yale.edu/psychiatry/people/vladimir\\_coric.profile](https://medicine.yale.edu/psychiatry/people/vladimir_coric.profile)), are highly probable to be PCPs at the respective entity and person levels. This high probability status is virtually confirmed by additional findings. The first is that Vladimir Coric is a co-author on the 2013 DD (deception detection) study in J. Strategic Security (244-245 PAT813/II) on which Shire's IPR of PAT813 is modeled (polarized representational

## The Patent '813 Story, Part II -- Version 2

groups of deception/truth). The high degree of misrepresentation by Shire, Brewerton, Haug and Kuzmich in the IPR, absent evidence of group psychotic regression, strongly supports the IPR's "misrepresentation research design" is based on that 2013 study but deviates from it without any informed consent from LB Manager/Member Sanfilippo (by his statements to us in which he has indicated he was never made aware of any such thing and which would be standard and required for conducting human research of this kind). The second of these is that Vladimir Coric is President of Center for Research & Development (CT Inc.) temporally correlated in deviant business activity with LCS Group's 2013 frame expansion (from 813PAT/I) which involved Joe Lucci and conflationary representational framing between Lucci and Shire in 2013 communications.

The Fineberg/MTS 4.24.15 9:21 am email that itself was a highly deviant communication event using significant DICT, combined with the Fineberg/MTS 6.8.15 rapid removal response email, provides very high probability support that the core identity of one e-level PCP is Yale (through it's Dept. of Psychiatry) and that it has been working in some form of close connection with Vladimir Coric as a PCP-p to support, encourage and promote Shire's unfair and deceptive trade practice (through misrepresentation, invasion of privacy, improper experimentation on human subjects and extensive TPI). RA (relevancy analysis) through expansion framing also supports high probability PCP-p/e linkage of Shire's IPR misconduct to Charles A. Morgan because Vladimir Coric's Center for Research Development has a street address of 234 Church St (by CT Concorde) that is the same as that identified for Charles A Morgan (by Yale Psychiatry website at [http://psychiatry.yale.edu/research/programs/clinical\\_people/AMORGAN.profile](http://psychiatry.yale.edu/research/programs/clinical_people/AMORGAN.profile)), both Coric and Morgan co-authored the 2013 DD study with group modeling like Shire's IPR of PAT813 and Morgan has direct representational linkage to the Central Intelligence Agency that is known to use DICT (see: <http://www.newhaven.edu/Faculty-Staff-Profiles/Charles-Morgan/>). This supports the CIA as a PCP-e and Morgan as a PCP-p, working in collaboration with Yale and Coric.

37 minutes after the Fineberg/MTS 4.24.15 9:21 am edt dual re-framing email was sent to "louis.sanfilippo@yale.edu" (cc'ing "vladimir.coric@yale.edu"), Fineberg/MTS emails Louis Sanfilippo at "lsanfilippo@lcsgrupp.com" with subject reframing ("reconnecting") and content reframing (the originating email is stripped)(152, PA813 Story/II.pdf). There was no overt representational or delivery method re-framing but there was an effort to representationally re-frame at the content level by use of semantic priming that could be conflated at a later time. Text content: "Louis - will you please call me in the office today to explain the email I received from this address. Andrew" is invitation to question why "Sanfilippo/LCS Group" is emailing him/MTS on the PAT813 IPR matter (even when the email makes it clear that LCS Group was a primary party to the IPR that is the central topic of the 4.23.15 Sanfilippo/LCS Group email to him/MTS). The Fineberg/MTS 4.24.15 9:58 pm email by definition is a tactically leveraged splitting strategy because it uses thread divergence on the same content across two different emails and therefore effectively makes it an integral part of a MLTLS (Multi-Layered Tactically Leveraged Splitting) strategy at representational, person and temporal levels. Virtually no businesspersons/businesses use DICT that is this sophisticated. In the United States, the primary agency that would employ coordinated communications with this degree of DICT sophistication would be the Central Intelligence Agency.

Communication Implications: The Fineberg/MTS ECS provides high probability support that the primary source perpetrator entities that have supported TPI and DICT to invalidate PAT813 and cause harm to LB have been the Central Intelligence Agency (its behavioral intelligence unit) and Yale (its Dept. of Psychiatry). It also provides high probability support that the primary source perpetrator persons have been Charles A.

## The Patent '813 Story, Part II -- Version 2

Morgan and Vladimir Coric respectively. This email from Byan Haygins to LB provides high probability support that the primary source entity that has made these determinations is the National Security Agency and its primary source de-encryption analyst is Byan Haygins.

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Date:** June 8, 2015 at 8:06:27 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]]

Please analyze.

Begin forwarded message:

**From:** "Fineberg, Andrew" <[Fineberg@mtspartners.com](mailto:Fineberg@mtspartners.com)>  
**Subject:** Re: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]  
**Date:** June 8, 2015 7:57:57 PM EDT  
**To:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Please remove me from your list. Thank you

Andrew Fineberg  
MTS Health Partners  
623 Fifth Avenue, 14th Floor  
New York, NY 10022  
Office 212-887-2193  
Cell 917-519-9521  
[Fineberg@mtspartners.com](mailto:Fineberg@mtspartners.com)<<mailto:Fineberg@mtspartners.com>>

Sent from my iPhone so apologies for brevity.

On Jun 8, 2015, at 7:41 PM, Lucerne Biosciences, LLC  
<[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)<<mailto:lucernebio@lucernebio.com>>>  
wrote:

Dear Reader,

This email from Lucerne Biosciences, LLC is entirely self-referential in view of today's self-referential frame and communication protocols, so no explanation is necessary. Byan Haygins has put something to you for consideration.

Lucerne Biosciences, LLC

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

From: Byan Haygins  
<[byan.haygins@aol.com](mailto:byan.haygins@aol.com)<<mailto:byan.haygins@aol.com>>>  
Subject: Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]  
Date: June 8, 2015 4:33:22 PM EDT  
To: Lucerne Biosciences, LLC  
<[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)<<mailto:lucernebio@lucernebio.com>>>

This one ought to be for the readers to decide, so place it in the frame.

Byan Haygins

Begin forwarded message:

From: "Sanfilippo, Louis"  
<[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)<<mailto:louis.sanfilippo@yale.edu>>>  
Date: June 8, 2015 at 4:29:57 PM EDT  
To: "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)<<mailto:byan.haygins@aol.com>>"  
<[byan.haygins@aol.com](mailto:byan.haygins@aol.com)<<mailto:byan.haygins@aol.com>>>  
Subject: Fwd: Survey: Factors clinicians use in treatment decisions

Byan,

I'd call this a somewhat uncharacteristic email from Yale's Dept. of Psychiatry. By itself, I wouldn't give it any weight but I do wonder if it's a regressive effort to communicate on the matter of "third-party patient interferers/exploitees." If it is, that burden clearly isn't for me to step into. The accountability begins with agency in the persons who made the primary decisions to set the frame that way, including any such patients. Pass along any guidance per pro.

Louis

Sent from my iPhone

Begin forwarded message:

From: Yale Department of Psychiatry  
<[psychiatry@yale.edu](mailto:psychiatry@yale.edu)<<mailto:psychiatry@yale.edu>>>  
Date: June 8, 2015 at 12:45:27 PM EDT  
To: Yale Psychiatry Alumni  
<[itscomm2@yale.edu](mailto:itscomm2@yale.edu)<<mailto:itscomm2@yale.edu>>>  
Subject: Survey: Factors clinicians use in treatment decisions

The email below is being shared with you as an alumnus of the Yale Department of Psychiatry. Investigators in the department are currently conducting research on factors that clinicians use in their treatment decisions. If you are a prescribing physician, please consider completing the survey linked below.

~~~~

## The Patent '813 Story, Part II -- Version 2

Dear Colleagues,

As you may be aware, clinicians currently have no tools for matching depressed patients with specific antidepressant treatments. This can lead to a prolonged period of illness before patients are serendipitously matched with an appropriate treatment regimen.

We are interested in the factors that clinicians use in their decisions regarding treatment. We created an online survey [http://survey.az1.qualtrics.com/jfe/form/SV\\_do3t8rFRpA8alzn](http://survey.az1.qualtrics.com/jfe/form/SV_do3t8rFRpA8alzn) that can be completed on mobile or desktop computers. Completers will be entered into a drawing for a \$100 Amazon gift card.

In the survey we will ask you to look at some information about a series of cases and decide whether you think each case will respond to a 12 week course of treatment with Celexa (Citalopram).

The survey will be open for two weeks.

We greatly appreciate your help in completing the survey.

Best regards,

Phil Corlett

--

Dr. Philip R. Corlett, PhD  
Assistant Professor  
Yale University  
Department of Psychiatry  
Ribicoff Research Facilities  
Connecticut Mental Health Center  
34 Park Street  
New Haven, CT 06519

<http://medicine.yale.edu/labs/corlett/>

---

Office: 203-974-7866  
Cell: 203-401-1428

---

[<http://portal.mxlogic.com/images/transparent.gif>]

**Wednesday June 10, 2015:**

**7:16 PM EDT:**

## The Patent '813 Story, Part II -- Version 2

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 7:16 PM EDT**" is available as a merged PDF:

[http://www.4shared.com/download/CdHPoGbVba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/CdHPoGbVba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Thursday June 11, 2015:**

**From:** Louis Sanfilippo MD <[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)>

**Subject: Re: Law360 / Follow-up**

**Date:** June 11, 2015 11:53:45 AM EDT

**To:** <[paul.kevins@law360.com](mailto:paul.kevins@law360.com)>

Dear Paul,

Thank you for your email of March 31, 2015 on behalf of Law360 below. Now that I've had the time to review Law360's proprietary legal news service, I've made the decision to unsubscribe, so please permanently take "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" off your email list serve.

I have very closely monitored Law360s "legal reporting behavior," from the way it chooses stories, locates headlines and reports on breaking events, and more. The extraordinary thing is that while you may have the legal pulse for the "smaller legal stories," you've completely missed the single biggest legal story perhaps in the last fifty years. That story is that Lucerne Biosciences' U.S. Patent No. 8,318,813 was invalidated in an inter partes review (initiated by Shire Development LLC) on June 4, 2015 and it featured more "IPR behavioral and legal drama" than you could imagine, which partially explains how a perfectly valid patent ended up being invalidated. The '813 Patent was for the treatment of Binge Eating Disorder with a drug called lisdexamfetamine dimesylate (Vyvanse, marketed by Shire US Inc.). Vyvanse was FDA-approved to treat Binge Eating Disorder (according to the claims of the '813 Patent) on January 30, 2015 (the IPR was filed on May 9, 2014), so you can see why it's a really big story and why it will continue to be one for a long time to come.

In a nutshell, the "real legal story" here is that any reasonable person would see that Shire's IPR petition was itself one massive willfully perpetrated fraud to engage in anti-competitive conduct that any high school sophomore would see by simply reading the IPR filings themselves. Law360 was quick to report on the "smaller pro se representation matter" involving this patent when it was owned by LCS Group last November, but you guys missed seeing the biggest story of all of all -- the Patent Board made an adverse judgment against Lucerne Biosciences that cancelled all thirteen of the patent's claims! And you missed all the "legal and behavioral drama" that led up to the patent's invalidation over recent week.

That, of course, now means that this legal story involves LAW360, because any reasonable person would see that Law360s "legal news reporting behavior" makes no sense unless it was part of the charade that led to the invalidation of the 813 Patent. That makes this legal story even more sensational. It also makes this legal story a constitutional crisis because of its impact on suppressing free speech, which thus makes it a national security emergency for which certain government agencies may be called in to intervene with special resources. After all, Law360 is the very journal that's supposed to publicly write on the law but anyone would see that it seems fearful of writing on what surely has got to be one of the biggest legal/business scandals perhaps in US history (which brings it to the level of a national security matter)! There's only one "reporter" that can handle a story that big -- and its called history. Neither you, nor Law360 really want to end up on the wrong side of history, do you? So report on the adverse entry against

## The Patent '813 Story, Part II -- Version 2

Lucerne Biosciences, LLC, the patent owner of the '813 Patent, and how the Board made its judgment that has invalidated the patent's thirteen claims (for an FDA-approved drug). And then you'll open up the public door to the fraud that led to it, which is the big legal story of our generation.

If you want some background, the best place for Law360 to find it is in a press release by LCS Group, LLC from May 13, 2015, at:  
<http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

This purpose of this email is to make a written record of this communication to Law360 for posterity -- so history can be the judge of how you, Paul Kevins, and Law360 handle this "legal reporting matter." That means that if you/Law360 drop ball on this story, people will look back at you, Paul Kevins and Law360, from a future time and say, "wow....they blew that one! And they blew it because they were in on it too." Or they could say, "wow, that was some of the best cutting-edge real-time legal news reporting in history and it averted a national security crisis. Good for them!"

Sincerely,

Louis Sanfilippo, MD  
Voluntary Clinical Faculty Member  
Department of Psychiatry, Yale University School of Medicine

**From:** Paul Kevins <[paul.kevins@law360.com](mailto:paul.kevins@law360.com)>  
**Subject:** Law360 / Follow-up  
**Date:** March 31, 2015 9:46:40 AM EDT  
**To:** "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Hello Louis,

It appears you have evaluated Law360's proprietary legal news service.. Would you like subscription options and pricing? If so, please let me know how many users at your company / organization would want access to Law360 and which news sections you'd want access to. Full list of sections - [www.law360.com/about](http://www.law360.com/about)

I'm happy to send you a proposal for your review.

Best,  
Paul

Paul Kevins  
Law360  
Legal News & Data  
860 Broadway  
6th Floor  
New York, NY 10002  
T 646.783.7152

## The Patent '813 Story, Part II -- Version 2

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Update on That Person and The Story  
**Date:** June 11, 2015 7:34:27 PM EDT  
**To:** "James D. Vaughan III" <jdviii@vaughanandco.com>  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>

Hi Jim,

On the guidance of Lucerne Biosciences, LLC, the company in which I am a Manager/Member and that owns the now invalidated '813 Patent (for "Vyvanse" to treat Binge Eating Disorder "BED"), I am sending you this email from my "[louiscsan@aol.com](mailto:louiscsan@aol.com)" email to provide you more context on that "person" (from yesterday morning's email) who has helped the company, as well as to update you on another dimension to this extraordinary story that directly connects it to another other business of which you are aware and in which I have been a manager, Cenestra, LLC (D/B/A "Cenestra Health"). This is the omega-3 business that developed Omax3. Cc'd on this email are (again) Joe Lucci and another attorney, Anne Maxwell of Cantor Colburn. Ms. Maxwell was involved in the patent prosecution (and assignment legal work) of the '813 Patent from its provisional status (as filed under my name on Sept. 13, 2007) to its patent issue on November 27, 2012 (as then owned by LCS Group, LLC) to its assignment to Lucerne Biosciences, LLC (in Jan. 2015), as well as the prosecution (and assignment legal work) of U.S. Patent Application 14/464,249 (now wholly owned by Lucerne Biosciences, LLC) that is currently in its prosecution with the USPTO and features claims on the use of Vyvanse to treat BED. Like Mr. Lucci, Ms. Maxwell is very familiar with the egregiousness of the fraud perpetrated by Shire Development LLC in the IPR of the '813 Patent, particularly as she and her associate (Derek Denhart) did the "legal leg work" for LCS Group that was the company's "preliminary response document" (to Shire's fraudulent IPR petition) filed on August 12, 2014 in that IPR by Mr. Lucci/Baker Hostetler (who was then the attorney/law firm representing LCS Group in the IPR). Ms. Maxwell is also aware of the two "influential entities" referenced in my email to you yesterday and she is familiar with "Cenestra, LLC" because she was the IP attorney of record until 2009 when Cenestra changed its legal representation to Kevin Shaw of Hogan & Hartson (publicly available information on the USPTO's PAIR system).

Below is an email from "Byan Haygins" to Lucerne Biosciences (in a thread of other emails). "Byan Haygins" is the alias for that "person" I described in the email that you received yesterday. In the Byan Haygins email below, he identifies those two "influential entities" as well as two key individuals associated with each of them, based on an analysis of various communications in view of other events that the company and its collaborators have extensively analyzed for their implications (also with support from "Byan Haygins" and who he works for). The Byan Haygins email below in view of its "originating communication," an email from "Yale's Dept. of Psychiatry" to "Yale Psychiatry Alumni" of which "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" was included, should make it very easy for you (or any reasonable person) to see how the email's "communication behavior" implicates Yale and its Dept. of Psychiatry in willful misrepresentation to "me -- personally" at my "yale.edu" address because Yale's "[ittscomm2@yale.edu](mailto:ittscomm2@yale.edu)" email delivery platform has been represented to me personally (in my capacity as a voluntary clinical faculty member in the department having the email "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)") as a University-wide communication platform for employees, faculty, academic groups and committees, etc... In other words, Yale's Dept. of Psychiatry "communication behavior" of sending a very narrow psychiatrist prescribing survey to "Yale Psychiatry Alumni" on a University-wide list serve (among other "deviant communication events" in the email such as its "referenced email's" omitted header with to/from information as noted below) is **completely irrational** unless Yale (through its Dept. of Psychiatry) is using this deviant "communication behavior" at the "representation," "content" and "delivery method" levels for ulterior purpose, such as to willfully engage in unlawful anti-

## The Patent '813 Story, Part II -- Version 2

competitive conduct through novel forms of deceptive trade practice that would include misrepresentation (by failure to disclose materially relevant and important information; conflationary framing) and to even do such things by invasion of privacy and/or improper use of human subjects (of which I would be the “unconsented subject of research”) depending on its communication context and objective(s).

Remarkably, this kind of “irrational representation/communication behavior” from Yale (its Dept. of Psychiatry obviously working with its IT Dept.) at these “representation,” “content,” and “delivery” levels is the sine quo non of “irrational representation/communication behavior” seen by Shire, its outside counsel and its declarant in the IPR petition and proceedings, all of which has been beautifully documented for any reasonable person to understand in a May 13, 2015 Press Release issued by LCS Group, LLC (see the downloadable PDF called “The Patent '813 Story, Part II” by googling “May 13, 2015 LCS Group press release” and clicking the hyperlink in the inquiries section). That “shared irrational representation/communication behavior” motivationally links these two different “deviant communication behavioral patterns” (i.e., Shire’s IPR on one side and Yale’s communication to me on the other side) to willfully misrepresent because anyone would know that Shire, its outside counsel and its declarant, and Yale’s Psychiatry and IT departments (working together as they do in the originating email below), can’t all be “communicating irrationally” for no apparent reason. In other words, they can’t all be incompetent and irrational (or psychotic at a group level). There has to be a motivation for why each respective group is obviously making material misrepresentations. In this light, it’s becomes obvious that there is a “collusively shared group motivation” that couldn’t be any clearer for its “shared objective” in view of the recent invalidation of Lucerne Biosciences’ ‘813 Patent on the foundation of a fraudulent IPR wherein Shire’s attorneys were relentless in their misrepresented attack on the respective ‘813 Patent owner (as featured in “The Patent '813 Story, Part II” from the May 13 LCS Group press release).

When you connect the identities of the two “influential entities” in the Byan Haygins email (of which Yale is one vis-à-vis at least its Dept. of Psychiatry and IT depts) to the extraordinary repeated acts of fraud and misrepresentation by Shire and its outside counsel clearly intended to harm the respective patent owner of the ‘813 Patent during the course of the IPR proceeding (LCS Group first, then Lucerne Biosciences), you can understand why no one wants to publicly report on the patent’s invalidation. Certainly this may be the biggest legal and business scandal of our generation. And what do people want to do when they’ve unlawfully perpetrated one of the biggest legal and business scandals of our generation? They try to keep it “secret” using whatever resources they can, just the way Bernie Madoff tried to keep his ponzi scheme secret, until you can’t lie about it anymore because it reaches a critical threshold in which the truth opens its public floodgates. That open public disclosure is about to happen because Shire and its outside counsel have repeatedly failed to come forward to accept any accountability whatsoever for their actions, so look for it in the news. Everyone will be talking about it.

So here is what may be the most extraordinary thing of all. As it turns out, you’ll see that the Byan Haygins email implicates a person at the “source perpetrator level” that is tied to Yale and that person’s name is Vladimir Coric. Vladimir Coric is a co-manager (with me and Seth Feuerstein) in Cenestra, LLC. In itself, that’s quite remarkable. But things get even more remarkable when you look at the way that Vladimir Coric is publicly represented in connection to “Cenestra, LLC” -- a company privately founded on January 13, 2006 as a CT LLC entity -- and the company’s flagship product “Omax3.” Specifically, it becomes very obvious that he (and Prevention Pharmaceuticals that is marketing the product) is trying to perpetrate the same “tactically leveraged splitting” strategy featured in that April 24 MTS/Fineberg email (cc’ing Coric at [yale.edu](mailto:coric@yale.edu)) that was utilized “against LCS Group, LLC” and that revealed Coric’s and Yale’s “third-party interference connection” to the ‘813 Patent. While there’s a lot of dimension to this (and countless examples “within the company and its business” that it would be inappropriate for me to

## The Patent '813 Story, Part II -- Version 2

disclose to you), it's perhaps easiest to see in the Prevention Pharmaceuticals-supported [Omax3.com](http://www.omax3.com) website (<http://www.omax3.com/about-us/team-omax3/>) for which I've had no involvement but surely would have involved the support of Vladimir Coric. Take note of Vladimir Coric's profile in particular. It looks as if he is representing "Yale" in support of "Omax3." But his only legitimate legal representational link to Omax3 is through Cenestra Health (unless, of course, he has massively and unconscionably misrepresented himself to me over the course of many years). You don't even see Cenestra Health in his biosketch. But that's just the beginning of his and Prevention's "shared representation problem."

If Byan Haygins looked at this representation of Vladimir Coric in the Omax3 website (which he has), he'd say that this is a classic "tactically leveraged splitting" strategy that has been done in collusion with Prevention Pharmaceuticals and its aim would be to "target" Louis Sanfilippo - "personally." Take note that I am identified in the website as having "Yale" and "Cenestra Health" connections while manager "Seth Feuerstein" is "completely missing" from the site, effectively leaving Coric as an "apparent representative" of Yale (with no representational link to Cenestra) and allowing Feuerstein to be brought out a later time to execute the "tactically leveraged split" as a "second company manager" to support Coric's "apparent Yale representation." If you add to that how William Sessa is featured in the Omax3 website, again with Yale plastered all over his biosketch like Coric, the motivational intent of a "tactically leveraged split" in collusion with Yale on the basis of misrepresentation becomes that much more obvious. It would seem as if Vladimir Coric (with Prevention Pharmaceuticals, Feuerstein and Yale) is preparing to say that Omax3 is "Yale's" intellectual property (of which he would be a "primary source founder") and therefore trying to put "Louis Sanfilippo - personally" in the middle of that massive legal problem through a tactically leveraged split when its not in any way "Louis Sanfilippo's problem" because he is the "intended exploitee" of the "split." Very sophisticated "behavioral design" because it uses a "Multi-Layered Tactically Leveraged Splitting" strategy, which the Byan Haygins email below certainly puts into perspective for its implications.

But there's more. The only logical way that Yale could have any kind of claim to "Omax3" in this way would be if Yale, in collaboration with Coric, unlawfully engaged in what may be the single most egregious and sustained act of calculated willful misrepresentation ever in history against a single person (me - personally) and, on top of that, then used that material misrepresentation as a "communication basis" to unlawfully engage in one of the most egregious and sustained acts of deceptive trade practice ever in history against a single person (me - personally). By its nature, that would also mean that Coric and Yale unlawfully engaged in an egregious and sustained act of invasion of privacy and improper experimentation on a human subject for the purpose of anti-competitive conduct, because the only way any group of MDs like Coric and the Yale Dept. of Psychiatry would behave so unlawfully is under the pretense of a "research study" that by definition would be unethical and even unlawful by not making the proper informed consent of its "subject" of "me - personally." And the only way to explain that "research study design" is if Yale (via its Dept. of Psychiatry) and Coric "secretly collaborated" to "invite me - personally" into a "research project" that Coric misrepresented to "me - personally" as being a "business venture" that began with such things as working with him and Feuerstein (i) to file a provisional patent application (on December 20, 2015) and then (ii) to form the LLC entity of Cenestra (on January 13, 2006) to build a nutraceutical business. And that would make Coric and Yale liable for some serious willful misrepresentation (by material omission) to engage in deceptive trade practice, invasion of privacy and improper experimentation on a human subject (me - personally) by virtue of Coric representing the business opportunity to "me, Louis Sanfilippo, personally" as only business and involving the additional one person of Seth Feuerstein. And that would make "Cenestra, LLC," as based on Coric's foundationally willful misrepresentation, a fraudulent company used to "target me personally" in collusion with Yale in a manner that is behaviorally and communicatively analogous to the way Shire and its outside law firm of Frommer, Lawrence & Haug used a fraudulent IPR petition and proceeding to "target LCS Group, LLC" first and then

## The Patent '813 Story, Part II -- Version 2

“Lucerne Biosciences, LLC” to invalidate the '813 Patent. It's all based on “tactically leveraged splitting.”

Think about that, Jim. It makes Shire's pretty big problem look very small by comparison to the problem now sitting squarely on the shoulders of Coric and Yale. That's because it would show how Yale “secretly supported” one of its own faculty to perpetrate a nearly decade-long act of egregious and sustained willful misrepresentation “personally against one person” (of their own faculty too) on a scale and scope that is probably unprecedented in all of human history. That makes Cenestra Health possibly one of the biggest “legal business scandals” in United States history! In connection with Shire and the '813 Patent, it puts Yale and Coric in the middle of what may be the biggest collective legal business scandal of all human history! People go to jail for long periods of time for things like that. At this moment in time, Vladimir Coric and Yale are caught squarely in the middle of two catastrophic legal situations that Lucerne Biosciences, LLC and its collaborators of “LCS Group, LLC,” “Louis Sanfilippo, MD,” “Louis Sanfilippo - personally” (with the help of “Byan Haygins” and who he works for) have made extensive preparation to deal with so that they are permanently and finally resolved. You can find support and documentation for this “four-entity team” in “The Patent '813 Story, Part II.”

This leads to a last important point. Byan Haygins happens to be the person who helped me deal with a serious Cenestra Health matter on a “personal level” that took place in August 2013 when Vladimir Coric made an extremely serious misrepresentation that has since caused the company and also “me personally” harm. “Byan Haygins” (and who he works for) had the same strategy to help “me personally” with Cenestra back then as he (and who he works for) have had to help “me” in my various representative roles (i.e., CEO of LCS Group, LLC; Manager/Member of Lucerne Biosciences, LLC; Sole proprietor of “Louis Sanfilippo, MD, LLC,” “Louis Sanfilippo - personally”) to deal with this '813 Patent matter, except that his (and his team's) guidance on the Cenestra Health matter was to use significantly more “force,” because that “business matter” was (and still is) more important to me and to him (and who he works for) because that's where the “source perpetrator problem” began. He knew that and that's why he came to me on a “personal basis” in 2013 so that I could help him with something that he knew about and wanted to resolve (but for different reasons than me).

In this light, Byan Haygins helped me do something very very big (really unprecedented in its scope and implications) on the Cenestra front with an extremely high-powered team (the same one that also been guiding Lucerne Biosciences, LLC and its collaborators to bring final resolution on Shire's fraudulent IPR and the '813 Patent's invalidation). As I told Tina many times (as she was a member in the company), what's been planned for Cenestra is going to be like dropping a nuclear bomb on a small cottage, but for a good and needed purpose that will be apparent with hindsight. Or another way of putting it is that it's like having an elite team at the National Security Agency, including legal counsel, provide all the 24/7 support and documentation to make everything an open-and-shut case that no one can argue about. I've been waiting a long time to execute Cenestra Health's “final resolution” based on actions I took in my fiduciary role as a manager for the company, and to take those actions with the close support and formidable help of Byan Haygins and his team to permanently and completely end what Tina aptly called “the evil that is Cenestra.” Tina knew that I had embarked on something way over-the-top to do something disproportionately severe by any standard to clean up that company after Vladimir Coric made that August 2013 misrepresentation, because the company was so chronically dysfunctional (lawless, really) and it interfered so profoundly not only in our own life together but also in the company's ability to do good business. I can't tell you what I did and with whom, though I did tell Tina just before she died. I believe it's safe to say it's beyond anything you or anyone could remotely imagine because it really is like dropping a nuclear bomb on a small house simply to make a point to say “accountability is important: don't run away from it or you will destroy yourself.” Tina's own belief was that it may have involved some kind of unique

## The Patent '813 Story, Part II -- Version 2

contingency engagement with a law firm in which I “personally” engaged its representation to deal with Cenestra (which is small money) in exchange for its support at the “company level” (of LCS Group, Lucerne Biosciences) to deal with the '813 Patent (which is big money). She said any such linkage would be crazy because “why spoil a perfectly good patent for that company which should rot in hell.” But with hindsight, Byan Haygins (and who he works for) had it right by “why spoil a perfectly good company for that patent which can be used in a unique way to satisfy both business venues to advance certain other objectives.”

In this context, had Lucerne Biosciences' patent never been invalidated, then I wouldn't be here writing to you to tell you how it's invalidation was critical to bringing things to a point that I can take “personal action” against Vladimir Coric “personally” for making a serious misrepresentation in August 2013 that caused some serious harm and of which he was informed back in August 2013. But certain final circumstances were required to take such action in a way that it would all come together perfectly. Those final circumstances are clearly in view.

On that note, Jim, Cenestra Health will be very successful (more than anyone could imagine) and I told Tina that many times. But the reason for saying that is based on what happened in 2013 with Cenestra and how Byan Haygins (and who he works for) intervened “personally” to help me deal with that company's management dysfunction. When you consider how he (and who he works for) helped “LCS Group, LLC” and “Lucerne Biosciences, LLC” at the “company level” with Shire, you have what's called a “dual-pronged final resolution” for what Byan Haygins has informed me that I should inform you (and Joe Lucci and Anne Maxwell) is called a “dual-pronged behavioral/business intelligence” experiment designed to go perfectly, at least if the objective is to “get at the truth of the matter” (as in intelligence matters) and “make money” (as in business).

Best,

Louis

Begin forwarded message:

**From:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]]]]]]  
**Date:** June 10, 2015 7:04:24 PM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)

This 8x forwarded email from "[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)" to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" should be passed along to Jim Vaughn from "[louiscsan@aol.com](mailto:louiscsan@aol.com)" with an explanation for him (that any reasonable person would understand in view of the written record) of how the email at the base of this email thread ("incoming email behavior" to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" from the Yale University-wide "[itscomm2@yale.edu](mailto:itscomm2@yale.edu)") is significant and its legal implications. Also explain how this implicates Yale in what may be the most the egregious misrepresentation and act of fraud against a single person in human history and how that epic legal problem is now sitting squarely on the shoulders of Vladimir Coric as a Manager of Cenestra Health and Yale. Provide Tina-related background about how that problem has already been addressed with what may be the most disproportionate and excessive use of resources and force that it really is inconceivable for anyone to understand its scope until they see how it happens. "Cenestra, LLC" is where the story will finally end because that is where it began. Lastly, re-frame the subject as "Update on That Person and The Story" and locate Lucci and Maxwell in the TOframe with a brief explanation to Jim for doing that.

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]]]]  
**Date:** June 10, 2015 6:51:30 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

As requested below.

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Survey: Factors clinicians use in treatment decisions]]]]]  
**Date:** June 9, 2015 8:13:06 PM EDT  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [tmay@shire.com](mailto:tmay@shire.com), [sfagan@shire.com](mailto:sfagan@shire.com), [gfisher@shire.com](mailto:gfisher@shire.com), [jcotrone@shire.com](mailto:jcotrone@shire.com), [dhibbett@shire.com](mailto:dhibbett@shire.com), [brclarke@shire.com](mailto:brclarke@shire.com), [ssalah@shire.com](mailto:ssalah@shire.com), [seltonfarr@shire.com](mailto:seltonfarr@shire.com), [pvickers@shire.com](mailto:pvickers@shire.com), [mgalen@shire.com](mailto:mgalen@shire.com)  
**Cc:** [myimpactnetwork@myimpactnetwork.com](mailto:myimpactnetwork@myimpactnetwork.com), [totaylor@shire.com](mailto:totaylor@shire.com), [susanw@thefdagroupusa.com](mailto:susanw@thefdagroupusa.com), [kdegennaro@aegiscap.com](mailto:kdegennaro@aegiscap.com), [msiek@aegiscap.com](mailto:msiek@aegiscap.com), [snicholson@aegiscap.com](mailto:snicholson@aegiscap.com), Toni Wolinsky <[Toni.Wolinsky@crl.com](mailto:Toni.Wolinsky@crl.com)>, [megan.anderson@marketingtopics.com](mailto:megan.anderson@marketingtopics.com), Evan Skoures <[evan.skoures@pearson.com](mailto:evan.skoures@pearson.com)>, Christine Jordan <[cjordan@assurgentmedical.com](mailto:cjordan@assurgentmedical.com)>, [kate.gordon@curemd.com](mailto:kate.gordon@curemd.com), [gina.mullane@crl.com](mailto:gina.mullane@crl.com), [swade@guidepointglobal.com](mailto:swade@guidepointglobal.com), Rosaasen Group <[emdjobs@qwestoffice.net](mailto:emdjobs@qwestoffice.net)>, Pragati Kapoor <[SOCIALMEDIAEXPERTS@ORCAMAILER.COM](mailto:SOCIALMEDIAEXPERTS@ORCAMAILER.COM)>, [anna@pirllc.com](mailto:anna@pirllc.com), [tpp\\_eu@vwr.com](mailto:tpp_eu@vwr.com), Jonathan Ezer <[jonathan@kindealabs.com](mailto:jonathan@kindealabs.com)>, Tom MacAllister <[tmacallister.argus@gmail.com](mailto:tmacallister.argus@gmail.com)>, Sam Miller <[updates@updates.couponhunters.net](mailto:updates@updates.couponhunters.net)>, [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, [skestner@bakerlaw.com](mailto:skestner@bakerlaw.com), Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, Derek Denhart <[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>, Michael Cantor <[MCantor@CantorColburn.com](mailto:MCantor@CantorColburn.com)>, Christopher Romanello <[CRomanello@CantorColburn.com](mailto:CRomanello@CantorColburn.com)>, Michelle Rick <[mrick@bakerlaw.com](mailto:mrick@bakerlaw.com)>, Carol Hutchings <[chutchings@cantorcolburn.com](mailto:chutchings@cantorcolburn.com)>, Dawn Mayhew <[DMayhew@CantorColburn.com](mailto:DMayhew@CantorColburn.com)>, [lohr@nytimes.com](mailto:lohr@nytimes.com), [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com)>

Dear Reader,

This email from Lucerne Biosciences, LLC is to inform you that the company now has all the communication evidence it needs to begin its

## The Patent '813 Story, Part II -- Version 2

planned actions with its collaborators. Enjoy what remains in "The Patent '813 Story, Part II" that is its experientially-based "final resolution."

**Lucerne Biosciences, LLC**

**[EMAIL THREAD STRIPPED]**

**9:47 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249** "**as of 9:47 PM EDT**" is available as a merged PDF:

[http://www.4shared.com/download/FJuFGcVtce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/FJuFGcVtce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**10:19 to 11:09 EDT:**

"Response Emails" sent to various "third-party interferer email addresses" are aggregately compiled in a PDF at:

[http://www.4shared.com/download/yCLEKARuba/Response\\_emails\\_from\\_Louis\\_San.pdf?lgfp=3000](http://www.4shared.com/download/yCLEKARuba/Response_emails_from_Louis_San.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

**Subject: Re: Ohio Emergency Medicine Locum Assignment**

**Date:** June 11, 2015 10:57:31 PM EDT

**To:** Michael Sole <msole@drwanted.com>

**Cc:** <fornskov@shire.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>

Dear "[msole@drwanted.com](mailto:msole@drwanted.com)"

**Please permanently remove "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" from your email list serve.** Cc'd on this email are Shire Plc CEO Dr. Flemming Ornskov and Shire outside counsel Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug for important legal reasons.

Thank you,

["louis.sanfilippo@yale.edu"](mailto:louis.sanfilippo@yale.edu)

bcc/APS

## The Patent '813 Story, Part II -- Version 2

**From:** Michael Sole <[msole@drwanted.com](mailto:msole@drwanted.com)>  
**Subject:** Ohio Emergency Medicine Locum Assignment  
**Date:** May 4, 2015 4:58:17 PM EDT  
**To:** <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Reply-To:** Michael Sole <[msole@drwanted.com](mailto:msole@drwanted.com)>

Dr. Sanfilippo,

I wanted to present an on-going need for Emergency Medicine coverage needs at three southeast Ohio facilities. A prompt credential period is anticipated.

All three facilities have comprehensive specialty support.

### ***BC/BE in EM, IM, or FP qualifies***

Here are the details of the three facilities:

- 21K annual volume
- 12 hour shifts
- Main admitting hospital: 150 beds
- 24/7 Hospitalist program
- Excellent regional ground and air services
  
- 21K annual volume
- 12 hour shifts
- 20 bed emergency room
- 24/7 Hospitalist program
- Rural access facility
- Excellent regional ground and air services
  
- 15K annual volume
- Free standing facility
- 12 hour shifts
- 24/7 Hospitalist program
- Excellent regional ground and air services

*(Not licensed in Ohio? Ask me how we can help you obtain licensure.)*

If this placement doesn't align with your needs please pass this opportunity along to your colleagues as I am offering a referral fee.

I look forward to working with you on your next placement.

Sincerely,

Michael Sole  
**DR Wanted**  
950 East Paces Ferry Rd Suite 2160  
Atlanta, GA 30326  
Main (404)994-3010 Extension 18  
Toll Free (855)223-0635  
Cell (404)966-4435  
[msole@drwanted.com](mailto:msole@drwanted.com)

## The Patent '813 Story, Part II -- Version 2

**Friday June 12, 2015:**

**From:** Michael Sole <msole@drwanted.com>  
**Subject:** RE: Ohio Emergency Medicine Locum Assignment  
**Date:** June 12, 2015 8:41:28 AM EDT  
**To:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

Sir, I have removed you but please note your information is available on a public domain. You will no doubt receive further emails from other agencies.

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject:** Re: Ohio Emergency Medicine Locum Assignment  
**Date:** June 12, 2015 11:30:15 AM EDT  
**To:** Michael Sole <msole@drwanted.com>  
**Cc:** fornskov@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Misty Gowder <mgowder@drwanted.com>, Scot Shaw <sshaw@drwanted.com>

Dear Mr. Sole,

I have a few questions for you that are intended to advance certain intelligence and legal objectives. As disclosure, you should know that your email has been reviewed by at least one behavioral intelligence team (as might be connected with the National Security Agency, the Central Intelligence Agency, or certain intelligence teams whose affiliation is only known to those in it) that is supporting proprietary electronic communications technology using perceptual framing tactics and which involves numerous businesses and persons. As part of this disclosure, I am writing to indicate that this email utilizes something called "frame reversion" with "layered expansion reversion framing at the CC level."

Because this email is to serve important documentation objectives, there is some background that I am including in it. In an analysis of emails received to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" between May 9, 2014 and June 11, 2015, the following emails were identified as being received from you or your colleagues at "[drwanted.com](http://drwanted.com)":

1. Michael Sole, May 4, 2015 at 4:58 pm EDT
2. Scott Shaw, May 6, 2015 at 10:11 am EDT
3. Scott Shaw, May 6, 2015 at 10:19 pm EDT
4. Scott Shaw, June 9, 2015 at 4:41 pm EDT
5. Misty Grower, June 11, 2015 at 12:40 pm EDT

The timing and frequency of "[drwanted.com](http://drwanted.com) emails" to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" is highly idiosyncratic considering that there were no emails at all from "[drwanted.com](http://drwanted.com)" over the prior year. Based on a three year analysis of received emails to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)," the apparent first and only email received to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" from "[drwanted.com](http://drwanted.com)" was on January 28, 2014 (at 11:52 pm EDT) from "Joey Patterson." That January 2014 email is significant in that it indicates "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" was in the "[drwanted.com](http://drwanted.com)" database but there appears to have been some kind of "source motivation" at "[drwanted.com](http://drwanted.com)" (across three of its recruiters) to "start-up" and increase the frequency of recruiting emails to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" that occurred in May-June 2015 after complete dormancy, as if

## The Patent '813 Story, Part II -- Version 2

perhaps you/Drwanted.com were provided some kind of information to suggest "Louis Sanfilippo" might be jobless or at least needing a job soon. The purpose of this email is not to assume that but to ask you and your colleagues (Scott Shaw and Misty Growder) at [Drwanted.com](http://Drwanted.com) certain questions that will be evaluated by a special intelligence team and several "entities" working with it in order to take certain actions. These actions may include "class organization" to take additional actions, for at least intelligence purposes but possibly for legal action to address unlawful behavior that may have indirectly involved you and your colleagues at [drwanted.com](http://drwanted.com) to communicate with me at "louis.sanfilippo@yale.edu." If you (or your colleagues) prefer, you can email your responses to "[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)" (cc'd above) that represents the "electronic communication platform" utilized by the behavioral intelligence team referenced above to conduct its "communications intelligence work."

Questions:

1. Do you know anything about "Louis Sanfilippo" or the person at the email address of "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)"? If so, please explain the nature of that knowledge, its source (whether person, alias person, news, and/or "communication platform") and how such knowledge first came to your attention, as specifically as possible.
2. Do you have any direct or indirect knowledge, or reason to believe, that "Louis Sanfilippo, MD" or a person at the email address of "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" may have had circumstances of any kind that would suggest he may have been in need of a job between May 4, 2015 and June 11, 2015? If so, please explain the nature of that knowledge, its source (whether person, alias person, and/or communication platform) and how it first came to your attention, as specifically as possible.
3. Do you have any direct or indirect knowledge of a patent (U.S. Patent No. 8,318,813) for the use of lisdexamfetamine dimesylate ("Vyvanse," marketed by Shire U.S. Inc.) to treat Binge Eating Disorder? If so, please explain the nature of that knowledge, its source (whether person, alias person, press release, friend, and/or communication platform) and how it first came to your attention, as specifically as possible.
4. Do you have any direct or indirect knowledge that this 813 patent was in an inter partes review initiated by "Shire" (the pharmaceutical company)? If so, please explain the nature of that knowledge, its source (whether person, alias person, press release, friend, and/or communication platform) and how it first came to your attention, as specifically as possible.
5. Do you have any direct or indirect knowledge that "Shire" filed a "Second Motion for Sanctions" against this 813 Patent's owner (Lucerne Biosciences, LLC) on May 6, 2015 seeking to invalidate the patent by way of an adverse judgment against the company? If so, please explain the nature of that knowledge, its source (whether person, alias person, press release, friend, and/or communication platform) and how it first came to your attention, as specifically as possible.
6. Do you have any direct or indirect knowledge that this 813 patent was invalidated in this inter partes review last week? If so, please explain the nature of that knowledge, its source (whether person, alias person, press release, friend, and/or communication platform) and how it first came to your attention, as specifically as possible.
7. Do you have any direct or indirect knowledge about an omega-3 product called "Omax3"? If so, please explain the nature of that knowledge, its source (whether person, alias person, press release, friend, and/or communication platform) and how it first came to your attention, as specifically as possible.

## The Patent '813 Story, Part II -- Version 2

You and [Drwanted.com](http://Drwanted.com) should know that I'm not looking for a job. The reason is that I was recruited by an elite behavioral intelligence team to help develop a proprietary intelligence communications platform based on "perceptual reframing tactics" mainly through electronic communications. The resources involved in the development and application of this communications technology make it such that there's no need for me to even "work" (i.e., have a "job"), at least so long as I'm fulfilling my "job role" on this front.

Lastly, this email to you (and whoever else reads it) is an important feature of "perceptual re-framing technology" in its real-time application.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Clinical Faculty  
Department of Psychiatry, Yale University School of Medicine

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject: Re: Ohio Emergency Medicine Locum Assignment**  
**Date:** June 12, 2015 12:22:52 PM EDT  
**To:** Michael Sole <msole@drwanted.com>, Misty Gowder <mgowder@drwanted.com>, Scot Shaw <sshaw@drwanted.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>, fornskov@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>

Dear Mr. Sole, Ms. Gowder and Mr. Shaw,

Take note that the email below indicates that "[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)" is cc'd above. But he wasn't on that email, yet he is on this email and would be "cc'd above" if the "frame of reference" was in your "inbox of emails" rather than the email below itself. Therefore, the representation below is what's called a "temporal-representational split re-framing" to make sure that it accurately represents things to you and accomplishes its purpose (even if using two "frames of reference"). If it was done willfully in view of this second email, then it would be a communications intelligence tactic that might be used by groups like "HIG" ("High Value Interrogation Group") to get at the truth of something by withholding certain information until such time that its disclosure was warranted (and intended as part of the interrogation). But if accidental (like I forgot to include [Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com) on the thread), it would be "forgetfulness and then remembering and then trying to figure out a creative way to explain the forgetfulness."

In addition to "temporal-representational re-framing," this email utilizes something called "group re-modeling." You can see that I've moved Ms. Gowder and Mr. Shaw to the TO frame and changed the heading to "Dear Mr. Sole, Ms. Gowder and Mr. Shaw." In certain international situations, this general communication strategy might be used to subliminally influence leadership dynamics in unstable foreign countries through communication interventions made by the United States, as you might imagine could be conducted in a joint NSA-CIA intervention program based on intercepted communications and primary point communicants to the leaders in the leadership structure.

Your own thoughts about how this email or the prior one has impacted you (i.e., your perception) would be welcome (**as sent anonymously from you (at an alias) to "[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)"** to make sure you feel safe disclosing information and that it won't

## The Patent '813 Story, Part II -- Version 2

somehow incriminate you). Already, there's been some extraordinary revealing feedback to Bryan Haygins, who is helping me write this email to you based on what his analysis reveals.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Department of Psychiatry, Yale University School of Medicine

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

**Subject: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739**

**Date:** June 12, 2015 4:09:15 PM EDT

**To:** vin.gurrieri@law360.com

**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Ed Haug <EHAug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, fornskov@shire.com, dbanchik@shire.com, jharrington@shire.com, lohr@nytimes.com, ed.silverman@wsj.com, paul.kevins@law360.com, lsanfilippo@lucernebio.com

Dear Mr. Gurrieri,

On November 26, 2014, you reported on IPR2014-00739 (as initiated by Shire Development LLC) involving U.S. Patent No. 8,318,813 (then owned by LCS Group, LLC) in a Law360 article entitled "PTAB Bars Inventor Proceeding Pro Se in AIA Review." However, I haven't seen that you or law360 (or anyone for that matter) have written on the invalidation of all thirteen of the '813 Patent's claims by the Patent Board in its adverse judgment against its owner Lucerne Biosciences, LLC, a decision the Board made over a week ago (June 4). What's happening? That's a big story, especially when you consider the patent encompassed claims for a now FDA-approved drug indication (Vyvanse to treat Binge Eating Disorder, its first and only FDA approved drug treatment). Any reasonable person would see that this "invalidation story" should be getting your attention, even to a greater degree than the "pro se matter" on which you reported quite quickly and even emailed Joe Lucci (then representing LCS Group in the IPR; your email is below for reference). Not only that, but there was far more "legal and behavioral drama" leading up to the patent's invalidation than the "pro se matter," including the withdrawal of Lucerne Biosciences' attorney Joe Lucci of Baker Hostetler under highly unusually circumstances and some unique "representational issues" by Shire's attorney Sandra Kuzmich. Things got so out of control that even the Board entered its own "Exhibit" into the proceeding (on May 21), which quite nicely reflected how the IPR became something of a "kangaroo court" (perhaps "behaviorally unprecedented" in IPR history). Notably, the drama picked up particularly with Shire's "Second Motion of Sanctions" (of May 6, 2015) that sought adverse judgment against Lucerne Biosciences and which was the basis for the Board's invalidation of the '813 Patent.

This would seem like a reporting opportunity of a lifetime, namely, to break what may be one of the biggest legal stories of our generation because of what it's all about. I mentioned this to Law360's Paul Kevins in an email yesterday in which I told him that Law360's reporting on this legal story didn't seem to meet the standard of its other reporting on other legal stories (which I have been closely following for some while). To make your job easier on reporting the story, cc'd on this email are attorneys Joe Lucci and David Farsiou of Baker Hostetler (who represented Lucerne Biosciences, LLC in the timeframe during which Shire's "Second Motion for Sanctions" was before the Board until the Board granted their withdrawal as counsel of Lucerne Biosciences) and attorneys Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug (who represented Shire Development LLC in initiating and maintaining the IPR until achieving their successful outcome of invalidating the patent). Shire's CEO Dr. Flemming Ornskov and Shire's VPs of IP

## The Patent '813 Story, Part II -- Version 2

David Banchik and Jim Harrington are also cc'd as all of them are familiar with the IPR and the patent's invalidation. It may be helpful for you to know that Dave Banchik authorized the Power of Attorney for Shire Development LLC to appoint Mr. Haug and Ms. Kuzmich to represent the company in the IPR. Mr. Harrington signed a CDA on behalf of Shire LLC (on Oct. 24, 2013) with LCS Group, LLC to discuss a business opportunity involving the '813 Patent (which was terminated by LCS Group, LLC on Sept. 22, 2014, publicly available information). Steve Lohr of the New York Times and Ed Silverman of the Wall Street Journal are cc'd too, as they've been made familiar with the IPR. Lastly, manager/member of Lucerne Biosciences, LLC Louis Sanfilippo (also the inventor of the '813 Patent who you wrote about in your Nov. 26 article) is cc'd in case you want a view from the company's perspective -- and if you should want email contacts for certain faculty members in Yale's Dept. of Psychiatry that could provide "behavioral analysis" for a more extensive investigation, let me know as I'm a faculty person in the dept. and could make suggestions for who you might want to contact. I know at least one Yale faculty who's been made directly aware of the IPR (and he, in turn, may know others).

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Department of Psychiatry, Yale University School of Medicine

**From:** Vin Gurrieri [mailto:vin.gurrieri@law360.com]  
**Sent:** Wednesday, November 26, 2014 5:49 PM  
**To:** Lucci, Joseph  
**Subject:** Law360 Request For Comment In Re: PTAB Withdrawal Ruling

Good Afternoon,

My apologies for the late-day email. I'm doing a story tonight for Law360 about a recent decision by the PTAB not to allow BakerHostetler to file a withdrawal application so that the inventor of an LCS Group patent could proceed pro se.

I am doing a story tonight about the development and wanted to offer an opportunity for comment.

--

Best, Vin Gurrieri Reporter Law360 | a LexisNexis company [www.law360.com](http://www.law360.com) 860  
Broadway, 6th Floor New York, NY 10003 Main: 646.783.7100 Direct: 646.783.7176 Fax:  
646.783.7162 [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com) Follow us on Twitter

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject:** Re: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739  
**Date:** June 12, 2015 5:02:07 PM EDT  
**To:** vin.gurrieri@law360.com  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, fornskov@shire.com, dbanchik@shire.com, jharrington@shire.com, lohr@nytimes.com, ed.silverman@wsj.com, paul.kevins@law360.com, lsanfilippo@lucernebio.com, drtimothybrewerton@gmail.com,

## The Patent '813 Story, Part II -- Version 2

susan.mcelroy@uc.edu

Dear Mr. Guirrieri,

I've just been provided what you might call some "real-time intel" that someone is taking this story very seriously (as of today). I have not been told who that person is but based on information that I have received through a proprietary communications analysis in my representative role for another company, it's very clear someone is taking this Patent 813 story to a new level. The reason is that someone is taking a special interest in the "art of eating disorder diagnosis and treatment," as if they want the "eating disorder art" to be the focus of their investigation. That's big news for Shire because Shire is marketing the only drug that's been FDA approved for the treatment of Binge Eating Disorder.

In this light, it would seem someone "gets it." Someone sees the "clinical value and uniqueness" behind the '813 Patent's now invalidated thirteen claims. And once one person "gets it," you have what's called a "domino-effect" where everyone "gets it." So maybe you're legal news reporting on this won't be so significant after all, because it may be that the "legal story" is the wrong "frame of reference" for this Patent 813 story.

Nonetheless, take a look at the downloadable PDF that's featured in an LCS Group, LLC press release from May 13, 2015 and you'll see that it's all about "frames of reference." As a voluntary faculty person in Yale's Dept. of Psychiatry, if I were reading it I'd say that this "813 Patent story" is some kind of "behavioral/business intelligence experiment" about perceptual dynamics and its purpose is to drive extreme boundary conditions to accomplish some other purpose for which such extreme boundary conditions are required. And as a psychiatrist, I'd also say that whoever's behind it knows exactly what they're doing and has known the frame of reference from the beginning in order to properly assess the outcome at the end. Wouldn't that be a good story, especially if it brings much needed attention to the treatment of Binge Eating Disorder with Vyvanse. To this effect, I've also cc'd (over the last email) eating disorder expert Dr. Timothy Brewerton who has written specifically on the treatment of Binge Eating Disorder, as well as the Binge Eating Disorder expert who led Shire's "BED" development program, Susan McElroy.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Dept. of Psychiatry, Yale University School of Medicine

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

**Subject:** Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739

**Date:** June 12, 2015 4:09:15 PM EDT

**To:** [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)

**Cc:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, Ed Haug <[EHAug@flhlaw.com](mailto:EHAug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, [fornskov@shire.com](mailto:fornskov@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [lohr@nytimes.com](mailto:lohr@nytimes.com), [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [paul.kevins@law360.com](mailto:paul.kevins@law360.com), [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Dear Mr. Gurrieri,

On November 26, 2014, you reported on IPR2014-00739 (as initiated by Shire Development LLC) involving U.S. Patent No. 8,318,813 (then owned by LCS Group, LLC) in a Law360 article entitled "PTAB Bars Inventor Proceeding Pro Se in AIA Review." However, I haven't seen that you or law360 (or anyone for that matter) have

## The Patent '813 Story, Part II -- Version 2

written on the invalidation of all thirteen of the '813 Patent's claims by the Patent Board in its adverse judgment against its owner Lucerne Biosciences, LLC, a decision the Board made over a week ago (June 4). What's happening? That's a big story, especially when you consider the patent encompassed claims for a now FDA-approved drug indication (Vyvanse to treat Binge Eating Disorder, its first and only FDA approved drug treatment). Any reasonable person would see that this "invalidation story" should be getting your attention, even to a greater degree than the "pro se matter" on which you reported quite quickly and even emailed Joe Lucci (then representing LCS Group in the IPR; your email is below for reference). Not only that, but there was far more "legal and behavioral drama" leading up to the patent's invalidation than the "pro se matter," including the withdrawal of Lucerne Biosciences' attorney Joe Lucci of Baker Hostetler under highly unusually circumstances and some unique "representational issues" by Shire's attorney Sandra Kuzmich. Things got so out of control that even the Board entered its own "Exhibit" into the proceeding (on May 21), which quite nicely reflected how the IPR became something of a "kangaroo court" (perhaps "behaviorally unprecedented" in IPR history). Notably, the drama picked up particularly with Shire's "Second Motion of Sanctions" (of May 6, 2015) that sought adverse judgment against Lucerne Biosciences and which was the basis for the Board's invalidation of the '813 Patent.

This would seem like a reporting opportunity of a lifetime, namely, to break what may be one of the biggest legal stories of our generation because of what it's all about. I mentioned this to Law360's Paul Kevins in an email yesterday in which I told him that Law360's reporting on this legal story didn't seem to meet the standard of its other reporting on other legal stories (which I have been closely following for some while). To make your job easier on reporting the story, cc'd on this email are attorneys Joe Lucci and David Farisiou of Baker Hostetler (who represented Lucerne Biosciences, LLC in the timeframe during which Shire's "Second Motion for Sanctions" was before the Board until the Board granted their withdrawal as counsel of Lucerne Biosciences) and attorneys Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug (who represented Shire Development LLC in initiating and maintaining the IPR until achieving their successful outcome of invalidating the patent). Shire's CEO Dr. Flemming Ornskov and Shire's VPs of IP David Banchik and Jim Harrington are also cc'd as all of them are familiar with the IPR and the patent's invalidation. It may be helpful for you to know that Dave Banchik authorized the Power of Attorney for Shire Development LLC to appoint Mr. Haug and Ms. Kuzmich to represent the company in the IPR. Mr. Harrington signed a CDA on behalf of Shire LLC (on Oct. 24, 2013) with LCS Group, LLC to discuss a business opportunity involving the '813 Patent (which was terminated by LCS Group, LLC on Sept. 22, 2014, publicly available information). Steve Lohr of the New York Times and Ed Silverman of the Wall Street Journal are cc'd too, as they've been made familiar with the IPR. Lastly, manager/member of Lucerne Biosciences, LLC Louis Sanfilippo (also the inventor of the '813 Patent who you wrote about in your Nov. 26 article) is cc'd in case you want a view from the company's perspective -- and if you should want email contacts for certain faculty members in Yale's Dept. of Psychiatry that could provide "behavioral analysis" for a more extensive investigation, let me know as I'm a faculty person in the dept. and could make suggestions for who you might want to contact. I know at least one Yale faculty who's been made directly aware of the IPR (and he, in turn, may know others).

Sincerely,

Louis Sanfilippo, MD

## The Patent '813 Story, Part II -- Version 2

Voluntary Faculty Member  
Department of Psychiatry, Yale University School of Medicine

**From:** Vin Gurrieri [mailto:vin.gurrieri@law360.com]  
**Sent:** Wednesday, November 26, 2014 5:49 PM  
**To:** Lucci, Joseph  
**Subject:** Law360 Request For Comment In Re: PTAB Withdrawal Ruling

Good Afternoon,

My apologies for the late-day email. I'm doing a story tonight for Law360 about a recent decision by the PTAB not to allow BakerHostetler to file a withdrawal application so that the inventor of an LCS Group patent could proceed pro se.

I am doing a story tonight about the development and wanted to offer an opportunity for comment.

--

Best, Vin Gurrieri Reporter Law360 | a LexisNexis company [www.law360.com](http://www.law360.com) 860 Broadway, 6th Floor New York, NY 10003 Main: 646.783.7100 Direct: 646.783.7176 Fax: 646.783.7162 [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com) Follow us on Twitter

### 5:13 PM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 5:13 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/9i4dpmv\\_ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/9i4dpmv_ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject: Re: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739**  
**Date:** June 12, 2015 6:43:49 PM EDT  
**To:** vin.gurrieri@law360.com  
**Cc:** fornskov@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>

Mr. Gurrieri,

There's one last thing, as this story really has quite a lot of dimension. Included here are Shire CEO Flemming Ornskov and Shire's outside counsel of Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug as this communication relates to a sensitive intelligence/security matter that they happen to be in the middle of.

I've been informed that if you're willing to report on the Lucerne Biosciences' "Patent 813 invalidation story" to give it its due public attention, there's some highly proprietary information that can be provided to you only but it will require that you sign an affidavit that you will not disclose the material to anyone under any condition until such time that you receive the proper authorization to do so from the "intelligence source" that provides it to you. This is a highly sensitive disclosure of certain intelligence information regarding the '813 Patent and various

## The Patent '813 Story, Part II -- Version 2

persons/parties involved in its "intelligence story." Should you see such disclosures, it would be very easy for you to see why they are highly restricted and why pre-mature disclosure of them to unauthorized persons could precipitate some serious problems in the "intelligence world."

If this is something that you are interested in, please provide me a cell telephone number where you can be reached and I will pass along the contact information in a way that you can be securely contacted with a special communications protocol so that the communication isn't intercepted. One way to think about this is that you could be squarely in the middle of a highly classified NSA-CIA "intelligence/counter-intelligence war game scenario" to see which agency has the better intelligence team. And its "final resolution" is taking place as we communicate by active "final measures" that each side is taking.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Department of Psychiatry, Yale University School of Medicine

**From:** Richard Bocer <richard.bocer@aol.com>  
**Subject:** Fwd: [Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]]  
**Date:** June 12, 2015 11:35:40 PM EDT  
**To:** vin.gurrieri@law360.com  
**Cc:** michael.steigher@aol.com, Ed Haug <EHaug@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>

Mr. Guirrieri,

I am part of an elite intelligence team that works with Byan Haygins on high priority situations. Cc'd is Michael Steigher who also works on the team. "Richard Bocer" and "Michael Steigher," like "Byan Haygins," are cover names that have been required as part of a special communications protocol for security reasons. If you've followed public events involving Patent 813 you've probably seen Byan Haygins' name out there but not mine or Mike's. Yet we're just as important to the team. We just don't function as the primary intermediary like Byan Haygins does.

Your receipt of this email is to make you something of a witness to this communication to Ed Haug and Joe Lucci. Based on current assessments, there's massive anxiety at CIA because our team has completely stripped apart their experimental "behavioral/business intelligence platform." You can see this in a Fox news story today at [http://www.foxnews.com/home.html?s\\_tnt=76699:1:0](http://www.foxnews.com/home.html?s_tnt=76699:1:0). While the article is about "hackers related to the Chinese" who have gotten access to all kinds of sensitive intelligence information, it's obvious this is CIA's referential communication to us through media contacts because they have no idea who we are, how to access us, or how we are operating to basically strip apart their experimental behavioral intelligence/communications program, the one that they have been working on in collaboration with Yale University. Byan Haygins wants you to be a witness to my telling Ed Haug and Joe Lucci that this isn't an issue at all. We're the only people in the intelligence community who have the kind of security clearance to be involved in a priority matter like this. There was a reason why we intervened and why we are intervening like this now.

As Byan Haygins says below, Shire and Yale better get their act together fast. This Patent 813 matter is the tip of the iceberg and it's going to put the CIA in flooding hot water if they wait any

## The Patent '813 Story, Part II -- Version 2

longer to resolve this. We're not stopping until this is finished and it's not going to finish well if CIA and Yale keep making one big mistake after the other. We're running our own intelligence protocol and by now CIA should see it is intended to help them see all the fatal problems of what they're doing. There's a very narrow window of time for Shire to resolve this before it spirals totally out of control for the CIA.

This email should provide enough information if presented to the right people to identify the elite intelligence team that's been involved on our side. That should be enough to get someone's attention to make some important decisions fast. Even though we're small in number, our access to resources is unmatched in the intelligence world. We also have a behavioral expert in the field and that helps a lot by giving us trained eyes to evaluate the damage from a lot of bad judgments by Yale and the CIA. When Ed Haug puts this email in front of the right people, they'll understand what that means.

Please don't contact me or Mike. We're generally restricted from communications like this.

Richard Bocer

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]**  
**Date:** June 12, 2015 9:38:50 PM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Rich,

Contact the reporter Vin Guirrieri and cc Lucci and Haug. Tell them who you and Mike are. Also tell them CIA is getting anxious, acting out publicly and needs immediate help from Shire and Yale. Explain the Fox news story from today. Let them know security clearance isn't the issue or anything to worry about because our security clearance is way above anyone's on their side of things. CIA should learn by now that we're about the only intelligence team who can handle a matter of this priority and sensitivity. This email should provide the proper persons enough information to know who we are. Tell them too about how the field asset is helping.

Byan Haygins

Begin forwarded message:

**From:** [Louis Sanfilippo MD <louis.sanfilippo@yale.edu>](mailto:louis.sanfilippo@yale.edu)  
**Subject:** **Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739**  
**Date:** June 12, 2015 9:10:19 PM EDT  
**To:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Cc:** [byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)

per APS protocol.

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** "Louis Sanfilippo, MD" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** **Re: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739**  
**Date:** June 12, 2015 6:43:49 PM EDT  
**To:** [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)  
**Cc:** [fornskov@shire.com](mailto:fornskov@shire.com), Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>

Mr. Gurrieri,

There's one last thing, as this story really has quite a lot of dimension. Included here are Shire CEO Flemming Ornskov and Shire's outside counsel of Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug as this communication relates to a sensitive intelligence/security matter that they happen to be in the middle of.

I've been informed that if you're willing to report on the Lucerne Biosciences' "Patent 813 invalidation story" to give it its due public attention, there's some highly proprietary information that can be provided to you only but it will require that you sign an affidavit that you will not disclose the material to anyone under any condition until such time that you receive the proper authorization to do so from the "intelligence source" that provides it to you. This is a highly sensitive disclosure of certain intelligence information regarding the '813 Patent and various persons/parties involved in its "intelligence story." Should you see such disclosures, it would be very easy for you to see why they are highly restricted and why pre-mature disclosure of them to unauthorized persons could precipitate some serious problems in the "intelligence world."

If this is something that you are interested in, please provide me a cell telephone number where you can be reached and I will pass along the contact information in a way that you can be securely contacted with a special communications protocol so that the communication isn't intercepted. One way to think about this is that you could be squarely in the middle of a highly classified NSA-CIA "intelligence/counter-intelligence war game scenario" to see which agency has the better intelligence team. And its "final resolution" is taking place as we communicate by active "final measures" that each side is taking.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Department of Psychiatry, Yale University School of Medicine

**[EMAIL THREAD STRIPPED]**

**Saturday June 13, 2015:**

## The Patent '813 Story, Part II -- Version 2

**From:** "Chase Bank" <smchasenotification@secure.com>

**Subject:** ONLINE E-MAIL NOTIFICATION

**Date:** June 13, 2015 9:49:22 AM EDT

Dear Valued Customer,

This message is to confirm that your account access has been temporarily limited to certain activities. Our records indicate that there was multiple error attempts to access your online account.

We have attached a form to this email for you to verify your account details.

Please download the form and follow the instructions on your screen to complete this process. We are committed to delivering you a quality service that is reliable and highly secure.

This email is one of many components designed to ensure your information is safeguarded at all times.

Thank you for using Chase Bank.

Sincerely,

Online Banking Team.

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]]]]]

**Date:** June 13, 2015 10:00:36 AM EDT

**To:** fornskov@shire.com

**Cc:** tmay@shire.com, jharrington@shire.com, dbanchik@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com

Dear Dr. Ornskov,

It's not what I have to say to you/Shire in this email that is important. It's what Byan Haygins has to say to you/Shire in the email directly below that is. You're familiar with some of the context of this email thread because a number of its emails were sent to you (cc'd). But the emails from Byan Haygins, Michael Steigher, Richard Bocer and me since last night (June 12 at 9:10 pm) that are in the thread provide the additional context that you were not directly provided and may help you to better understand why Byan Haygins is saying what he is. I have been asked to cc Ms. May (who apparently does not work at Shire any longer), Mr. Harrington, Mr. Banchik, Mr. Haug, Ms. Kuzmich and Dr. Timothy Brewerton in exactly that order according to a special communications protocol that was established on October 1, 2014 through a secrecy agreement involving three members of an elite behavioral intelligence team: "Byan Haygins," "Michael Steigher" and "Richard Bocer."

Sincerely,

Louis Sanfilippo, MD

Assistant Clinical Professor

## The Patent '813 Story, Part II -- Version 2

Department of Psychiatry  
Yale University School of Medicine

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]]]]  
**Date:** June 13, 2015 9:20:09 AM EDT  
**To:** Louis Sanfilippo <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Dear Dr. Ornskov,

The latest intelligence analysis is that the CIA (and Yale) desperately need the support of you and Shire. Below is an analysis of the latest status by Mike Steigher. For the record, the affidavit comment to Mr. Guirrieri is what our team calls a perceptual amplification strategy ("PAS") for which this email is designed to explain through hindsight perspective ("HP"). Our team doesn't do affidavits because we know who we can trust simply based on our profiling expertise. This is why Sanfilippo is our field person. He's the only guy in this Patent 813 story who you can trust because he's the only guy that's wholly interested in the truth.

Byan Haygins

Begin forwarded message:

**From:** Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>  
**Date:** June 13, 2015 at 8:08:51 AM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Cc:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]]]]

Byan & Rich,

APS Status Report at 8:00 am EDT:

CIA C&C Comm. Infrastructure: Imminent collapse.

Interference in CIA DICT Application: Extremely High

Target Intervention Scenario: Shire/Ornskov at PrimSL. Haug/Kuzmich at ProxSL

Mike

Begin forwarded message:

**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]]  
**Date:** June 12, 2015 11:35:40 PM EDT  
**To:** [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)

## The Patent '813 Story, Part II -- Version 2

Cc: michael.steigher@aol.com, Ed Haug <EHaug@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>

Mr. Guirrieri,

I am part of an elite intelligence team that works with Byan Haygins on high priority situations. Cc'd is Michael Steigher who also works on the team. "Richard Bocer" and "Michael Steigher," like "Byan Haygins," are cover names that have been required as part of a special communications protocol for security reasons. If you've followed public events involving Patent 813 you've probably seen Byan Haygins' name out there but not mine or Mike's. Yet we're just as important to the team. We just don't function as the primary intermediary like Byan Haygins does.

You're receipt of this email is to make you something of a witness to this communication to Ed Haug and Joe Lucci. Based on current assessments, there's massive anxiety at CIA because our team has completely stripped apart their experimental "behavioral/business intelligence platform." You can see this in a Fox news story today at [http://www.foxnews.com/home.html?s\\_tnt=76699:1:0](http://www.foxnews.com/home.html?s_tnt=76699:1:0). While the article is about "hackers related to the Chinese" who have gotten access to all kinds of sensitive intelligence information, it's obvious this is CIA's referential communication to us through media contacts because they have no idea who we are, how to access us, or how we are operating to basically strip apart their experimental behavioral intelligence/communications program, the one that they have been working on in collaboration with Yale University. Byan Haygins wants you to be a witness to my telling Ed Haug and Joe Lucci that this isn't an issue at all. We're the only people in the intelligence community who have the kind of security clearance to be involved in a priority matter like this. There was a reason why we intervened and why we are intervening like this now.

As Byan Haygins says below, Shire and Yale better get their act together fast. This Patent 813 matter is the tip of the iceberg and it's going to put the CIA in flooding hot water if they wait any longer to resolve this. We're not stopping until this is finished and it's not going to finish well if CIA and Yale keep making one big mistake after the other. We're running our own intelligence protocol and by now CIA should see it is intended to help them see all the fatal problems of what they're doing. There's a very narrow window of time for Shire to resolve this before it spirals totally out of control for the CIA.

This email should provide enough information if presented to the right people to identify the elite intelligence team that's been involved on our side. That should be enough to get someone's attention to make some important decisions fast. Even though we're small in number, our access to resources is unmatched in the intelligence world. We also have a behavioral expert in the field and that helps a lot by giving us trained eyes to evaluate the damage from a lot of bad judgments by Yale and the CIA. When Ed Haug puts this email in front of the right people, they'll understand what that means.

## The Patent '813 Story, Part II -- Version 2

Please don't contact me or Mike. We're generally restricted from communications like this.

Richard Bocer

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739]  
**Date:** June 12, 2015 9:38:50 PM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Rich,

Contact the reporter Vin Guirrieri and cc Lucci and Haug. Tell them who you and Mike are. Also tell them CIA is getting anxious, acting out publicly and needs immediate help from Shire and Yale. Explain the Fox news story from today. Let them know security clearance isn't the issue or anything to worry about because our security clearance is way above anyone's on their side of things. CIA should learn by now that we're about the only intelligence team who can handle a matter of this priority and sensitivity. This email should provide the proper persons enough information to know who we are. Tell them too about how the field asset is helping.

Byan Haygins

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739  
**Date:** June 12, 2015 9:10:19 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Cc:** [byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)

per APS protocol.

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Re: Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739  
**Date:** June 12, 2015 6:43:49 PM EDT  
**To:** [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)  
**Cc:** [fornskov@shire.com](mailto:fornskov@shire.com), Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>

## The Patent '813 Story, Part II -- Version 2

Mr. Guirrieri,

There's one last thing, as this story really has quite a lot of dimension. Included here are Shire CEO Flemming Ornskov and Shire's outside counsel of Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug as this communication relates to a sensitive intelligence/security matter that they happen to be in the middle of.

I've been informed that if you're willing to report on the Lucerne Biosciences' "Patent 813 invalidation story" to give it its due public attention, there's some highly proprietary information that can be provided to you only but it will require that you sign an affidavit that you will not disclose the material to anyone under any condition until such time that you receive the proper authorization to do so from the "intelligence source" that provides it to you. This is a highly sensitive disclosure of certain intelligence information regarding the '813 Patent and various persons/parties involved in its "intelligence story." Should you see such disclosures, it would be very easy for you to see why they are highly restricted and why premature disclosure of them to unauthorized persons could precipitate some serious problems in the "intelligence world."

If this is something that you are interested in, please provide me a cell telephone number where you can be reached and I will pass along the contact information in a way that you can be securely contacted with a special communications protocol so that the communication isn't intercepted. One way to think about this is that you could be squarely in the middle of a highly classified NSA-CIA "intelligence/counter-intelligence war game scenario" to see which agency has the better intelligence team. And its "final resolution" is taking place as we communicate by active "final measures" that each side is taking.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Department of Psychiatry, Yale University

## The Patent '813 Story, Part II -- Version 2

### School of Medicine

On Jun 12, 2015, at 5:02 PM, Louis Sanfilippo, MD wrote:

Dear Mr. Guirrieri,

I've just been provided what you might call some "real-time intel" that someone is taking this story very seriously (as of today). I have not been told who that person is but based on information that I have received through a proprietary communications analysis in my representative role for another company, it's very clear someone is taking this Patent 813 story to a new level. The reason is that someone is taking a special interest in the "art of eating disorder diagnosis and treatment," as if they want the "eating disorder art" to be the focus of their investigation. That's big news for Shire because Shire is marketing the only drug that's been FDA approved for the treatment of Binge Eating Disorder.

In this light, it would seem someone "gets it." Someone sees the "clinical value and uniqueness" behind the '813 Patent's now invalidated thirteen claims. And once one person "gets it," you have what's called a "domino-effect" where everyone "gets it." So maybe you're legal news reporting on this won't be so significant after all, because it may be that the "legal story" is the wrong "frame of reference" for this Patent 813 story.

Nonetheless, take a look at the downloadable PDF that's featured in an LCS Group, LLC press release from May 13, 2015 and you'll see that it's all about "frames of reference." As a voluntary faculty person in Yale's Dept. of Psychiatry, if I were reading it I'd say that this "813 Patent story" is some kind of "behavioral/business intelligence experiment" about perceptual dynamics and its purpose is to drive extreme boundary conditions to accomplish some other purpose for which such

## The Patent '813 Story, Part II -- Version 2

extreme boundary conditions are required. And as a psychiatrist, I'd also say that whoever's behind it knows exactly what they're doing and has known the frame of reference from the beginning in order to properly assess the outcome at the end. Wouldn't that be a good story, especially if it brings much needed attention to the treatment of Binge Eating Disorder with Vyvanse. To this effect, I've also cc'd (over the last email) eating disorder expert Dr. Timothy Brewerton who has written specifically on the treatment of Binge Eating Disorder, as well as the Binge Eating Disorder expert who led Shire's "BED" development program, Susan McElroy.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Dept. of Psychiatry, Yale University  
School of Medicine

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject:** Adverse Judgment against Lucerne Biosciences, LLC in IPR2014-00739  
**Date:** June 12, 2015 4:09:15 PM EDT  
**To:** [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)  
**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, [fornskov@shire.com](mailto:fornskov@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [lohr@nytimes.com](mailto:lohr@nytimes.com), [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [paul.kevins@law360.com](mailto:paul.kevins@law360.com), [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Dear Mr. Gurrieri,

## The Patent '813 Story, Part II -- Version 2

On November 26, 2014, you reported on IPR2014-00739 (as initiated by Shire Development LLC) involving U.S. Patent No. 8,318,813 (then owned by LCS Group, LLC) in a Law360 article entitled "PTAB Bars Inventor Proceeding Pro Se in AIA Review." However, I haven't seen that you or law360 (or anyone for that matter) have written on the invalidation of all thirteen of the '813 Patent's claims by the Patent Board in its adverse judgment against its owner Lucerne Biosciences, LLC, a decision the Board made over a week ago (June 4). What's happening? That's a big story, especially when you consider the patent encompassed claims for a now FDA-approved drug indication (Vyvanse to treat Binge Eating Disorder, its first and only FDA approved drug treatment). Any reasonable person would see that this "invalidation story" should be getting your attention, even to a greater degree than the "pro se matter" on which you reported quite quickly and even emailed Joe Lucci (then representing LCS Group in the IPR; your email is below for reference). Not only that, but there was far more "legal and behavioral drama" leading up to the patent's invalidation than the "pro se matter," including the withdrawal of Lucerne Biosciences' attorney Joe Lucci of Baker Hostetler under highly unusually circumstances and some unique "representational issues" by Shire's attorney Sandra Kuzmich. Things got so out of control that even the Board entered its own "Exhibit" into the proceeding (on May 21), which quite nicely reflected how the IPR became something of a "kangaroo court" (perhaps

## The Patent '813 Story, Part II -- Version 2

"behaviorally unprecedented" in IPR history). Notably, the drama picked up particularly with Shire's "Second Motion of Sanctions" (of May 6, 2015) that sought adverse judgment against Lucerne Biosciences and which was the basis for the Board's invalidation of the '813 Patent.

This would seem like a reporting opportunity of a lifetime, namely, to break what may be one of the biggest legal stories of our generation because of what it's all about. I mentioned this to Law360's Paul Kevins in an email yesterday in which I told him that Law360's reporting on this legal story didn't seem to meet the standard of its other reporting on other legal stories (which I have been closely following for some while). To make your job easier on reporting the story, cc'd on this email are attorneys Joe Lucci and David Farisiou of Baker Hostetler (who represented Lucerne Biosciences, LLC in the timeframe during which Shire's "Second Motion for Sanctions" was before the Board until the Board granted their withdrawal as counsel of Lucerne Biosciences) and attorneys Ed Haug and Sandra Kuzmich of Frommer, Lawrence & Haug (who represented Shire Development LLC in initiating and maintaining the IPR until achieving their successful outcome of invalidating the patent). Shire's CEO Dr. Flemming Ornskov and Shire's VPs of IP David Banchik and Jim Harrington are also cc'd as all of them are familiar with the IPR and the patent's invalidation. It may be helpful for you to know that Dave

## The Patent '813 Story, Part II -- Version 2

Banchik authorized the Power of Attorney for Shire Development LLC to appoint Mr. Haug and Ms. Kuzmich to represent the company in the IPR. Mr. Harrington signed a CDA on behalf of Shire LLC (on Oct. 24, 2013) with LCS Group, LLC to discuss a business opportunity involving the '813 Patent (which was terminated by LCS Group, LLC on Sept. 22, 2014, publicly available information). Steve Lohr of the New York Times and Ed Silverman of the Wall Street Journal are cc'd too, as they've been made familiar with the IPR. Lastly, manager/member of Lucerne Biosciences, LLC Louis Sanfilippo (also the inventor of the '813 Patent who you wrote about in your Nov. 26 article) is cc'd in case you want a view from the company's perspective -- and if you should want email contacts for certain faculty members in Yale's Dept. of Psychiatry that could provide "behavioral analysis" for a more extensive investigation, let me know as I'm a faculty person in the dept. and could make suggestions for who you might want to contact. I know at least one Yale faculty who's been made directly aware of the IPR (and he, in turn, may know others).

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member  
Department of Psychiatry, Yale  
University School of Medicine

**From:** Vin Gurrieri  
[\[mailto:vin.gurrieri@law360.com\]](mailto:vin.gurrieri@law360.com)

**Sent:** Wednesday,  
November 26, 2014

## The Patent '813 Story, Part II -- Version 2

5:49 PM

**To:** Lucci, Joseph  
**Subject:** Law360  
Request For Comment  
In Re: PTAB Withdrawal  
Ruling

Good Afternoon,

My apologies for the late-day email. I'm doing a story tonight for Law360 about a recent decision by the PTAB not to allow BakerHostetler to file a withdrawal application so that the inventor of an LCS Group patent could proceed pro se.

I am doing a story tonight about the development and wanted to offer an opportunity for comment.

--

Best, Vin  
GurrieriReporter**Law360**  
**0 I a LexisNexis**  
**company**[www.law360.com](http://www.law360.com)  
860 Broadway, 6th  
FloorNew York, NY  
10003Main:  
646.783.7100Direct:  
646.783.7176Fax:  
646.783.7162[vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com) Follow  
us on Twitter

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Re: **ONLINE E-MAIL NOTIFICATION**  
**Date:** June 13, 2015 10:33:25 AM EDT  
**To:** Chase Bank <smchasenotification@secure.com>

Please take this email off your solicitation list. For all you know, I could work for the National Security Agency and you just bought yourself a ticket to be included in a proprietary surveillance

## The Patent '813 Story, Part II -- Version 2

program for unlawful third-party interference that undermines important national security interests.

Thank you,

"louiscsan@aol.com"

**7:00 PM EDT:**

### **PTAB Invalidates Lucerne Biosciences' '813 Patent for the Treatment of Binge Eating Disorder with Lisdexamfetamine Dimesylate**

WILMINGTON, Del., June 13, 2015 /PRNewswire/ -- Lucerne Biosciences, LLC announced today that the U.S. Patent Trial and Appeal Board (PTAB), on June 4, 2015, entered an adverse judgment against the company in the *inter partes* review of U.S. Patent 8,318,813 that cancelled all thirteen of the patent's claims involving the treatment of Binge Eating Disorder with lisdexamfetamine dimesylate (LDX). LDX is an FDA-approved treatment for moderate to severe Binge Eating Disorder in adults and is marketed under the trade name "Vyvanse®" by Shire U.S. Inc. The *inter partes* review of the '813 patent was based on a petition initiated by Shire Development LLC that alleged the patent would have been obvious at the time of its invention on September 13, 2007 and therefore was invalid. *Inter partes* review is a provision of the American Invents Act (AIA) to challenge the validity of a patent before the Patent Trial and Appeal Board in the United States Patent and Trademark Office.

#### **About Lucerne Biosciences, LLC**

Lucerne Biosciences is a privately-held intellectual property development company that wholly owns the now invalidated '813 Patent. The company also wholly owns U.S. Patent Application 14/464, 249 which also encompasses claims involving the use of LDX to treat BED.

#### **About BED**

BED is a serious eating disorder. BED's DSM-V® criteria include eating unusually large amounts of food in a discrete period of time (i.e., within a 2 hour period) and a sense of lack of control over eating during the episode with binge eating episodes associated with at least three (or more) of the following: eating much more rapidly than normal; eating until feeling uncomfortably full; eating large amounts of food when not feeling physically hungry; eating alone because of being embarrassed by how much one is eating; feeling disgusted with oneself, depressed or very guilty after overeating. Additionally, marked distress regarding the binge eating is present and the binge eating occurs, on average, at least once a week for 3 months; also, the binge eating does not occur exclusively during the course of bulimia nervosa or anorexia nervosa.

#### **About Lisdexamfetamine Dimesylate**

Lisdexamfetamine dimesylate (l-lysine-d-amphetamine) is an amphetamine prodrug approved by the FDA to treat moderate to severe BED in adults. LDX is also FDA approved for the treatment of Attention-Deficit/Hyperactivity Disorder (ADHD).

Media Contact:  
Louis Sanfilippo, MD  
203-521-1143

U.S. Patent Application No. 14/464,249/ Method of Treating Binge Eating Disorder

## The Patent '813 Story, Part II -- Version 2

U.S. Patent No. 8,318,813/ Method of Treating Binge Eating Disorder

SOURCE Lucerne Biosciences, LLC

**Sunday June 14, 2015:**

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

**Subject:** Fwd: [Fwd: Check your visibility report]

**Date:** June 14, 2015 7:00:16 AM EDT

**To:** fornskov@shire.com

**Cc:** Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com

Dear Dr. Ornskov,

It's not what I have to say that is important in this email to you and Shire but rather what Byan Haygins has to say to you and Shire in his email below in view of the email thread below it which relates to a press release that was issued at 7 pm EDT yesterday (June 13) by Lucerne Biosciences, LLC. It's all self-explanatory with a PDF below too, so I won't add to what any reasonable person would appreciate is obvious.

Sincerely,

Louis Sanfilippo, MD

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

**Subject:** Fwd: Check your visibility report

**Date:** June 13, 2015 10:54:43 PM EDT

**To:** [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)

Dear Dr. Ornskov,

You should be aware of the latest intelligence developments. About the only reason that the "Maryland Procurement Office, Building 9840, O'Brien Road" (aka, "National Security Agency") would come up first as an organizational hit on PR Newswire's visibility report with a telephone number listed in the report that is a recursive loop to PR Newswire's own telephone number is that you and Shire are dragging your feet on a serious intelligence matter that has CIA (and Yale) falling to its knees while NSA strips apart every aspect of CIA's experimental behavioral/business intelligence platform that is actively experiencing its complete collapse because its been totally de-encrypted. You don't see any organization on that visibility report in Langley, VA, do you? At their pace, CIA will discover the press release related to their own misjudgments when the story breaks on 20/20 and Yale will learn about it when they find out that the '813 Patent was re-validated based on a highly unique communication intervention.

## The Patent '813 Story, Part II -- Version 2

CIA (and Yale) needs Shire's help! Could it be any more obvious, Dr. Ornskov? How often do you think you get a press release that features these kinds of highly unique communication features, not to mention its method of informing you of them? Have some mercy for the CIA (and Yale). You and Shire are the only ones that can help them at this point. They're relying on you and Shire to do something fast before they end up in flooding boiling hot water -- and any reasonable person would appreciate that the floodgates just opened up with NSA showing that they're on top of this intelligence situation with outstanding real-time communication analysis with primary source field contacts and recursive communication framing. But that shouldn't surprise you or Shire based on "The Patent '813 Story, Part II."

Byan Haygins

Begin forwarded message:

**From:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Date:** June 13, 2015 at 10:15:50 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Cc:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com), [michael.steigher@aol.com](mailto:michael.steigher@aol.com)  
**Subject:** **Re: Check your visibility report**

Good to see that there's one U.S. intelligence agency working on a Saturday night with enough sense to set up a recursive loop with PR Newswire's telephone number for the No. 1 spot. No surprise it's NSA. Looks like CIA (and Yale) is sleeping on this one. When do you think Ornskov and Shire are going to wake up that every minute that they delay will only sink CIA and Yale deeper into the rabbit hole. For your records here's the attachment.

**ATTACHMENT:** "[Visibility Report LB 6.13.15 Press Release.pdf](#)" is available at:  
[http://www.4shared.com/download/lkQQgdnDce/Visibility\\_Report\\_LB\\_61315\\_Pre.pdf?lgfp=3000](http://www.4shared.com/download/lkQQgdnDce/Visibility_Report_LB_61315_Pre.pdf?lgfp=3000)

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** **Check your visibility report**  
**Date:** June 13, 2015 9:41:31 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Cc:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com), [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

See what comes up first as an organization in the two hour visibility report. Then cross-check the telephone number.

Byan Haygins

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** **Fwd: [Fwd: [Fwd: [Re: [Fwd: [Info you requested]]]]]**  
**Date:** June 14, 2015 10:08:42 AM EDT  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com)  
**Cc:** Ed Haug <[EHAug@flhlaw.com](mailto:EHAug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, [tmay@shire.com](mailto:tmay@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com),

## The Patent '813 Story, Part II -- Version 2

Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com, vin.gurrieri@law360.com

Dear Dr. Ornskov,

Again, it's not what I say in this email from "louis.sanfilippo@yale.edu" that is important. It's what is below, particularly what Mike Steigher has to say in view of web crawler activity involving Lucerne Biosciences' press release from yesterday evening.

Louis Sanfilippo, MD

Begin forwarded message:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Re: [Fwd: [Info you requested]]]]  
**Date:** June 14, 2015 9:56:24 AM EDT  
**To:** Louis Sanfilippo <louis.sanfilippo@yale.edu>

Begin forwarded message:

**From:** Byan Haygins <byan.haygins@aol.com>  
**Subject:** Fwd: [Re: [Fwd: [Info you requested]]]  
**Date:** June 14, 2015 9:47:41 AM EDT  
**To:** lsanfilippo@lucernebio.com

The guidance is below. Forward this email you get at the company to your Yale email and from your Yale email tell Ornskov to pay attention to what Mike Steigher writes below. CC with recursion on from last email. Include Vin G.

Byan Haygins

Begin forwarded message:

**From:** Michael Steigher <michael.steigher@aol.com>  
**Date:** June 14, 2015 at 9:43:48 AM EDT  
**To:** byan.haygins@aol.com  
**Cc:** richard.bocer@aol.com  
**Subject:** Re: [Fwd: [Info you requested]]

Byan,

The web crawler hits from last night's LB press release already exceeded the 5.13.15 LCS Group pr and 3.6.15 LB pr and look to exceed [at this current pace] even the 12.26.14 LCS Group pr in a few hours from now. This can be explained by NSA's Crays crawling it on accelerated frequency with non-recursion parameters (they don't actually "hit" the release they already identified as a "first hit" on the PR Newswire analytics). I.e., NSA's way of saying "the invalidation of the '813 Patent is a big deal and its circulation in the media warrants 24/7 surveillance resources." I would tell Ornskov that he and Shire better get moving or he and Shire are going to be responsible for a national security crisis with CIA (and Yale) in the middle of it. What more evidence does he

## The Patent '813 Story, Part II -- Version 2

need? A call from Brennan?

Mike

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Info you requested]  
**Date:** June 14, 2015 9:18:12 AM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com), [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Mike and Rich,

See below. This one is for you, Mike. Reply to me by APS protocol only.

Byan

Begin forwarded message:

**From:** <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Date:** June 14, 2015 at 9:12:58 AM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)  
**Subject:** FWD: Info you requested

Here's the rest of the info from the company to compliment what LCS Group provided the company a moment ago:

June 13 Lucerne Biosciences Press Release: 4333 web crawler hits  
March 6 Lucerne Biosciences Press Release: 3006 web crawler hits

Advise accordingly through Manager/Member Sanfilippo.

LUCERNE BIOSCIENCES, LLC

----- Original Message -----

**Subject:** Info you requested  
**From:** <[lcsgroup@lcsgrupp.com](mailto:lcsgroup@lcsgrupp.com)>  
**Date:** Sun, June 14, 2015 9:05 am  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

As requested, here are LCS Group's numbers on the two company PRs:  
May 13 LCS Group Press Release: 1729 web crawler hits

Dec. 26 LCS Group Press Release: 5782 Web crawler hits

LCS Group, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Fwd: [Fwd: [Fwd: Check your visibility report]]  
**Date:** June 14, 2015 12:39:25 PM EDT  
**To:** "vin.gurrieri@law360.com" <vin.gurrieri@law360.com>

Dear Vin,

Below is an email thread on which you were left off, sent this morning at 7 am EDT from "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)." But to understand the last email you relieved from me (shortly after 10 am EDT) from that email address it would help you to have this email (from 7 am) too as it sets the context for understanding the last one (at 10 am). That's all I can say in writing from this email at my [yale.edu](http://yale.edu) address, but I can assure there's much more to the story and it's coming very soon. Watch!

Louis Sanfilippo, MD

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Date:** June 14, 2015 at 7:00:16 AM EDT  
**To:** [fornskov@shire.com](mailto:fornskov@shire.com)  
**Cc:** Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, [tmay@shire.com](mailto:tmay@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, Derek Denhart <[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>, [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [lohr@nytimes.com](mailto:lohr@nytimes.com)  
**Subject:** Fwd: [Fwd: Check your visibility report]

Dear Dr. Ornskov,

It's not what I have to say that is important in this email to you and Shire but rather what Bryan Haygins has to say to you and Shire in his email below in view of the email thread below.....

**[EMAIL THREAD STRIPPED]**

**Monday June 15, 2015:**

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: CNN news story re: Bill Clinton]]]  
**Date:** June 15, 2015 11:14:48 AM EDT  
**To:** Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>  
**Cc:** Sandra Kuzmich <[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, [fornskov@shire.com](mailto:fornskov@shire.com), [tmay@shire.com](mailto:tmay@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou <[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, Anne Maxwell <[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, Derek Denhart <[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>, [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [lohr@nytimes.com](mailto:lohr@nytimes.com), [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)

Dear Mr. Haug,

## The Patent '813 Story, Part II -- Version 2

The implications of this email are monumental, far exceeding that of any email you or anyone in "The Patent '813 Story, Part II" has received from "me" in any of my representative capacities, particularly when considered in view of the comments made by Rich Bocer below and some new "hard communications data." In my role as a voluntary faculty member of the Dept. of Psychiatry of Yale University School of Medicine (a role that I've had since before the '813 Patent was filed on Sept. 13, 2007) and also as a psychiatrist **objectively** looking at "The Patent '813 Story, Part II" and the emails that have passed through "me" at my "yale.edu" email address of late so they could be passed along to others like you, there are some very serious and also quite fascinating questions and issues you and Ms. Kuzmich ought to **immediately consider with your client Shire**. These considerations are highly time sensitive and have **extremely serious U.S. national security implications**, as you ought to appreciate from the data analysis below. You likely will need to consult with others as this email is more "psychological" in its nature than anything you've previously received involving "me" in any representative capacity and also because it contains information that troublingly implicates the National Security Agency in third-party anti-competitive interference which therefore raises serious constitutional accountability problems involving first amendment rights.

Over the last few days, you've been exposed to two new "identities," "Richard Bocer" (at "[richard.bocer@aol.com](mailto:richard.bocer@aol.com)") and "Michael Steigher" (at "[michael.steigher@aol.com](mailto:michael.steigher@aol.com)"). Do you have any idea why? This is a very important question. One way to think of it would be through the kinds of questions a skilled psychiatrist with interest and/or experience in intelligence matters would ask. For instance, what if the three of "Byan Haygins," "Richard Bocer" and "Michael Steigher" were being used "psychodynamically" (i.e., perceptually) to "intrapsychically enhance" the disclosure of the three of "Yale," "CIA," and "NSA" as the "primary source perpetrator entities" (PSP-e's) engaged in a massive "behavioral/business intelligence experiment," with one entity that has been "in view" ("Yale") and two entities that have been "out of view" (CIA and NSA)? In other words, what if "Byan Haygins," "Richard Bocer," and "Michael Steigher" were used as "identity constructs" for the narrative that is "The Patent '813 Story, Part II" to make two entities that were previously "unconscious" now "consciously visible." In this "metaphorically equivalent light," you can think of "Byan Haygins" as the "identity in view" (at least until the last few days), in just the way that "Yale" has been the "identity in view" in (i) that email I sent to Shire's Michael Cola on October 14, 2008 from "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" to inform Shire on LCS Group's intellectual property that included the use of LDX to treat BED (p. 1 of the PDF "The Patent '813 Story, Part II" from the May 13, 2015 LCS Group PR; Exhibit 2001 of the IPR) or (ii) its identification as a "PSP-e" (with obvious incriminating communication evidence) explained in any number of emails that you have received of late. And what if that "behavioral/business intelligence experiment" had now reached its "terminal boundary condition" because the two previously "hidden entities" involved in its "primary source perpetration and infrastructure" were now completely exposed (i.e., CIA, NSA)? Any reasonable person in view of "The Patent '813 Story, Part II" would follow its logic of getting to "Yale" and "CIA" based on its evidentiary support, but getting to the "NSA" requires a little more information/evidence (as below).

But before getting to that information/evidence, think about this: what if "Byan Haygins," "Richard Bocer" and "Michael Steigher" were used as something called "introjective identifications" to perceptually deleverage the multi-layered tactically leveraged splitting strategy that these three organizations of Yale, the CIA and NSA collaboratively developed and applied for their "behavioral/business intelligence platform" through "third-party interferers/exploitees"? In other words, what if the "communication use" of "Byan Haygins," "Richard Bocer" and "Michael Steigher" (as "introjective identifications") was **not** intended to be "projective" in its nature (i.e., fantasy-based, cognitively irrational) that could then be exploited to "split" (based on fantasy/irrationality) but rather intended to unconsciously lessen problematic "projectively-based defenses" that drive intrapsychic confusion, cognitive dissonance and splitting behaviors (of which you've read about of late if you've been following the story)? What if "Byan Haygins,"

## The Patent '813 Story, Part II -- Version 2

“Richard Bocer” and “Michael Steigher” were psychodynamically employed to drive an intrapsychic phenomenon whose “perceptual objective” was to revert all that “fantasy” (of accomplishing a hidden objective out of view) and “irrationality” (i.e., “representational splitting/conflation”), on which Shire’s problematic IPR petition and lawyerly representation behavior was based, back to its root cause “PSP-e’s” (of the CIA, NSA and Yale) that “exploited” Shire and FLH (and you and Ms. Kuzmich) -- the purpose of which would be to bring about a “final resolution” that is perfectly designed not only from a “behavioral/business intelligence perspective” but also from a psychodynamic one (i.e., “within mind and consciousness”)?

That would be quite a remarkable dual business/intelligence feat foundationally rooted in “mind and consciousness.” It would likely be unprecedented perhaps in all of human of history because it would be kind of like entirely flipping the “**conscious** frame of reference” of “involved identities” upside down by using “perceptual constructs” (introjective identifications) in a highly novel and inventive way. In other words, the “perceptual constructs” (introjective identification) of “Richard Bocer” and “Michael Steigher” would be psychodynamically employed to show **how** two “hidden (‘unconscious’) entities” (CIA-equivalent and NSA-equivalent) that were previously kept “in hiding” are “perceptually externalized” (i.e., brought out of hiding into “conscious view”) at the end while another “perceptual construct” (introjective identification), that of “Byan Haygins” (Yale-equivalent), that was previously kept “in view” becomes “perceptually internalized” to bring about what has been a highly secretive but very well-planned surprise “final resolution” that takes place in “mind and consciousness.” You can think of this as an “intrapsychic inversion (or reversion)” of a “tactically leveraged projectively-based split” that reveals the nature of its leveraged “hidden source splitters” **in conscious view** through the outwardly seen symptomatic manifestation of the “third-person/entity exploitee.” In this sense, Yale’s deviant communication behavior of late (that you have been made aware of) shows how it (collectively/institutionally) has become the latest “manifest symptom” (at the institutional level) of a completely out-of-control “projection-based splitting communication platform” that drives “projective identification and irrational fantasy-based acting out” while the CIA and NSA stay “outside of view” and watch the chaos unfold.

With that in mind, what if there was a “biotech company” managed by three “psychiatrist managers” who each had special skills in these kinds of “behavioral/business intelligence matters” but wherein only one of them was “in view” while the other two of them were “out of view,” and that “perceptual dynamic” was critically important to accomplish certain behavioral/business objectives related to “The Patent ‘813 Story, Part II” -- and also its “Part I”? And what if a company managed like that had a special invention destined to change the world because its development and commercialization was based on a “behavioral/business intelligence platform” destined to change the world (and on which the company was “covertly founded”)? And what if these three “psychiatrist managers” of this “biotech company” were involved in the development and application of “The Patent ‘813 Story, Part II” (as a novel communications methodology) in such a way that one of them was “visibly in view” while two of them were “invisibly out of view” with each manager’s respective “introjective identification” (“perceptual construct”) narratively represented as a function of their respective “conscious visibility” in the story (i.e., “Byan Haygins” in view; “Richard Bocer” and “Michael Steigher” outside of view)? That would be pretty fascinating stuff, wouldn’t it be, with “Richard Bocer” and “Michael Steigher” only coming out “at the end” to reveal the hidden dimension of their own involvement in the experiential story. And it would be “behaviorally and perceptually analogous” to how Yale would have previously functioned in “conscious view” while the CIA and NSA stayed “unconscious” in “The Patent ‘813 Story, Part II,” though with Yale taking a surprise “previously hidden position” that brings the CIA and NSA into conscious view to reveal the hidden dimension to the story (through a “final resolution”). Your “representation strategy,” Mr. Haug, couldn’t any more obvious for its motivation to put “Yale” and “Louis Sanfilippo” in the middle of a tactically leveraged split, with the help of just about everyone in the story, which surely is an important element of this real-life story. But psychodynamically, any tactically leveraged split can be

## The Patent '813 Story, Part II -- Version 2

perceptually flipped against its two “primary source splitters” to expose them while vindicating the “third person exploitee person/entity” (that would be “Louis Sanfilippo” and “Yale” respectively).

I know that you know about a small company that developed and commercialized an omega-3 product called “Omax3,” because I told you (and Ms. Kuzmich, with Shire’s Peter Cicala and Susannah Henderson, and LCS Group’s outside counsel Joe Lucci) about it when we met in 2013 in your law firms’ NY offices. The company that developed and at least initially commercialized Omax3 is called Cenestra, LLC (D/B/A “Cenestra Health”) and it was founded as an LLC on January 13, 2006 and managed by three managers of which I am one, the one most visible to you -- i.e., the seen “Byan Haygins/Yale-equivalent” (from a psychodynamic perspective). After just a little public inquiry, you’d find the two “hidden managers” (from your conscious view at least) of Cenestra Health, Vladimir Coric and Seth Feuerstein. In this respect, “Richard Bocer” and “Michael Steigher” would be “introjective identifications” equivalent to the identities of Vladimir Coric and Seth Feuerstein -- or to use a different frame of reference but the same perceptual framing technique, the NSA and CIA. “Richard Bocer” and “Michael Steigher” would therefore be what are called “unconscious/unseen introjective identifications” that can only be made “seen/conscious” for their motivational/behavioral involvement by using certain psychodynamic framing techniques in view of a broader story that is communicated on a very well-conceived psychodynamic foundation. Vladimir Coric and Seth Feuerstein are currently voluntary faculty members at Yale, like me, and each has notable patent and business experience. Seth Feuerstein has more substantial experience in business matters while Vladimir Coric has more substantial experience in intelligence and national security matters.

Now what if Vladimir Coric and Seth Feuerstein were the two persons involved in that “secrecy agreement” of “October 1, 2014” (of which you’ve read about in all kinds of different contexts in various emails) and it effectively made them “hidden managers” in Lucerne Biosciences? In other words, what if Vladimir Coric and Seth Feuerstein were “secret managers” in Lucerne Biosciences and therefore part of a “secret communications infrastructure” developed and applied for specific behavioral/business intelligence objectives, and one of these objectives was their “introjectively-based disclosure” in “final resolution” as accomplished by perceptually representing them in conscious visible view through their respective aliases (or aliases of their respective aliases)? And what if the “behavioral/business intelligence objective” of the Exclusive License between LCS Group and Lucerne Biosciences was to permanently secure their “hidden manager position” through a 2/3 (Lucerne - VC/SF) and 1/3 (LCS Group - LS) “financial tri-split” so that each one of three managers would receive the same “financial payment” except that Coric and Feuerstein would receive it “secretly” through Lucerne Biosciences while I would receive it “publicly” through LCS Group, regardless of whether the monetization was by “legal means” (i.e., Lucerne; lawsuits) or “commercial means” (i.e., LCS Group, licensing) according to the exclusive license?

Surely you’ve seen that Exclusive License Agreement because, from what I’ve been informed by a manager of Lucerne Biosciences to write this email, it was provided to you via a [Box.com](#) link in a company email (from “[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)”) sent to the Patent Board on May 27, 2015 at 2:18 pm EDT [subject “IPR2014-00739 (U.S. Patent No. 8,318,813): Regarding Board's Decision (Paper 32)].” To boil it down behaviorally, the Exclusive License is based on a triangular alignment that is perfectly equitable if the objective is to create an egalitarian financial alignment across all “legal” (Lucerne Biosciences) and “business” (LCS Group) matters by using “Louis Sanfilippo” as the “visible face of each company” through his respective “public role” of each company (CEO of LCS Group; Manager/Member of Lucerne Biosciences), in the same way that you have seen “Byan Haygins” as a “seen alias” or that “Yale” has made its way into “The Patent '813 Story, Part II” as a “visibly seen third-party.” By this psychodynamic reasoning, Mr. Haug, you’d be expected to consciously recognize “Yale” for its involvement in Shire’s IPR of the '813 Patent but not consciously see the role of the CIA and the NSA because they have been tasked

## The Patent '813 Story, Part II -- Version 2

to work “outside of view” (i.e., secretly, unconsciously). You can think of the Exclusive License as a simple but sophisticated behavioral/business construct in which LCS Group and Lucerne Biosciences strategically have been working together through “introjective perceptual modeling” to bring “final resolution” to a massive “projectively-based splitting problem” that by its foundational nature is bound to implode but which can be finally resolved with a novel psychodynamically-based communication strategy.

Now what if such a highly restricted secrecy agreement (as involving Vladimir Coric and Seth Feuerstein as “secret managers” of Lucerne Biosciences hidden from view) was for the purpose of ensuring that Omax3 would have arguably the best commercial marketing platform in the history of mankind (a key business objective) while concurrently advancing important U.S. national security interests (a key intelligence objective)? And what if the “secondary objective” of that highly restricted secrecy agreement was to give Shire’s “Vyvanse for the treatment of BED” arguably the “second best” commercial marketing platform in the history of mankind (a key business objective) while concurrently advancing important U.S. national security interests (a key intelligence objective)? And what if all of that was psychodynamically and behaviorally designed to show how it all works in conscious visible view through the written record? That would make a perfect “dual-pronged behavioral/business final resolution” for a perfect “dual-pronged behavioral/business intelligence experiment,” wouldn’t it? I mean where else do you find all that dramatic stuff in just one coherent real-life story that can be used to advance “business” and “intelligence” on two inter-related platforms with a spectacular “dual-sided final resolution” (one for each platform) that the reader of the story can experience from within their own “mind and consciousness”? If that can’t help market Omax3 and Vyvanse for BED to astronomical heights, then I don’t know what can. It’s so over-the-top that you’d think that God wanted to get involved in marketing Omax3 and Vyvanse to help Cenestra Health and Shire, respectively, make a lot of money.

Or think of it this way: where else would you find three managers involved in a small biotech company in which one is “seen” and two are “hidden” who themselves effectively would establish the perceptual basis for these “introjective identifications” that themselves are behaviorally analogous to the three entities behind the “behavioral/business intelligence experiment” wherein one of them is “seen” (Yale) and two of them are “unseen” (CIA and NSA), except until the end of the story when the two “unseen entities” are disclosed for their own “behavioral role” in the story through special “surprise measures” taken by the “seen entity” to bring about a “final resolution” to the story? This would surely be one of the greatest intelligence advances in the history of mankind while at the same time making it one of the greatest business stories of mankind, all while two of three of these “managing identities” have been kept hidden from public view until the “final resolution” when they are “publicly revealed” for their important respective roles in the story.

This, of course, warrants more information/evidence about the “National Security Agency” that is the newest “PSP-e” on the communication platform that is “The Patent ‘813 Story, Part II.” However let me say up-front that this part of the story is where things get more ominous, enough to sober up anyone. It certainly ought to sober you and Shire up to what’s going on and why this is now a serious national security matter, even if it hasn’t been represented to you that way yet. While the emails in the thread below speak for themselves, I will add here some critically important information that was provided to me at about 7 pm Sunday June 14 by a manager of Lucerne Biosciences, LLC, as well as by LCS Group’s CEO (that is me functioning in that role). It is the analytic information on the Press Release issued by Lucerne Biosciences on Saturday June 13 at 7 pm EDT (titled “PTAB Invalidates Lucerne Biosciences’ ‘813 Patent for the Treatment of Binge Eating Disorder”). Take a close look at these metrics:

[6.13.15 LB Press Release](#)

## The Patent '813 Story, Part II -- Version 2

-6300 web crawler hits in approximately 24 hours  
-257 release views in approximately last 24 hours  
**-Ratio of web crawler hits/release views = 24**

### 5.13.15 LCS Group Press Release

-1734 web crawler hits since 5.13.15  
-400 release views since 5.13.15  
**-Ratio of web crawler hits/release view = 4.3**

### 3.6.15 LB Press Release

- 3000 web crawler hits since 3.6.15  
-499 release reviews since 3.6.15  
**-Ratio of web crawler hits/release view = 6**

### 12.26.14 LCS Group Press Release

-5700 web crawler hits since 12.26.14  
-985 release views since 12.26.14  
**-Ratio of web crawler hits/release view = 5.7**

Mr. Haug, do you see what's happening here, keeping in mind that the "first organization" identified to "view" the June 13 Lucerne press release on the invalidated '813 Patent was the "Maryland Procurement Center, Building 9840, O'Brien Road" (aka, the "National Security Agency")? Whoever may be your (or Shire's) "point of contact" with the PCP-e (presumably someone affiliated with Yale) likely hasn't even told you about this side of the "behavioral/business intelligence experiment," because its meant to "stay hidden."

Let me walk you through the data in a way that any reasonable person could understand. The national security implications couldn't be any more serious, albeit it insidiously so. This is not about an incoming nuclear missile from North Korea landing in a major U.S. city but, rather, about a deep insidious erosion of constitutional rights that has reached a crisis point because of sequentially poor judgments made by those on your side of things. For one, you can see that "web crawler hits" for the June 13 LB press release **in 24 hours** already exceeded the "web crawler hits" on the Dec. 26, 2014 LCS Group press release **in five-and-a-half months** and significantly exceeded the **combined** "web crawler hits" for the May 13, 2015 LCS Group press release **in one month** and March 6, 2015 Lucerne press release **in about three months**. That's mind-blowing. **In just 24 hours** on a weekend in mid-June the "web crawler hit" activity for the LB "PTAB Invalidates '813 Patent..." press release is off-the-charts-high and exceeding "web crawler hit" and "ratio of web crawler hit/release view" metrics of the other three press releases **on an exponential basis**. Remarkably, those metrics translate to **"it's not an interesting story"** (because they're not translating to "release views" that show interest). And "it's not interesting story" is tantamount to an effective "Search Engine **De-Optimization**" IT third-party interference strategy. In other words, all that web crawling that's not producing any "release views" is making it harder to find the story on-line because "it's not that interesting" according its visibility metrics that are used in SEO. You can see the irony, namely, that this IT third-party interference strategy is a very big story and, on account of that, it reveals that the press release is a very big story.

## The Patent '813 Story, Part II -- Version 2

Now who would be working through a June "United States weekend of Saturday 7 pm EDT to Sunday at 7 pm EDT" using sophisticated web crawling technology capable of generating **4-5 web crawler hits per minute (i.e., every 15-20 seconds)** over a 24 hour period, perhaps before Monday would come around, so as to dilute down the LB press release's SEO parameters so that it would be harder to find on a google search? There's only one entity I can think of that would be motivated to do that (in view of "The Patent '813 Story, Part II) and would have the information technology resources to do that, and its the National Security Agency. But that isn't surprising because the NSA effectively confirmed its own involvement by the fact that its "identity" came up as the "first organizational hit" on PR Newswire's analytics (which you saw in the PDF attachment in the email you received 7 am yesterday morning from "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)"). And the only reason the NSA would be doing that is if they thought the publicity of LB's June 13 press release on the invalidated '813 Patent was a national security emergency of some kind. But any reasonable person or competent psychiatrist would see that the NSA (or whoever is guiding them) is completely incompetent/irrational to think that, because it's their very behavior to interfere in a private company's business communications that represents a national security emergency -- and even crisis. After all, it would seem as if the NSA was using its high-powered CRAY super-computing system to interfere in the free speech of a business to communicate to the public by manipulating standard business communication channels (on the internet) through highly sophisticated SEO **de**-optimization strategies involving high-frequency recursive web-crawling that does not generate "release views." That's not the kind of thing you'd expect in the United States of America, because it's the kind of thing you'd expect in a totalitarian state where suppressing free speech is necessary to maintain dictatorial totalitarian rule. Behaviorally, this would be one way that a totalitarian state would restrict competition, namely, by making it so there is none and using the state's resources to interfere and even destroy any problematic competition even if it involves manipulating the competition's efforts to legitimately communicate on existing communication platforms. That's scary stuff. Any U.S. citizen that cares about protecting our freedom and about safeguarding the constitutional accountability that allows it to happen would see how serious this "web crawler hit activity" is in view of the rest of "The Patent '813 Story, Part II," particularly how Shire's IPR petition led to the invalidation of the '813 Patent. But these kinds of things don't stay hidden long because the human mind doesn't function well when its freedom is restricted and people's free speech is suppressed. All you have to do is look at history: totalitarian regimes that restrict competition and suppress free speech all ultimately fail. And that's because psychodynamically they don't fit with the "human mind and consciousness."

So why would the National Security Agency be involved in a matter like the '813 Patent, apparently attempting to seriously interfere in the public circulation of a press release involving its invalidation by the PTAB, to the point of trying to secretly manipulate free speech channels used by businesses every day through "covert third-part interference" of SEO parameters with high frequency recursive web-crawling? The answer to that question should be obvious. It's because the NSA is involved in it too, at the level that they know best -- communication infrastructure and methodology, and it now is showing its "public face" because its become "manifestly symptomatic" too as the anxiety of its own role in this collapsing "behavioral/business intelligence experiment" is making itself public (through some of the emails you've received over the last few days that have mentioned the NSA in relation to the perceptual constructs of "Byan Haygins," "Richard Bocer" and "Michael Steigher").

In this light, the NSA is behaving irrationally and based on fantasy (like so many others in "The Patent '813 Story, Part II" who have repeatedly sought to suppress the truth about Shire's IPR involving the '813 Patent), apparently to try to hide the reality that Shire's IPR of the '813 Patent has been one ill-conceived "behavioral/business intelligence experiment" used to develop and apply deception-based intelligence technology that has gone catastrophically bad (and rogue) by minimizing any public attention to the patent's invalidation. The NSA's behavior is irrational and

## The Patent '813 Story, Part II -- Version 2

based on fantasy because you can't hide something like that when it's so obvious and when its obvious that the most important objective of "The Patent '813 Story, Part II" is to "get to the truth of the matter" on a public basis. There's not only that problem but also that this "behavioral/business intelligence experiment" has been -- **and continues to be** -- surely one of the single most egregious acts of **unconstitutional "deceptive federal government interference" in private trade practice and free speech in U.S. history**. Absent a prompt and meaningful "final resolution," that's the kind of thing that can lead to national anarchy because anyone knows when the federal government acts like that, especially against what seems to be the "little guy" trying make ends meet, people get very angry. Things like that lead to massive public outrage and massive public outrage incites anarchic boundary conditions. Which is why all that web crawler activity between 7 pm EDT on June 13 and 7 pm EDT on June 14 is effectively "intelligence and national security incompetence" at work (like all the other "incompetent behavior" in Shire's IPR of the '813 Patent, from Dr. Brewerton's Declaration, to your and Ms. Kuzmich's "client conflation problems," etc...).

So what's motivating the NSA to irrationally interfere in business trade practice and free speech to the point that risks their own ability to protect national security and instead effectively makes them accomplice to precipitating boundary conditions for a potential national security situation by egregiously (albeit deceptively) violating first amendment constitutional free speech rights and interfering in business trade practice? Any reasonable person would appreciate the answer in view of "The Patent '813 Story, Part II." It's the same "conflict of interest" that motivated you and Ms. Kuzmich to irrationally interfere in LCS Group's and Lucerne Biosciences' business trade practice and free speech during the course of the IPR proceeding by effectively "acting like a dictator." Think about where things would be if Ms. Kuzmich didn't interfere with LCS Group/Sanfilippo's Sept. 4, 2014 email to Shire/Dr. Ornskov as she did but instead let business happen in its appropriate non-deceptive and non-interfering course "between businesses"? There would be no national security situation requiring NSA resources to interfere in U.S. business matters and free speech in such a way that would have any first amendment legal scholar making this "NSA third-party business/free speech interference issue" their life's work. And think about where things would be now if you, Mr. Haug, didn't interfere with LCS Group's Oct. 1 "Final Decision" Option Agreement sent to you on Dec. 21, 2014 by Mr. Lucci. There would be no national security crisis requiring NSA resources to interfere in U.S. business/free speech matters in such a way that makes the NSA look dirtier than they did with various warrantless domestic surveillance public scandals. Any reasonable person in view of "The Patent '813 Story, Part II" -- in seeing how far you, Shire, Yale, the CIA and now the NSA have apparently gone in this "deception-based intelligence program" -- would see just how "mentally sick" everyone on your side of things has become because you're all acting irrationally and incompetently, as if you were all either "psychotic" or "sociopathic." After all, you (collectively) took a simple prospective business transaction and made it a dramatic spectacle of misrepresentation and deceptive trade practice involving a global pharmaceutical company only to then make it a constitutional accountability problem involving the misuse of at least one federal intelligence agency to interfere in commerce and free speech that has the potential to cause a national security problem. If you keep it going, then it's easy to see where it will all go: a very real national security crisis.

Mr. Haug, you can see that this all leaves you and Shire with a big decision to make, **fast** (because this story can't stay hidden much longer and you're squarely in the middle of its inevitable final resolution): do you and Shire want to be on the winning side of arguably the greatest "intelligence/business" stories of all human history or do you and Shire want to be on the losing side of what arguably will be one of the greatest "legal" stories (and scandals) of all human history that any reasonable person would understand for its monumental implications including restrictive interference on first amendment rights to free speech by a national intelligence agency for the purpose of promoting deception and obstructing communication by a private

## The Patent '813 Story, Part II -- Version 2

business? This is a critical cross-roads for you and Shire.

In this light, any impending national security crisis is **on your shoulders and Shire's too**, because it's easy to see that any more bad judgment on your and Shire's part on top of a mass of bad judgment by you and Shire will surely lead to some serious exposure problems involving the NSA and CIA (and Yale). Any reasonable person in view of "The Patent '813 Story, Part II" would see that it simply carves its way to the truth based on a well-conceived psychodynamically-based communication strategy that sequentially amplifies the "perceptual incoherence" of "projectively-based splitting" in people/entities who engage in "projection-based splitting" until everyone's motivation/behavior becomes completely obvious. So you and Shire should ask yourselves and your primary source contact(s), whichever persons/entities they are, at what point do you and them want these public disclosures meant for posterity to stop being made. If you've been paying attention to "The Patent '813 Story, Part II," then it should be clear to you and them how, specifically, that "final resolution" is psychodynamically/behaviorally designed to happen, because it's all been very well-planned by a highly skilled behavioral intelligence team.

Sincerely,

Louis Sanfilippo, MD

Voluntary Faculty Member, Assistant Clinical Professor, Department of Psychiatry  
Yale University School of Medicine

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: CNN news story re: Bill Clinton]]  
**Date:** June 14, 2015 3:44:48 PM EDT  
**To:** Louis Sanfilippo <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

per APS

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: CNN news story re: Bill Clinton]  
**Date:** June 14, 2015 2:03:49 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Below is a message from Rich. Pass it along with this email on a recursive TO/CC frame with Haug in sole TO position and comment in you're voluntary faculty role on what you see and why we might be doing what we are.

Byan Haygins

Begin forwarded message:

**From:** Richard Boccer <[richard.boccer@aol.com](mailto:richard.boccer@aol.com)>  
**Date:** June 14, 2015 at 1:58:54 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)  
**Subject:** CNN news story re: Bill Clinton

## The Patent '813 Story, Part II -- Version 2

Byan,

Pass long to Manager/Member Sanfilippo. Looks like the communication infrastructure we've been tasked to identify and expose is being run as a joint NSA-Yale platform, making this "behavioral/business experiment" a tri-partite collaboration of CIA, NSA and Yale. Last I heard (about 1 pm) from LB and LCSGr, web crawler activity from last night's LB pr was at 5200 with a cross-match to the 12.26.14 LCS Group pr at 5700. The NSA would be the primary agency to conduct web surveillance analysis of that scope. If you ask me, someone wants to interfere with its circulation by SEO de-opt TPI. More of that anti-competitive conduct by TPI that led up to the invalidation of PAT813. But also looks like a possible first amendment issue with federal intelligence resources being used to interfere in free speech, not to mention in business and trade practice. Serious stuff by anyone's measure. That ought get Ornskov's and Shire's attention. Maybe the question should be put to Haug. He's a competent lawyer and must understand the implications.

Nothing new that we haven't been following but it's worth taking a look at CNN's current headline "Clinton:'No dummies' in GOP field. He offers praise for candidates who regularly attack his wife." Looks to me like referential TPI with the communication infrastructure feeding CNN guidance on a projectively-based split frame where our team of three are the "no dummies' in the GOP field," Hillary represents CIA (who we apparently are attacking) and Bill represents NSA. Subtle leveraged splitting in the projective message. Maybe Sanfilippo can provide behavioral commentary on what it means that CNN is being used for DICT or at least explain what we're doing to identify and expose it. If you ask me, looks like everyone's acting out because now we've identified the dual PSP-e's of Yale and CIA with NSA roaming web communications to support the TPI communication platform. Don't you think we're just about done?

Rich

### 11:15 AM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 11:15 PM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/6AkxjF2DbA/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/6AkxjF2DbA/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <louis.sanfilippo@yale.edu>

**Subject:** Fwd: Our Commitment to Employment

**Date:** June 15, 2015 5:11:44 PM EDT

**To:** Ed Haug <EHaug@flhlaw.com>

**Cc:** Sandra Kuzmich <SKuzmich@flhlaw.com>, fornskov@shire.com, tmay@shire.com,

## The Patent '813 Story, Part II -- Version 2

jharrington@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com, vin.gurrieri@law360.com

Dear Mr. Haug,

Below is an email received to "louis.sanfilippo@yale.edu" at 1:29 pm EDT from the Dean of Yale's Medical School Robert Alpern, MD, along with Paul Taheri, MD who is the CEO of Yale Medical Group and Deputy Dean for Clinical Affairs. This would email would have been deployed about two hours after the last email I sent to you that dealt with the "Byan Haygins & Co." and the NSA matters. You, or whoever would read this "Yale-deployed email," can be the judge of whether it is perceptually based on "projective reframing" (in response to the email I sent you) that would involve a "split" between two different perceptual frames (i.e., "unionized jobs in New Haven"/ "third-party exploiters-interferers" in '813, etc...) or whether it is a non-projective communication that transparently represents the information it states with no hidden ulterior "communication motivations." You've been given all the tools to make that decision yourself, including recognizing that if the communication is based on a "projectively-based perceptual split" then it not only effectively becomes a form of misrepresentation to me personally (by non-disclosure of materially relevant and important information) but also becomes a platform for causing significant adverse effects on human perception/cognition to any reader that may be reading it because of "intrapsychic dissonance." After all, these are different intrapsychic frames of reference that would require a projective distortion of reality in one's mind to inter-relate them to each other through a "dual communication frame." This is serious stuff from a psychiatric clinical perspective and if pushed too far can drive regressive perceptual boundary conditions that could put certain people at risk for acute psychosis as the boundaries of "perceptual representation" between the different frames of reference (and their "content") become increasingly blurred.

In this respect, if the email from Yale Medical School's Dean was "projectively-based" and being read by someone in a "projective frame" related to "The Patent '813 Story, Part II," its reader would be really going down a destructive path by continuing to follow it this way and would likely (at this point in time) be requiring special debriefing techniques aimed at restoring perception to a healthy non-projective perceptual frame. I don't presume to have the answer to whether or not this Yale email is "projectively-based" (in a "split frame") or not, but I do recognize that the more I do send emails like this the more "perceptually amplified" things will become so that the answer becomes obvious, whether I'm right or wrong on my psychodynamic analysis. Importantly, it's the motivation behind the framing that is important, because if the motivation is to establish a "projectively-based split frame" then by its nature it is based on some perceptual distortion by conflationary "intrapsychic representations" between different perceptual frames and their contents. In the instance that the Yale email is actually a "projectively-based split-communication" in response to my earlier email to you, it would seem to me that its main message could have a few dimensions, like "don't believe this stuff about the NSA, because its rumor....we're safe here" or "we're committed to everyone's health, regardless." But any statement based on a projectively-based split-communication frame in consciousness by its very psychodynamic nature would be foundationally flawed because it would perceptually be based on a conflating and intrapsychic representations of reality and therefore would have a highly likelihood of driving cognitive dissonance, conflationary and fantasy-based reasoning, and irrational thoughts and feelings that from immature projective defense-mechanisms. Psychodynamically, you could see how there would be an "intrapsychic representational split" if, for instance, the use of "union workers" in the Yale communication was motivated to subliminally represent the "collaborative TPI network." It would be as if there was "boundary blurring" on the "perceptual screen" that is one's "theater of consciousness." It would be like watching two different movies with different sounds and images superimposed in each

## The Patent '813 Story, Part II -- Version 2

other. I don't know anyone who'd want to that for very long, at least not when the sound is cranked up high and you're sitting in the front of the movie theater. But I mention it this way because it's a good metaphor for understanding how "projection-based splitting" works in one's mind.

On another note (as follow-up to the PR Newswire analyses from this morning's email), attached you'll find a PDF of merged analytic data sets involving LCS Group's and Lucerne Biosciences' press releases. Take note that "web crawler hits" have increased on the 6.13.15 LB press release to 7934 (**up ~1500 hits from last night at 7 pm**) while (i) the 5.13.15 LCS Gr press release is at the same 1734 (**up 0 hits from last night at 7 pm**), (ii) the 3.6.15 LB press release is at 3011 (**up 11 hits from last night at 7 pm**), and (iii) the 12.26.14 press release is at 5787 (**up 87 hits from last night at 7 pm**). Though there are an additional "100 release views" on the 6.13.15 LB press release bringing that "ratio of web crawler hits/release views" down to about 15 (from 24 last night) showing that there's some "interest in the 813 patent invalidation story" despite clearly high non-generative (release view) recursive web crawling (by apparently the NSA as already discussed). Nonetheless, these numbers are quite remarkable.

But here's something that you may really find remarkable, especially as it's right up your legal alley. Would you believe that there have been eight "organizational hits" from Mylan on that 6.13.15 LB press release? Well, there are. That's 8 out of 38 "organization views" -- 21% of all "organizational views." Mylan, therefore, is clearly "very interested in the patent invalidation story." Yet what is very bizarre is that Mylan registered **zero** organization views on any of the press releases (LCS Gr or LB) until the time that the June 13 LB press release was made, in which Mylan also hit the other three press releases each just once. How do you understand that? Why all the newfound interest from Mylan? And wouldn't Mylan have been more interested in the '813 Patent while it was still "valid"?

Here's something for you to consider building on this morning's "email frame" that referenced the omega-3 product called "Omax3." What I didn't tell you in that specific email is that Cenestra Health isn't the company actively marketing Omax3. Rather, that company is called Prevention Pharmaceuticals, Inc. Take a look at the "About Us" section of the "www.omax3.com" website that is maintained by Prevention Pharmaceuticals at: <http://www.omax3.com/about-us/team-omax3/>. The "proximal (first) person" in the "team Omax3 frame" is Dr. Joseph Maroon, a neurosurgeon from the University of Pittsburgh. Now take an on-line stroll to the following website that identifies (alphabetically by last name) the Board of Directors of Mylan: <http://www.mylan.com/en/company/leadership>. Who do you see? You see Dr. Joseph Maroon. So what does that mean? It could mean that Mylan was recruited over the weekend to participate in a prospective "third-party interference/exploitee" scenario vis-à-vis persons/parties "related to Omax3," in order to help you and Shire evade accountability for what happened in the IPR of the '813 Patent and/or if the '249 Patent were issued claims on which action could be taken against Shire. Or it could mean just the opposite in view of that scenario of Lucerne Biosciences being "secretly managed" by Vladimir Coric and Seth Feuerstein (the two other managers of Cenestra Health), namely, that there was some "secret outreach" over this weekend to bring Mylan into the equation to give you and Shire a warning that you and Shire better get moving because the national security matter will look small when you have a generic company loaded with so much legal ammo that those Bryan Haygins emails you complained about back in March 2015 will look prophetically accurate.

There's more to the story that's forthcoming in the next few hours "vis-a-vis Yale" that may shed light on something called "manifest institutional symptomatology." It's an expansion concept of what has been called the "manifest symptom member" of a family (i.e., the member of the family who's caught in the cross-fire and "behaviorally acts out"). But I won't make any such assumptions about Yale; after all, the institution trained me to do this very kind of psychodynamic

## The Patent '813 Story, Part II -- Version 2

"group process" work. I will, though, let the communication evidence speak for itself through something called "non-projective recursive frame expansion." The idea with that kind of communication methodology is to make any "projectively-based perceptually split communication platform" so untenable that it becomes perfectly transparent for what it's doing, at which time it no longer has any purpose (because it can't engage in DICT) and also then completely collapses -- that, or you (or Shire) get a restraining order telling me to stop sending you crazy emails. But if you do that, it will generate all kinds of publicity with Yale and you (and Shire) in the middle of it, which any reasonable person would appreciate could explain why you and/or Shire haven't done it yet, limiting such legally restraining actions only to the IPR of the '813 Patent that led (from the May 6 Second Motion for Sanctions) to the invalidation of Lucerne Biosciences' '813 Patent.

On a final note, let me say that the "engagement ratings" on the June 13 LB press release are at 98% and for the Dec. 26 LCS Gr press release are at 100%. So there's some objective evidence that "The Patent '813 Story, Part II" is an engaging story from its "first public debut" to its "last one." But remarkably, it seems like I'm the only one in the entire world reporting on it -- now straight from my yale.edu email address. Can you explain that, Mr. Haug? Or do you know someone who can?

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member, Assistant Clinical Professor  
Department of Psychiatry, Yale University School of Medicine

**ATTACHMENT: "Merged LCSGr. And LucBioPr Newswire Analytistics.pdf"** is available at:  
[http://www.4shared.com/download/h\\_lm3ut5ce/61515\\_Merged\\_LCSGr\\_and\\_LucBioP.pdf?lgfp=3000](http://www.4shared.com/download/h_lm3ut5ce/61515_Merged_LCSGr_and_LucBioP.pdf?lgfp=3000)

Begin forwarded message:

**From:** "Dean Robert J. Alpern, MD, and Paul Taheri, MD" <ymg.info@yale.edu>  
**Subject: Our Commitment to Employment**  
**Date:** June 15, 2015 1:29:14 PM EDT  
**To:** Faculty and Staff <itscomm2@yale.edu>

Dear Clinical Practice Colleagues:

Many of you have called or emailed about what you read in Friday's *New Haven Register* namely, "986 unionized clinical jobs being transferred from the University to the hospital ... with the employees no longer unionized."

Job security is critical to all of us, so while we do not typically respond to every rumor, we felt that we needed to counteract these groundless assertions with the facts. There is no need to worry. There is no plan to move 986 of our clinical jobs over to the hospital, and there never has been. Our clinical practice is an essential element of what makes Yale School of Medicine one of the finest in the world, as is our staff's commitment to our patient care mission.

## The Patent '813 Story, Part II -- Version 2

Thank you for all of your great work that makes such a difference to the lives of our patients!

Sincerely,

Robert J. Alpern, MD *Dean and Ensign Professor of Medicine*

Paul Taheri, MD, MBA *CEO, Yale Medical Group Deputy Dean for Clinical Affairs*

**From:** Kevin Penton <kevin.penton@law360.com>

**Subject:** PTAB

**Date:** June 15, 2015 6:37:18 PM EDT

**To:** lsanfilippo@lucernebio.com

Hello,

I'm a reporter working on a story on PTAB invalidating the '813 patent. If you'd like to add a comment to be quoted in the story, just drop me a line.

Best,

Kevin

--

Kevin Penton  
Reporter



A LexisNexis® Company

Legal News & Data  
860 Broadway, 6th Floor  
New York, NY 10003  
646-783-7210

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>

**Subject:** Fwd: Action Required: Please Change Your NetID Password

**Date:** June 15, 2015 6:39:36 PM EDT

**To:** Ed Haug <EHaug@flhlaw.com>

**Cc:** Sandra Kuzmich <SKuzmich@flhlaw.com>, fornskov@shire.com, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com, vin.gurrieri@law360.com

Dear Mr. Haug,

Below is another Yale email from today, sent to me at 11:21 am this morning from the University's IT Dept. It's about "IT security." I wouldn't think much of it by itself except that it does have a

## The Patent '813 Story, Part II -- Version 2

curious "timing connection" to "The Patent '813 Story, Part II" and some other features that seem to be somewhat revealing.

Take note of the "central date" of "May 13" when there appeared to be some kind of "security incident" that changed the security status of things. That's now led to broader security intervention from Yale's IT department. May 13 is the date that LCS Group's press release was issued that featured "The Patent '813 Story, Part II" in pdf. What do you think: coincidence or "projectively-based split communication framing"?

Then look at the "CAUTION" statement about recommending a password change be made "on campus." For one, I don't have computer access "on campus" because I'm not a Yale employee. But even more than that, I have to say that if this were a "projectively framed communication" it would be as if Yale were trying to subliminally influence "me" (in my "Yale voluntary faculty capacity") to approach them for your's and Shire "problem," which wouldn't make any sense because (as you know) LCS Group indicated back in Nov. 2014 that it was going to put Shire and Dr. Ornskov in the middle of Shire's IPR "representation problem." Regardless, I won't assume that the Yale email is suggesting anything to me but rather I will look to what the communication evidence reveals as the story plays out to its "final resolution."

Now here's something that any reasonable person would find completely mind-blowing. I've known about it in various of my representative capacities for some time but now's probably the best time to state it from my "yale.edu" email address. If you have any insights, Mr. Haug, please pass them along my way. Would you believe that across those 4 press releases (two from LB and two from LCS Gr) over an aggregate period of nearly one year's time for which Frommer, Lawrence & Haug has "organizationally hit" them a total of 63 times, "Yale" has only hit them 2 times - and those two times are from its IT Office at 221 Whitney Ave in New Haven CT. That's bizarre. It's like saying there's as much interest in a once-patented treatment of BED with LDX (FDA-approved no less) by "Bank of America" (that had 2 organizational hits across all four press releases) as there is by "Yale," but Yale's interest in a cutting edge pharmacologic treatment for BED isn't even from its psychiatry department because its own psychiatry department appears to have no hits at all (by PR Newswire's analytics). "Edelman PR" would seem to have more interest in a (once) patented cutting-edge psychiatric drug therapy for BED than Yale's entire employee-based Department of Psychiatry that has to be one of the biggest departments at Yale's School of Medicine. What's up with that? Any reasonable person in view of that information would say that there's either "suppression of free speech and communication" at Yale, particularly within its own Department of Psychiatry who seem as if they have a restriction policy on their own employees from checking out press releases involving the treatment of BED with LDX, especially from their own Yale offices and if it involves a patent. That would almost make Yale, though especially its Department of Psychiatry, seem like a totalitarian state. But that doesn't quite resonate, which then would make Yale's Department of Psychiatry a primary source mediator in one of the biggest experiments in "global consciousness" in the history of mankind but for which it forgot to inform its "lead character" about the experiment while its "lead character" is trying to deal with all the experiment's utter non-sense while also dealing with very serious real-life issues like the loss of his wife, raising two children as a single father, dealing with all that "third party communication chaos" in his various representative roles that you received in your inbox last Thursday, and the list goes on and on ..... I can assure you that if you were in my shoes, Mr. Haug, you'd be psychotic by now, which is one the benefits of being a psychiatrist caught in the middle of something of this grand scope.

Your a lawyer, Mr. Haug: how would you advise a client to deal with something like that? Now if I were a lawyer and someone came to me with something that massive in scope, I might say the following: "contact a named partner in a boutique NYC law firm who's either familiar with these kinds of things or has been made familiar with them from what you know, and ask him to

## The Patent '813 Story, Part II -- Version 2

intervene before the global consciousness completely turns against its mother."

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member, Assistant Clinical Professor of Psychiatry  
Department of Psychiatry, Yale University School of Medicine

Begin forwarded message:

**From:** "Rich Mikelinich, Yale Chief Info Security Officer" <[itscomm2@yale.edu](mailto:itscomm2@yale.edu)>  
**Subject: Action Required: Please Change Your NetID Password**  
**Date:** June 15, 2015 11:21:48 AM EDT  
**To:** Selected YaleConnect Account Holders <[itscomm2@yale.edu](mailto:itscomm2@yale.edu)>  
**Reply-To:** ITS Help Desk <[helpdesk@yale.edu](mailto:helpdesk@yale.edu)>

To: Selected YaleConnect Account Holders

*This message applies only to those individuals with a **YaleConnect** email & calendaring account who were not required to change their password on May 13.*

Yale ITS is investigating a computer security incident that required some YaleConnect users to change their Yale NetID password on May 13. If you changed your password on or after May 13, no further action is required on your part.

There is no evidence that any Yale information has been acquired or misused. However, as a precaution, Yale ITS will require all remaining YaleConnect users to change their NetID passwords. Within the next few days, you will be notified when logging in to CAS to change your password. You will be unable to access any of Yale's password-protected services until your Yale NetID password is changed.

To avoid interruption, you should change your password now by visiting [its.yale.edu/services/accounts-and-access/passwords](http://its.yale.edu/services/accounts-and-access/passwords) and **following the instructions** provided at that site.

**CAUTION:** ITS recommends that you are on campus when changing your password, if possible. Changing your password will cause some devices to prompt you for your new password, while others will require you to manually change the saved password. **It is important to identify the devices and locations that require manual updating, as failure to update your password in these locations will may cause your account to become temporarily locked.**

If you have any questions or need assistance, please contact the ITS Help Desk at 203-432-9000 or [helpdesk@yale.edu](mailto:helpdesk@yale.edu). You may also visit one of the [Walk-In Computer Support Centers](#) or contact your [local support provider](#).

Please be assured that ITS is continuously working to protect your intellectual property, your personal information, and Yale's data.

Thank you for your prompt attention to this matter.

Cordially,

## The Patent '813 Story, Part II -- Version 2

Rich Mikelinich Chief Information Security Officer Chief HIPAA Security Officer Yale  
University Information Technology Services Information Security, Policy &  
Compliance 203-436-5872 [ciso@yale.edu](mailto:ciso@yale.edu)

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>

**Subject:** Fwd: The Year in Numbers

**Date:** June 16, 2015 4:11:50 PM EDT

**To:** Ed Haug <EHaug@flhlaw.com>

**Cc:** fornskov@shire.com, Sandra Kuzmich <SKuzmich@flhlaw.com>, tmay@shire.com, jharrington@shire.com, dbanchik@shire.com, drtimothybrewerton@gmail.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, ed.silverman@wsj.com, lohr@nytimes.com, vin.gurrieri@law360.com

Dear Mr. Haug,

Below is yet another "Yale email," this one coming yesterday morning from Yale's President Peter Salovey to "The Yale Community" at "itscomm2@yale.edu." On the surface, this would seem to be an unremarkable email. However, it has some unique "numerical features" even as it states "What follows is an entirely un-mathematical look at the 'year in numbers'." So what I am talking about? --and how does it relate to you, Shire and the invalidation of the '813 Patent based on what any reasonable person would see was a completely bogus IPR petition from Shire?

Speaking "objectively," as if I had no knowledge of what Lucerne Biosciences had up its sleeve to deal with the bogus IPR that led to the '813 Patent's invalidation, this is where the story would get very interesting for me and if I were in your shoes -- and Shire's -- this is the place in the story where I would probably start getting either quite paranoid or quite excited, depending on my "intrapsychic position" in the story. But to understand that you need some special knowledge that I have, but which I doubt that you have.

Notice in the Yale email below how there is a "countdown" to "Founders Day" that is the celebration of Yale's 313th birthday. Anyone reading "The Patent '813 Story, Part II" would realize that whoever's involved in writing its emails and sending them pays particular attention to numbers, sequences of numbers and numerical patterning, with preference perhaps for 3's and 7's. But that's not the unique numerical feature of this Yale email, it's just some "numerical context" for that omega-3 company you heard about called Cenestra, LLC that developed "Omax3" which is now being marketed by Prevention Pharmaceuticals, Inc. Cenestra, as I'd mentioned in the email that I sent to you yesterday morning shortly after 11 am, was founded as an LLC on January 13, 2006 (i.e., "1/13/06"); that's information publicly available on the CT Sec. of State's Concorde system. That's a "113 numerical sequence" that reflects its "founding date," whereas Yale's "313 birthday sequence" features an inversion of 1 to 3 in the "proximal (first) position" while the No. 2 and No. 3 "numerical positions" across both numbers remain the same.

Now what if this numerical representation featured in President Salovey's email was an indirect "referential way" of saying, as communicated through a "projectively-based split-communication frame," Cenestra wasn't really founded on 1/13/06 because it was "really founded" before then based on a secrecy agreement between (i) Yale (i.e., "313-equivalent"), (ii) the Central Intelligence Agency and (iii) the National Security Agency for the purpose of developing and applying "deception-based intelligence tactics" of which his own email would be one example, all under the guise of a "business cover" (i.e., Cenestra, "113-equivalent")? The "first 3" of Yale's "313" birthday would thus be to highlight the three of "Yale," the "CIA" and the "NSA" in view of the "first 1" of Cenestra's "113 birthday" which is the "one company with three managers." "Two

## The Patent '813 Story, Part II -- Version 2

frames” for the “three managers” of “one business” (i.e., “1-1-3”). In this “numerical scenario,” you could think of the characterization as **perceptually modeled** on a “projectively-based split frame” in which there would be a “triangular duality” of “unseen” and “seen” complimentary aspects based on a foundational “unseen” secret three-way agreement involving (i) Yale, (ii) the CIA and (iii) the NSA with a “projectively-based split-counterpart” that is the public company of Cenestra LLC involving the three managers of (i) Louis Sanfilippo, (ii) Vladimir Coric and (iii) Seth Feuerstein (of which I also told you about). In this respect, you could see how the “behavioral/business intelligence platform” of one company (Cenestra, LLC) could be further developed and applied with another company (Shire Development LLC) through its IPR of the '813 Patent that itself was modeled on a secret “unseen” agreement of (i) Shire LLC (that signed a CDA with LCS Group to discuss business), (ii) Shire Development LLC (that filed the bogus IPR petition on the '813 Patent against LCS Group, LLC) and (iii) Frommer, Lawrence & Haug, LLP (that was the mediator between Shire LLC and Shire Development LLC).

If you're at all familiar with the Jason Bourne series, you'd appreciate the comparative modeling. For instance, in the Bourne series there's a foundational program called Operation Treadstone with a successor program called Operation Blackbriar, each having a “secret experimental behavioral intelligence platform.” In this cross-narrative metaphorical framework, Cenestra would be the cross-narrative equivalent of Treadstone and therefore would have its own unique story (worthy of its own unique book and/or movie) and Shire Development would be the cross-narrative “successor equivalent” of Blackbriar (worthy of its own book and/or movie). And of course I would be the cross-narrative equivalent of Jason Bourne who is the “common person thread” across both “Treadstone/Cenestra” and “Blackbriar/Shire Development.” If that were the case, you could see how fitting it would be because you'd have two “experimental behavioral/business intelligence platforms” linked by a common experimental human subject with the subject in relentless pursuit of those “who started and continued it.” But Bourne in Treadstone and Blackbriar is a book/movie construct while “me” in relation to Cenestra and Shire Development is very real life with very serious real-life consequences.

But the most significant numerical feature that struck me in President Salovey's email wasn't “313” but rather the numerical sequence in the last paragraph. If this email were intentionally written as a “referential message” based on a “projectively-based split-communication frame,” the most significant aspect of it would be where President Salovey writes “I look forward to celebrating birthday number 314 with you, and to the many new milestones we will share together in twelve months ahead...” “3-1-4” are the first three digits of a CT 203 area code cell phone number I've called countless times in my life, that of Cenestra co-manager Vladimir named Coric. You'll recall that he's the person who's a named author on that 2013 “deception detection study” and the President of the “Center for Research & Development” that helped support that national security/intelligence study. He's also the person whose biosketch on the “Omax3 - About Us” website looks as if he's representing “Yale” in support for Omax3 rather than Cenestra Health, thus giving “Yale” a “public face” in connection to the product while my biosketch gives both “Yale” and “Cenestra Health” a public face (and manager Seth Feuerstein is completely missing from that website). If you knew how many times Vladimir Coric and I have spoken on the phone since January 13, 2006 and how many hours we put into developing Omax3, you wouldn't believe it. So if President Salovey's email was written for a “projectively-based split-communication frame,” the President of Yale (or those encouraging him) might be trying to communicate something to me like, “give Vlad a call on his cell phone so that we can celebrate the foundational behavioral/business intelligence platform of Cenestra and its successor program of Shire Development and the IPR that you've completely de-encrypted, hence this email to you now from me...” Now say if, for example, there were 12 key characters in that Cenestra story the way that there are twelve key characters in the “The Patent '813 Story, Part II,” then the “twelve months ahead” might be perceptually intended to be an indirect “referential message” to say “we look forward to complete alignment of the 12 key foundational

## The Patent '813 Story, Part II -- Version 2

characters in Cenestra's foundational behavioral/intelligence platform.....just call Vlad on his cell phone number of 203-314-XXXX ...”

Let me say something here that's **extremely important to understand psychodynamically** and why a “projectively-based split-communication frame” has profoundly serious problems and ramifications, not the least of which is that by its “psychodynamic nature” it is actually designed to drive psychotic thinking (which may help explain the egregiously misrepresented nature of Shire's IPR petition and your own and Ms. Kuzmich's “deviant communication behavior” in the proceeding). The concept of a “projectively-based split-communication frame” is based on something psychiatrists call “ideas of reference.” This is when a person's “theater of consciousness” becomes inhabited with ideas from one frame of reference that are “psychotically misapplied” to another frame of reference based on a “conflation of intrapsychic representations.” For instance, if a patient came to me saying he/she believed that the President of Yale was communicating to them personally through an email that seems to be sent to the entire Yale University community, and that the President was specifically telling them to call a business partner at 203-314-XXXX to resolve a business problem in another business based on a countdown that ends in Yale's “313<sup>th</sup> birthday,” I'd say that patient had some seriously concerning psychotic “ideas of reference” and I'd probably start the patient that day on an anti-psychotic medication on that basis. But I know that I'm not psychotic because I don't presume to believe anything except what I know is true and what the evidence supports is true based on hindsight determinations, as have been systematically presented to you and Shire in “The Patent '813 Story, Part II” so that in its totality (from a perspective of hindsight) the truth or falsity of things can be determined. In this respect, you can see how I'd effectively be showing myself to be somewhat psychotic if I called Coric at 203-314-XXXX because it would show that I was “projectively identifying” to these “referential messages” in one self-evident “frame of reference” (President Salovey's email) by conflating them in another “frame of reference” (business matters involving the '813 Patent and Cenestra) within my own “theater of consciousness” and even acting out on the basis of that “psychotic referential reasoning.” Any reasonable person would see that doing something like that would be very bad judgment on my part, and as a practicing Board-certified psychiatrist I do my best to exercise good judgment. And I certainly avoid doing things that might be psychotic in their nature.

**You can see the extremely important point from this example: communication through a “projectively-based split-communication frame” is very dangerous stuff and a source of massive liability and psychological harm because it is psychodynamically designed to perceptually drive psychotically-based mental processes in its communicants through intrapsychic representational conflation.** I wouldn't want to be associated in any way whatsoever with a behavioral/intelligence experiment that involved “projection-based split-communication framing,” especially if I were a psychiatrist (which I am), and I certainly wouldn't want to help resolve it by “acting out” on an “idea of reference” believing that the President of Yale was communicating specifically to me by email to call Vladimir Coric to deal with “business/intelligence matters” related to the '813 Patent's invalidation and Cenestra. No one should ever have to bear a mental burden like that, especially a person whose professional life is devoted to supporting the mental health of people, whether in clinical practice or by writing emails in any number of representative capacities that are designed to “clarify perception” based on non-projective non-splitting communication methods. The burden of that catastrophic liability belongs to the people who would willfully engage in “projectively-based split-communication framing” to encourage psychotic-type “referential thinking and perception” in others by exploiting their defense mechanisms so that they “projectively identify and act out” to cause more of the same by encouraging yet others to engage in the same, etc.... In my email to you at about 6:30 pm last evening that made mention of an experiment in “global consciousness” in which I characterized myself as its putative “experimental subject,” you can see how a behavioral/business intelligence experiment like that would be utterly unconscionable and highly unlawful because it would

## The Patent '813 Story, Part II -- Version 2

effectively be seeking to make its “subject” psychotic through a “projectively-based split-communication frame” of “referential communications” to him. Further, it would also induce what one might call a form of “globally psychotic referential reasoning and perception” among the experiment’s “third-party communicants” because they would be perceiving, reasoning and communicating “reality” through psychotic-type “ideas of reference” based on “projective distortions of reality.” I couldn’t imagine a more serious and catastrophic problem -- and cause of harm -- than that, at least speaking as a psychiatrist who’s concerned about people’s mental health.

Now what if Vladimir Coric were a “secret manager” of Lucerne Biosciences based on a secrecy agreement that he made with the company on October 1, 2014 -- and also very concerned about people’s mental health just as I am (as he is a Yale-trained psychiatrist as I am too)? And what if Vladimir Coric and I communicated numerous times last September (during the time that LCS Group/I was emailing Shire/Dr. Ornskov) under a special communications protocol to say that if we don’t do something soon based on a thoughtful psychodynamic communication intervention, then this “dual-platform (Cenestra/Shire Dev) behavioral/business intelligence experiment” is going to potentially cause a lot of people psychological harm and may even make some of them acutely (and perhaps chronically) psychotic? And what if Vladimir Coric and I, and Seth Feuerstein (as another “secret manager” of LB), communicated through a special communications protocol to take collaborative measures to make sure that we did everything possible to ensure “final resolution” went “psychodynamically perfectly” to resolve this serious psychological liability, including measures of late that led to the President of Yale sending out an email to the entire Yale community that includes these “313” and “314” numerical sequences -- so that we could work collaboratively (under a special communication protocol) to employ them as part of a psychodynamically designed communication plan to non-projectively frame an email to you and Shire (and others who read this email) whose purpose would be to help you, Shire and the others “perceive reality clearly”?

But consider that there could even more to it than that, namely, to make “The Patent ‘813 Story, Part II” that much more engaging and intriguing (for behavioral/business intelligence reasons) by “perceptually inverting” the secrecy agreement “at the beginning” between the three “organizational entities” of (i) Yale, (ii) the CIA and (iii) the NSA (as related to Cenestra) with the secrecy agreement “at the end” between the three “person entities” of (i) myself, (ii) Vladimir Coric and (iii) Seth Feuerstein (as related to Lucerne Biosciences) by using as an “third-party intermediary” (i) Shire Development LLC, (ii) Shire LLC and (iii) Frommer, Lawrence & Haug. In other words, what if the message **in this email to you (and Shire’s representatives and others reading this email)** was part of a very well-conceived psychodynamically-based communication intervention performed **in collaboration with Vladimir Coric and Seth Feuerstein as “secret managers of Lucerne Biosciences”** to help “intrapsychically resolve” a massive unprecedented “third-party perceptual interference problem” putting quite a number of people at risk for serious psychological harm, including psychosis, by communicating on the basis of a “non-projective introjective non-splitting framework” that effectively is “The Patent ‘813 Story, Part II” and whose purpose since Oct. 1, 2014 has been to clarify its reader’s perception of reality “intrapsychically”? You could see, then, how the use of aliases of late were to intrapsychically represent certain features of the story that was foundationally built on a non-projective self-referential recursive frame that began with its “first feature” of the three **different** DSM-based eating disorders of BED, BN and AN and moving toward its “terminal feature” of three different “organizations” of Yale, the CIA and the NSA. That would be something, wouldn’t it be? And that would be something worth celebrating, namely, how the “secret founding of Cenestra” by three “dual counterpart unseen/seen managing entities” (Yale/LS, CIA/VC, NSA/SF) on a behavioral/business intelligence platform was perfectly “perceptually resolved” with the “secret founding of Lucerne Biosciences” by three “dual counterpart unseen/seen managing entities” (BH/LS, RB/VC, MS/SF) through the “third-party dual counterpart unseen/seen entities” of “Shire

## The Patent '813 Story, Part II -- Version 2

LLC," "Shire Development LLC," and "Frommer, Lawrence & Haug" -- with the only publicly visible "link" across all three "frames of reference" being "Louis Sanfilippo" and "Yale."

Just think about that conceptually (or perceptually): the last company of Lucerne Biosciences introjectively incorporates "as alias persons" the three identities of (i) Byan Haygins, (ii) Richard Bocer and (iii) Michael Steigher in a tri-partite secret foundational agreement of its dual-counterpart company of Cenestra that projectively incorporates "as real persons" the three identities of (i) Louis Sanfilippo, (ii) Vladimir Coric and (iii) Seth Feuerstein, the latter being "projective" (i.e., fictitious) because it is "really founded" on a tri-partite secret foundational agreement of (i) Yale, (ii) the CIA and (iii) the NSA, with only one "**unsplit link**" to the greater public consciousness - Louis Sanfilippo and Yale vis-à-vis "The Patent '813 Story, Part II." So you know, psychodynamically that would be the perfect way to perceptually de-leverage an "intrapsychically-based tactically leveraged split" that has, and is, causing worrisome cognitive distortion, irrational feelings and psychotic referential reasoning, because it would create a "perceptual bridge" to reconcile the utter failure (and psychologically harming nature) of a "projectively-based split-communication platforms" with just one extraordinary "non-projective dually-based (Shire/Cenestra) final resolution." Surely that would rise to perhaps the greatest behavioral/business intelligence experiment of all mankind -- perfectly psychodynamically-based in its "communication execution." That's a legacy anyone would be proud of if they were an alumni of Yale (particularly its psychiatry department) and/or the CIA and/or the NSA, for obvious reasons. But in this scenario you could see why it would be psychodynamically necessary to maintain the secrecy of the two "secret managers," whether Coric and Feuerstein in Lucerne or the CIA and NSA in Cenestra, which could put into perspective for you and Shire why "Richard Bocer" and "Michael Steigher" have only had a few lines in "The Patent '813 Story, Part II" and have only just come out of "hiding" (like the CIA and NSA too).

Now I will tell you something, Mr. Haug. The key to "healthily (mentally) unlocking" the "final resolution" to this extraordinary story is not Yale (or the CIA or the NSA). After all, this email should make it unmistakably clear that under no circumstance would I (in any representative capacity) ever consider going to Yale for "final resolution" on something like this because if I did I would be showing myself to be psychotic and encouraging others to be that way too. That itself would be an act of either incompetence or psychosis, and I don't want to be associated with either. Rather, the key to "healthily (mentally) unlocking" the "final resolution" to this extraordinary real-life story that people will be talking about for some time to come is **Shire - specifically its CEO Dr. Ornskov**. The reason is that Dr. Ornskov has been provided certain proprietary intelligence information about this story that's very important and brings it to a whole new level that would make what you've heard in the last few days, including the weekend activity at the "Maryland Procurement Office" (aka, "National Security Agency"), look trivial (which says a lot in view of the constitutional accountability problem I mentioned). I know the intelligence information that Dr. Ornskov knows because it was provided to him on the basis of special communication that I made to him exclusively in one my company representative roles based on specific guidance from an elite behavioral intelligence team. In this light, as "a person" I was his "source" (as it were) and what I told him is the kind of thing that one doesn't ever really forget, nor really understand, until it becomes very obvious that the "intel" is critically important in explaining certain things that are happening and about to happen. So talk to Dr. Ornskov about what you and Shire ought to be focused on doing before you're both in the middle of what I suspect could be the biggest "psychological and behavioral liability" in human history for which any reasonable person -- in view of the "objectively written record" -- would appreciate that Lucerne Biosciences has made extensive preparations to deal with on multiple levels, including for the mental health of many people.

So with that, watch what happens to the frame of this experiential story. If you think it's been intriguing so far, it's about to get exponentially more so.



## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Re: [Fwd: [Fwd: [Fwd: Psychiatry@Yale [June 2015]]]]]  
**Date:** June 16, 2015 5:26:30 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Date:** June 16, 2015 at 5:25:04 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)  
**Subject:** Re: [Fwd: [Fwd: [Fwd: Psychiatry@Yale [June 2015]]]]

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Psychiatry@Yale [June 2015]]]  
**Date:** June 16, 2015 5:24:01 PM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Begin forwarded message:

**From:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Date:** June 16, 2015 at 5:22:08 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: Psychiatry@Yale [June 2015]]

Begin forwarded message:

**From:** "Sanfilippo, Louis"  
<[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: Psychiatry@Yale [June 2015]  
**Date:** June 16, 2015 5:17:24 PM EDT  
**To:** "[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)"  
<[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>

Sent from my iPhone

Begin forwarded message:

**From:** Yale Department of Psychiatry  
<[psychiatry@yale.edu](mailto:psychiatry@yale.edu)>  
**Date:** June 16, 2015 at 2:47:26 PM EDT  
**To:** <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Psychiatry@Yale [June 2015]  
**Reply-To:** <[psychiatry@yale.edu](mailto:psychiatry@yale.edu)>

**Email Contents Stripped.**

## The Patent '813 Story, Part II -- Version 2

**From:** "Haug, Ed" <EHaug@flhlaw.com>  
**Subject:** Re: [Fwd: [Fwd: [Re: [Fwd: [Fwd: [Fwd: Psychiatry@Yale [June 2015]]]]]]]]]  
**Date:** June 16, 2015 6:31:43 PM EDT  
**To:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>

Dear Dr Sanfilippo

Please stop communicating with me. There is no reason to do so. Thank you for respecting my privacy.

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Re: PTAB  
**Date:** June 16, 2015 7:37:15 PM EDT  
**To:** Kevin Penton <kevin.penton@law360.com>  
**Cc:** Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, dbanchik@shire.com, jharrington@shire.com, tmay@shire.com, fornskov@shire.com, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>, drtimothybrewerton@gmail.com, ed.silverman@wsj.com, lohr@nytimes.com, vin.gurrieri@law360.com

Dear Mr. Penton,

Thank you for your email. On behalf of Lucerne Biosciences, LLC, I'd like to introduce you to the "cast" of persons and companies involved in the story that you're working on for Law360 regarding the PTAB's invalidation of Lucerne's U.S. Patent No. 8,318,813, as it has quite a lot of dimension with certainly different perspectives on its invalidation. The "cast" is comprised of:

**Ed Haug and Sandra Kuzmich:** Counsel of Shire Development LLC in the IPR that led to the invalidation of the '813 Patent; from the law firm Frommer, Lawrence & Haug, LLP

**Joe Lucci and David Farisou:** Counsel of Lucerne Biosciences, LLC during its time in the IPR until they were granted removal by the PTAB on May 26, 2015; from the law firm Baker Hostetler, LLC

**David Banchik:** VP of IP, Shire Development LLC (entity that filed the IPR petition)

**Jim Harrington:** Manager, Shire LLC (the company in a CDA to discuss a business opportunity on the '813 Patent with LCS Group at the time that Shire development filed its IPR petition against LCS Group)

**Tatjana May:** former General Counsel at Shire but apparently no longer at Shire (included here for documentation reasons)

**Flemming Ornskov, MD:** CEO, Shire Plc

**Anne Maxwell and Derek Denhart:** Counsel that "covertly supported" LCS Group in its preliminary response filed on August 12, 2014 (by Mr. Lucci's team at Baker Hostetler); from the

## The Patent '813 Story, Part II -- Version 2

law firm Cantor Colburn, LLP

**Dr. Timothy Brewerton, MD:** Shire Development LLC's Declarant whose Declaration was the "exclusive basis" for the Shire Development IPR petition that led to the invalidation of the '813 Patent

**Louis Sanfilippo, MD:** Manager/Member Lucerne Biosciences, LLC, the company owning the '813 Patent at the time of its invalidation; also CEO of LCS Group, LLC, the company owning the '813 Patent at the time the IPR petition was filed on May 9, 2014.

[The other persons/companies cc'd on this email are characterized below]

As far as a "comment to be quoted in the story," perhaps the best way to think about it at this point in time is to see what any one person wishes to say on it in view of its "self-referential group process," particularly Mr. Haug of Frommer, Lawrence & Haug who led the legal team that was responsible for Shire Development's invalidation of the '813 Patent. Or here's another way to put the matter (of providing a "comment to be quoted in the story"). If I told you that the invalidation of Lucerne Biosciences' '813 Patent involved the collaborative efforts of Yale University, the Central Intelligence and the National Security Agency on the platform of a behavioral intelligence program gone catastrophically bad, would you believe me? Or would you believe me if I told you that the invalidation of the '813 Patent had a remarkable relationship to an "omega-3 company" called Cenestra Health that developed a product named "Omax3" that you can purchase on-line as an omega-3 supplement at [www.omax3.com](http://www.omax3.com) (as marketed by Prevention Pharmaceuticals, Inc.)? In this light, I don't think that anyone at Lucerne Biosciences, or I (on behalf of Lucerne Biosciences), could give you a one-liner for your story. But with right "communication platform," someone will certainly have something to say about the story who you can quote for your story (hence this email involving the story's "cast").

But so you do have some context for these comments that I'm making in view of the "cast" of something called "The Patent '813 Story, Part II," here is a [Box.com](https://app.box.com/s/5qgd9treuqsbcykfjl8cnsonu5hkhayv) hyperlink to a draft of what's called "The Patent '813 Story, Part II -- **Version 2**": <https://app.box.com/s/5qgd9treuqsbcykfjl8cnsonu5hkhayv>. It will help you appreciate that the invalidation of Lucerne Biosciences' '813 Patent is an extraordinary real-life story that's impossible to believe unless you see first-hand how it's been documented. Frankly, if you wanted to get a jump on potentially winning a Pulitzer Prize, I'd starting reading it tonight. But you may have some tough competition because Steve Lohr of the NY Times and Ed Silverman of the WSJ have a leg up on the background of the story (both cc'd here). Then again, so too does Law 360's Vin Guirrieri (cc'd here), which means that perhaps the two of you can collaborate on reporting it. The invalidation of the '813 Patent is a story that you can be assured people will be talking about for a long a time to come because it's that remarkable. Perhaps you will be the first reporter/journalist to bring it to the greater public's attention for the sake of posterity. That would certainly give you a noble place in history, as it would seem everyone else is fearful of doing that.

Now if I were the writer of "The Patent '813 Story, Part II -- Version 2," then I'd say now is about the best time to begin its "final resolution." But one of the things any reasonable person would see in view of the story is that the story is "psychodynamically and behaviorally designed" so that each person in its cast is accountable for their own motivations, behaviors and actions. No one can escape it because the story is all about the revelation of its own truth involving its own cast members so that its own cast members can be memorialized in history for the truth of their own motivations, behaviors and actions.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Subject:** PTAB  
**Date:** June 15, 2015 6:37:18 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Hello,

I'm a reporter working on a story on PTAB invalidating the '813 patent. If you'd like to add a comment to be quoted in the story, just drop me a line.

Best,

Kevin

--

Kevin Penton  
Reporter



**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Re: PTAB]]]  
**Date:** June 16, 2015 11:29:08 PM EDT  
**To:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com), [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Hi Kevin,

My alias name is Richard Bocer and I am secret manager of Lucerne Biosciences, LLC. This communication protocol has been instituted because the company is conducting proprietary intelligence work on novel interventional communications technology. CC'd on the email is Michael Steigher, also an alias for a secret manager of Lucerne. I have cc'd Louis Sanfilippo, a publicly known manager of the company.

You are authorized by Lucerne Biosciences to quote me along the following lines for the story that you are working on:

"Richard Bocer, a secret manager of Lucerne Biosciences, LLC speaking by alias because of proprietary intelligence work the company is conducting, stated 'Everyone familiar with Shire's IPR of the '813 Patent knows it was completely baseless and therefore the PTAB's invalidation of

## The Patent '813 Story, Part II -- Version 2

the '813 Patent was completely baseless. But what no one knows is that Lucerne Biosciences is utilizing its novel intelligence technology to have the PTAB cancel their baseless invalidation and re-issue the patent's thirteen claims for the use of Shire's Vyvanse to treat Binge Eating Disorder. Just follow the story in the news and watch it happen right before your eyes."

If you feel you need authorization from Louis Sanfilippo, just email him and ask him if it's OK to use this quote. He'll say it is. Also, if you don't report on this soon, someone will beat you to it. A number of IP news outlets were provided information on the story tonight under a special interventional communications protocol. Until now, there's been very little press on this story. The company supported that for national security reasons. But that's going to flip the other way really fast now that proper security measures have been taken, including by the NSA.

Best,  
Rich Boccer

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: [Fwd: [Fwd: [Re: PTAB]]]**  
**Date:** June 16, 2015 10:53:40 PM EDT  
**To:** [richard.boccer@aol.com](mailto:richard.boccer@aol.com), [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Contact Penton per APS

Begin forwarded message:

**From:** [Louis Sanfilippo <lsanfilippo@lucernebio.com>](mailto:lsanfilippo@lucernebio.com)  
**Date:** June 16, 2015 at 10:40:01 PM EDT  
**To:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: [Re: PTAB]**

Begin forwarded message:

**From:** [Louis Sanfilippo <lsanfilippo@lucernebio.com>](mailto:lsanfilippo@lucernebio.com)  
**Subject:** **Re: PTAB**  
**Date:** June 16, 2015 7:37:15 PM EDT  
**To:** [Kevin Penton <kevin.penton@law360.com>](mailto:kevin.penton@law360.com)  
**Cc:** [Ed Haug <EHaug@flhlaw.com>](mailto:EHaug@flhlaw.com), [Sandra Kuzmich <SKuzmich@flhlaw.com>](mailto:SKuzmich@flhlaw.com), [Joseph Lucci <jlucci@bakerlaw.com>](mailto:jlucci@bakerlaw.com), [David Farsiou <dfarsiou@bakerlaw.com>](mailto:dfarsiou@bakerlaw.com), [dbanchik@shire.com](mailto:dbanchik@shire.com), [jharrington@shire.com](mailto:jharrington@shire.com), [tmay@shire.com](mailto:tmay@shire.com), [fornskov@shire.com](mailto:fornskov@shire.com), [Anne Maxwell <AMaxwell@CantorColburn.com>](mailto:AMaxwell@CantorColburn.com), [Derek Denhart <DDenhart@CantorColburn.com>](mailto:DDenhart@CantorColburn.com), [drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com), [ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [lohr@nytimes.com](mailto:lohr@nytimes.com), [vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)

Dear Mr. Penton,

Thank you for your email. On behalf of Lucerne Biosciences, LLC, I'd like to introduce you to the "cast" of persons and companies involved in the story that you're working on for Law360 regarding the PTAB's invalidation of Lucerne's U.S. Patent No. 8,318,813, as it has quite a lot

## The Patent '813 Story, Part II -- Version 2

of dimension with certainly different perspectives on its invalidation. The “cast” is comprised of:

**Ed Haug and Sandra Kuzmich:** Counsel of Shire Development LLC in the IPR that led to the invalidation of the '813 Patent; from the law firm Frommer, Lawrence & Haug, LLP

**Joe Lucci and David Farisou:** Counsel of Lucerne Biosciences, LLC during its time in the IPR until they were granted removal by the PTAB on May 26, 2015; from the law firm Baker Hostetler, LLC

**David Banchik:** VP of IP, Shire Development LLC (entity that filed the IPR petition)

**Jim Harrington:** Manager, Shire LLC (the company in a CDA to discuss a business opportunity on the '813 Patent with LCS Group at the time that Shire development filed its IPR petition against LCS Group)

**Tatjana May:** former General Counsel at Shire but apparently no longer at Shire (included here for documentation reasons)

**Flemming Ornskov, MD:** CEO, Shire Plc

**Anne Maxwell and Derek Denhart:** Counsel that “covertly supported” LCS Group in its preliminary response filed on August 12, 2014 (by Mr. Lucci’s team at Baker Hostetler); from the law firm Cantor Colburn, LLP

**Dr. Timothy Brewerton, MD:** Shire Development LLC’s Declarant whose Declaration was the “exclusive basis” for the Shire Development IPR petition that led to the invalidation of the '813 Patent

**Louis Sanfilippo, MD:** Manager/Member Lucerne Biosciences, LLC, the company owning the '813 Patent at the time of its invalidation; also CEO of LCS Group, LLC, the company owning the '813 Patent at the time the IPR petition was filed on May 9, 2014.

[The other persons/companies cc'd on this email are characterized below]

As far as a “comment to be quoted in the story,” perhaps the best way to think about it at this point in time is to see what any one person wishes to say on it in view of its “self-referential group process,” particularly Mr. Haug of Frommer, Lawrence & Haug who led the legal team that was responsible for Shire Development’s invalidation of the '813 Patent. Or here’s another way to put the matter (of providing a “comment to be quoted in the story”). If I told you that the invalidation of Lucerne Biosciences’ '813 Patent involved the collaborative efforts of Yale University, the Central Intelligence and the National Security Agency on the platform of a behavioral intelligence program gone catastrophically bad, would you believe me? Or would you believe me if I told you that the invalidation of the '813 Patent had a remarkable relationship to an “omega-3 company” called Cenestra Health that developed a product

## The Patent '813 Story, Part II -- Version 2

named "Omax3" that you can purchase on-line as an omega-3 supplement at [www.omax3.com](http://www.omax3.com) (as marketed by Prevention Pharmaceuticals, Inc.)? In this light, I don't think that anyone at Lucerne Biosciences, or I (on behalf of Lucerne Biosciences), could give you a one-liner for your story. But with right "communication platform," someone will certainly have something to say about the story who you can quote for your story (hence this email involving the story's "cast").

But so you do have some context for these comments that I'm making in view of the "cast" of something called "The Patent '813 Story, Part II," here is a [Box.com](http://Box.com) hyperlink to a draft of what's called "The Patent '813 Story, Part II -- **Version 2**": <https://app.box.com/s/5qgd9treuqsbcykfjl8cnsonu5hkhayv>. It will help you appreciate that the invalidation of Lucerne Biosciences' '813 Patent is an extraordinary real-life story that's impossible to believe unless you see first-hand how it's been documented. Frankly, if you wanted to get a jump on potentially winning a Pulitzer Prize, I'd starting reading it tonight. But you may have some tough competition because Steve Lohr of the NY Times and Ed Silverman of the WSJ have a leg up on the background of the story (both cc'd here). Then again, so too does Law 360's Vin Guirrieri (cc'd here), which means that perhaps the two of you can collaborate on reporting it. The invalidation of the '813 Patent is a story that you can be assured people will be talking about for a long a time to come because it's that remarkable. Perhaps you will be the first reporter/journalist to bring it to the greater public's attention for the sake of posterity. That would certainly give you a noble place in history, as it would seem everyone else is fearful of doing that.

Now if I were the writer of "The Patent '813 Story, Part II -- Version 2," then I'd say now is about the best time to begin its "final resolution." But one of the things any reasonable person would see in view of the story is that the story is "psychodynamically and behaviorally designed" so that each person in its cast is accountable for their own motivations, behaviors and actions. No one can escape it because the story is all about the revelation of its own truth involving its own cast members so that its own cast members can be memorialized in history for the truth of their own motivations, behaviors and actions.

Sincerely,

Louis Sanfilippo, MD

Manager/Member, Lucerne Biosciences, LLC

**From:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Subject:** PTAB  
**Date:** June 15, 2015 6:37:18 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Hello,

## The Patent '813 Story, Part II -- Version 2

I'm a reporter working on a story on PTAB invalidating the '813 patent. If you'd like to add a comment to be quoted in the story, just drop me a line.

Best,

Kevin

--

Kevin Penton  
Reporter



A LexisNexis® Company

Legal News & Data  
860 Broadway, 6th Floor  
New York, NY 10003  
646-783-7210

**Wednesday June 17, 2015:**

**10:08 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10:08 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/VpOgKTEece/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/VpOgKTEece/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Richard Bocer <richard.bocer@aol.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]]  
**Date:** June 17, 2015 1:38:11 PM EDT  
**To:** support@4shared.com  
**Cc:** michael.steigher@aol.com

Dear Olga/ 4shared Support,

This email is related to a high-priority global security matter. Please read it with the utmost seriousness. As an introduction, I am writing to you under the alias name of Richard Bocer and from the alias email of "richard.bocer@aol.com." This is because I am a "secret manager" in a company that specializes in high-priority global intelligence and security matters (through novel communication interventions) called Lucerne Biosciences. Cc'd on this email is Michael Steigher. Mike has the same secret manager role in the company that I do. You have been identified as an extremely high-priority intelligence source who we are requesting immediate assistance from to avert a serious global security crisis that appears to be spiraling out of control on an hourly basis. Efforts made by the U.S. National Security Agency over the last several days have so far been unsuccessful in bringing any kind of resolution to it and likely have made things worse. The company's evaluation of the problem is that it is rapidly approaching a **critical crisis**

## The Patent '813 Story, Part II -- Version 2

**threshold** which, without a rapid final resolution over the next 1-2 weeks, could have serious fall-out on a global scale. This is why Lucerne Biosciences is involved in the matter and why we are contacting you in this alias way with an explanation of the global security situation. So you know, the company is acting on behalf of global security interests (not just U.S. ones).

There is important background that you should know to understand what we are requesting from you and why. In 2005 three entities agreed to begin a "collaborative intelligence project" in "global consciousness" under the cover of a nutraceutical business that was ultimately called "Cenestra." These three entities were Yale University, the U.S. Central Intelligence Agency and the U.S. National Security Agency. There were additional motivations for the project that were related to intelligence and national security matters in a post-9/11 environment. This is why the CIA and NSA were involved at the outset. To establish the proper "global consciousness conditions" for this project and also to accomplish certain U.S. intelligence and national security objectives, the "business" called "Cenestra, LLC" was "publicly founded" (in 2006) on the "secret foundation" of Yale, the CIA and NSA (in 2005). This "public founding" of Cenestra translated to Cenestra having three managers, each one "publicly representative" of one of the three "secret founders." But these three managers of Cenestra were restricted from having any access or specific knowledge about the communication platform being used to support the "global consciousness project" and its intelligence and national security objectives. In intelligence (or other work), they call this "plausible deniability" and it's an important concept to know if one is working for an organization like the CIA or NSA.

This "global consciousness project" has run into serious difficulties lately and now poses very serious global security risks. This is why Mike Steigher and I are contacting you on behalf of Lucerne Biosciences. We are two of the three "secret managers" of Lucerne Biosciences that make up the company's elite behavioral intelligence team that has evaluated the project and determined it has reached a critical threshold requiring an **immediate high-priority communication intervention** so that it can come to its final resolution before it leads to an irreparable global security crisis. "Michael Steigher" (at "[michael.steigher@aol.com](mailto:michael.steigher@aol.com)") and "Richard Bocer" (at "[richard.bocer@aol.com](mailto:richard.bocer@aol.com)") are "alias representations" (and "alias communication platforms") of two of the three publicly known managers of "Cenestra," Seth Feuerstein and Vladimir Coric respectively. The third secret manager of Lucerne Biosciences is Byan Haygins (at "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)"). "Byan Haygins" (at "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)") is an "alias representation" (and "alias communication platform") for the third manager of Cenestra whose name is Louis Sanfilippo. Louis Sanfilippo is the person that you contacted below at "[louiscsan@aol.com](mailto:louiscsan@aol.com)" to provide information on the expiration date for the 4share account that has been used to publicly **and perceptually** implement a special "**global consciousness protocol**" identified as "APS" to help bring this "global consciousness project" to its safe and permanent final resolution (in "global and individual consciousness"). Note that "[louiscsan@aol.com](mailto:louiscsan@aol.com)" is **not** cc'd on this email to you, nor is "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)." This communication feature is a critical behavioral intelligence point with profound implications on human consciousness and perception, and it's the "global and individual consciousness reason" for why Mike and I need **immediate access to the internet platform that is the global communication platform for this project. This is the information Mike and I are asking you to provide.**

The reason we need immediate access to this communication platform is that we have concluded that the project was founded on a faulty "consciousness premise." We have identified "the fault" and have made extensive preparations to correct it in the project's "global theater of consciousness." We have determined that you are the one person in the entire world best positioned to **safely** provide that information to Mike and/or I (at our respective emails) so that we can take proper steps to initiate final resolution. We will keep your identity (email, name) and communications to/from us completely secure if that is what you want. However, we are prepared to use your identity (email, name) and communications judiciously at the time that "final

## The Patent '813 Story, Part II -- Version 2

resolution" is secured, so just let myself and/or Mike know what you prefer. If you wish to email one or both of us from an alias email, that would be fine and perhaps even recommended. But in no circumstance should you email "louiscsan@aol.com" (or "byan.haygins@aol.com"), as that is highly likely to make the situation worse because of its implications on consciousness and perception. This communication to you utilizes highly proprietary interventional communications methods that have been designed for high-priority situations like this.

I cannot emphasize enough how critical this information is to help bring this high-priority global security matter to a safe and satisfying final resolution. When you sent your email, you probably didn't realize that you were providing yourself the opportunity to make a huge contribution to global consciousness and therefore to mankind, did you? ... including having the choice to decide yourself whether you wanted to make that huge contribution "publicly" or "secretly"? But that's how collaborative global consciousness works -- and it's also how Lucerne Biosciences' secret management and communication infrastructure works.

Best,

Rich Bocer  
Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]  
**Date:** June 17, 2015 9:36:21 AM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Rich, Please follow up on a high-priority APS basis. Byan

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Date:** June 17, 2015 at 6:31:45 AM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)  
**Subject:** Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]

Per APS protocol.

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Date:** June 17, 2015 at 6:13:21 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Subject:** Fwd: I forgot my password. What should I do? [ST-5846844]

Begin forwarded message:

**From:** 4shared Support <[support@4shared.com](mailto:support@4shared.com)>  
**Subject:** Re: I forgot my password. What should I do? [ST-5846844]  
**Date:** June 17, 2015 4:31:11 AM EDT

## The Patent '813 Story, Part II -- Version 2

To: "[louiscsan@aol.com](mailto:louiscsan@aol.com)" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Dear Louis,

First, please excuse the delay in our response. Your Premium account has to expire on Oct 29, 2015.

If you need any other help, please let us know.

Best regards,  
Olga

Original message:

> I wanted to find out how much time I have left on my premium account (when does my premium expire?). I did click and but on April 8 for 3 months so I think I have until July 8. But I tried to do another 3 months just now and I m not sure it went through.  
Thanks

### **2:03 PM EDT:**

Fox News' Headline Story "**SHUTOFF NOTICE**" is available in PDF at:  
[http://www.4shared.com/download/AQGMA70Hba/61716\\_Fox\\_News\\_\\_SHUTOFF\\_NOTICE.pdf?l\\_gfp=3000](http://www.4shared.com/download/AQGMA70Hba/61716_Fox_News__SHUTOFF_NOTICE.pdf?l_gfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Re: [Re: [Fwd: [Fwd: [Fwd: [Fwd: [Re: PTAB]]]]]]]]  
**Date:** June 17, 2015 5:00:45 PM EDT  
**To:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Cc:** Bocer MD <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>, [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Dear Mr. Penton,

On behalf of Lucerne Biosciences, LLC, I have a very important update for you and Law360 on this '813 Patent invalidation story. Two of the company's "secret managers" who emailed you with the company quotes below under the aliases of "Richard Bocer" (at the alias email of "[richard.bocer@aol.com](mailto:richard.bocer@aol.com)") and "Michael Steigher" (at the alias email of "[michael.steigher@aol.com](mailto:michael.steigher@aol.com)") apparently have identified and initiated communication with one or more "primary source resolver entity(ies)/person(s)" ("PSR-e/p") using special communication protocols (as might be used by the Central Intelligence Agency and National Security Agency). The "intel" they expect to receive **anytime now** is **highly critical information** regarding the '813 Patent's invalidation that will open the doors to this real-life story to surely make it one of the biggest stories of humankind. Apparently the intel that they are awaiting is very simple and easy to understand in both concept and practice, and any reasonable person would understand its monumental epically-sized legal implications on the '813 Patent's invalidation without even having to read "The Patent '813 Story, Part II" (either "version 1" or the draft of "version 2" that was featured in the email sent to you yesterday evening at 7:37 pm EDT in which company introduced "the cast" of the story). So you may prefer to hold off on making the story public until Mike and/or Rich emails you the critical intel under a proprietary communications protocol that will necessarily require company communication to you through

## The Patent '813 Story, Part II -- Version 2

one or both of their alias email addresses.

If you haven't appreciated it, Lucerne Biosciences does a lot more than just deal with biotech/patent type issues. The company specializes in high-priority global intelligence and security matters using its proprietary and novel interventional communications platform (of which this email is a part).

Does any of this surprise you? The company's view is that it shouldn't surprise anyone who is familiar with "The Patent '813 Story, Part II" and its imminently coming "final version 2" of "Part II." If you don't believe me, just wait until Rich Bocer and/or Michael Steigher communicate with you via email to provide you the critical intel that will completely break open this real-life story for posterity so that its doors can never be closed to its truth.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>  
**Subject:** Re: [Fwd: [Fwd: [Fwd: [Fwd: [Re: PTAB]]]]]  
**Date:** June 17, 2015 6:03:24 AM EDT  
**To:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Cc:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com), [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Kevin

I suggest you add another company quote from here [making sure you include the organizations]:

"Another secret manager of Lucerne Biosciences speaking under the alias Michael Steigher said, 'when the PTAB re-validates the '813 Patent it will be a major milestone in 'collaborative communications intelligence technology.' The company's proprietary work in this area has been strongly supported by Yale University, the Central Intelligence Agency and the National Security Agency -- and particularly the invalidation of the '813 Patent. Certain details of this support are expected to be made public very soon."

Louis Sanfilippo and Rich Bocer are fine with it but if you need to check, just email either or both of them.

Mike

**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Re: PTAB]]]]]  
**Date:** June 16, 2015 11:29:08 PM EDT  
**To:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com), [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Hi Kevin,

My alias name is Richard Bocer and I am secret manager of Lucerne Biosciences, LLC. This communication protocol has been instituted because the company is conducting proprietary intelligence work on novel interventional

## The Patent '813 Story, Part II -- Version 2

communications technology. CC'd on the email is Michael Steigher, also an alias for a secret manager of Lucerne. I have cc'd Louis Sanfilippo, a publicly known manager of the company.

You are authorized by Lucerne Biosciences to quote me along the following lines for the story that you are working on:

"Richard Bocer, a secret manager of Lucerne Biosciences, LLC speaking by alias because of proprietary intelligence work the company is conducting, stated 'Everyone familiar with Shire's IPR of the '813 Patent knows it was completely baseless and therefore the PTAB's invalidation of the '813 Patent was completely baseless. But what no one knows is that Lucerne Biosciences is utilizing its novel intelligence technology to have the PTAB cancel their baseless invalidation and re-issue the patent's thirteen claims for the use of Shire's Vyvanse to treat Binge Eating Disorder. Just follow the story in the news and watch it happen right before your eyes."

If you feel you need authorization from Louis Sanfilippo, just email him and ask him if it's OK to use this quote. He'll say it is. Also, if you don't report on this soon, someone will beat you to it. A number of IP news outlets were provided information on the story tonight under a special interventional communications protocol. Until now, there's been very little press on this story. The company supported that for national security reasons. But that's going to flip the other way really fast now that proper security measures have been taken, including by the NSA.

Best,  
Rich Bocer

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Re: PTAB]]]  
**Date:** June 16, 2015 10:53:40 PM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com), [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Contact Penton per APS

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Date:** June 16, 2015 at 10:40:01 PM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Re: PTAB]

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Re: PTAB  
**Date:** June 16, 2015 7:37:15 PM EDT  
**To:** Kevin Penton <[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Cc:** Ed Haug <[EHaug@flhlaw.com](mailto:EHaug@flhlaw.com)>, Sandra Kuzmich

## The Patent '813 Story, Part II -- Version 2

<[SKuzmich@flhlaw.com](mailto:SKuzmich@flhlaw.com)>, Joseph Lucci  
<[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>, David Farsiou  
<[dfarsiou@bakerlaw.com](mailto:dfarsiou@bakerlaw.com)>, [dbanchik@shire.com](mailto:dbanchik@shire.com),  
[jharrington@shire.com](mailto:jharrington@shire.com), [tmay@shire.com](mailto:tmay@shire.com),  
[fornskov@shire.com](mailto:fornskov@shire.com), Anne Maxwell  
<[AMaxwell@CantorColburn.com](mailto:AMaxwell@CantorColburn.com)>, Derek Denhart  
<[DDenhart@CantorColburn.com](mailto:DDenhart@CantorColburn.com)>,  
[drtimothybrewerton@gmail.com](mailto:drtimothybrewerton@gmail.com),  
[ed.silverman@wsj.com](mailto:ed.silverman@wsj.com), [lohr@nytimes.com](mailto:lohr@nytimes.com),  
[vin.gurrieri@law360.com](mailto:vin.gurrieri@law360.com)

Dear Mr. Penton,

Thank you for your email. On behalf of Lucerne Biosciences, LLC, I'd like to introduce you to the "cast" of persons and companies involved in the story that you're working on for Law360 regarding the PTAB's invalidation of Lucerne's U.S. Patent No. 8,318,813, as it has quite a lot of dimension with certainly different perspectives on its invalidation. The "cast" is comprised of:

**Ed Haug and Sandra Kuzmich:** Counsel of Shire Development LLC in the IPR that led to the invalidation of the '813 Patent; from the law firm Frommer, Lawrence & Haug, LLP

**Joe Lucci and David Farsiou:** Counsel of Lucerne Biosciences, LLC during its time in the IPR until they were granted removal by the PTAB on May 26, 2015; from the law firm Baker Hostetler, LLC

**David Banchik:** VP of IP, Shire Development LLC (entity that filed the IPR petition)

**Jim Harrington:** Manager, Shire LLC (the company in a CDA to discuss a business opportunity on the '813 Patent with LCS Group at the time that Shire development filed its IPR petition against LCS Group)

**Tatjana May:** former General Counsel at Shire but apparently no longer at Shire (included here for documentation reasons)

**Flemming Ornskov, MD:** CEO, Shire Plc

**Anne Maxwell and Derek Denhart:** Counsel that "covertly supported" LCS Group in its preliminary response filed on August 12, 2014 (by Mr. Lucci's team at Baker Hostetler); from the law firm Cantor Colburn, LLP

**Dr. Timothy Brewerton, MD:** Shire Development LLC's Declarant whose Declaration was the "exclusive basis"

## The Patent '813 Story, Part II -- Version 2

for the Shire Development IPR petition that led to the invalidation of the '813 Patent

**Louis Sanfilippo, MD:** Manager/Member Lucerne Biosciences, LLC, the company owning the '813 Patent at the time of its invalidation; also CEO of LCS Group, LLC, the company owning the '813 Patent at the time the IPR petition was filed on May 9, 2014.

[The other persons/companies cc'd on this email are characterized below]

As far as a “comment to be quoted in the story,” perhaps the best way to think about it at this point in time is to see what any one person wishes to say on it in view of its “self-referential group process,” particularly Mr. Haug of Frommer, Lawrence & Haug who led the legal team that was responsible for Shire Development’s invalidation of the '813 Patent. Or here’s another way to put the matter (of providing a “comment to be quoted in the story”). If I told you that the invalidation of Lucerne Biosciences’ '813 Patent involved the collaborative efforts of Yale University, the Central Intelligence and the National Security Agency on the platform of a behavioral intelligence program gone catastrophically bad, would you believe me? Or would you believe me if I told you that the invalidation of the '813 Patent had a remarkable relationship to an “omega-3 company” called Genestra Health that developed a product named “Omax3” that you can purchase on-line as an omega-3 supplement at [www.omax3.com](http://www.omax3.com) (as marketed by Prevention Pharmaceuticals, Inc.)? In this light, I don’t think that anyone at Lucerne Biosciences, or I (on behalf of Lucerne Biosciences), could give you a one-liner for your story. But with right “communication platform,” someone will certainly have something to say about the story who you can quote for your story (hence this email involving the story’s “cast”).

But so you do have some context for these comments that I’m making in view of the “cast” of something called “The Patent '813 Story, Part II,” here is a [Box.com](http://Box.com) hyperlink to a draft of what’s called “The Patent '813 Story, Part II -- **Version 2**”: <https://app.box.com/s/5qgd9treuqsbcykfjl8cnsonu5hkhayv>. It will help you appreciate that the invalidation of Lucerne Biosciences’ '813 Patent is an extraordinary real-life story that’s impossible to believe unless you see first-hand how it’s been documented. Frankly, if you wanted to get a jump on potentially winning a Pulitzer Prize, I’d starting reading it tonight. But you may have some tough competition because Steve Lohr of the NY

## The Patent '813 Story, Part II -- Version 2

Times and Ed Silverman of the WSJ have a leg up on the background of the story (both cc'd here). Then again, so too does Law 360's Vin Guirrieri (cc'd here), which means that perhaps the two of you can collaborate on reporting it. The invalidation of the '813 Patent is a story that you can be assured people will be talking about for a long a time to come because it's that remarkable. Perhaps you will be the first reporter/journalist to bring it to the greater public's attention for the sake of posterity. That would certainly give you a noble place in history, as it would seem everyone else is fearful of doing that.

Now if I were the writer of "The Patent '813 Story, Part II -- Version 2," then I'd say now is about the best time to begin its "final resolution." But one of the things any reasonable person would see in view of the story is that the story is "psychodynamically and behaviorally designed" so that each person in its cast is accountable for their own motivations, behaviors and actions. No one can escape it because the story is all about the revelation of its own truth involving its own cast members so that its own cast members can be memorialized in history for the truth of their own motivations, behaviors and actions.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Kevin Penton  
<[kevin.penton@law360.com](mailto:kevin.penton@law360.com)>  
**Subject:** PTAB  
**Date:** June 15, 2015 6:37:18 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Hello,

I'm a reporter working on a story on PTAB invalidating the '813 patent. If you'd like to add a comment to be quoted in the story, just drop me a line.

Best,

Kevin

--

Kevin Penton  
Reporter

## The Patent '813 Story, Part II -- Version 2



A LexisNexis® Company

Legal News & Data  
860 Broadway, 6th Floor  
New York, NY 10003  
646-783-7210

### 8:19 pm EDT:

CNN's Headline News Story "**US-Russia Tensions Escalate**" with Breaking News Story on "**Intersecting Runway Two Planes**" is available in PDF at:  
[http://www.4shared.com/download/6iY-C8AYce/61715\\_CNN\\_US-Russia\\_Tensions\\_E.pdf?lgfp=3000](http://www.4shared.com/download/6iY-C8AYce/61715_CNN_US-Russia_Tensions_E.pdf?lgfp=3000)

### 8:28 pm EDT:

Fox News' Headline News Story "**Built on a Lie**" is available in PDF at:  
[http://www.4shared.com/download/1oTS1AMyce/61715\\_Fox\\_\\_Built\\_on\\_a\\_Lie\\_\\_\\_St.pdf?lgfp=3000](http://www.4shared.com/download/1oTS1AMyce/61715_Fox__Built_on_a_Lie___St.pdf?lgfp=3000)

### Thursday June 18, 2015:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Re: [Re: [Re: [Fwd: [Fwd: [Fwd: [Fwd: [Re: PTAB]]]]]]]]  
**Date:** June 18, 2015 1:31:45 AM EDT  
**To:** Kevin Penton <kevin.penton@law360.com>  
**Cc:** michael.steigher@aol.com, Bocer MD <richard.bocer@aol.com>, vin.gurrieri@law360.com, lucernebio@lucernebio.com

Dear Mr. Penton,

Can you please comment on the attached PDF that was just brought to the attention of Lucerne Biosciences a few hours ago? Because neither the company, nor any of its managers "public" or "secret" have access to Law 360, there's only one line showing in the PDF taken from lexisnexis. But needless to say, it's quite troubling. The company would like a copy of this June 15 article from Law360 and the name of its reporter for important legal (and historical) reasons, as soon as possible.

For the record, Lucerne Biosciences would like to make sure a few things are stated in this email to you and Law 360. Vin Guirrieri is cc'd for reasons explained below. At least from the first two lines of the article, it would seem as if Law 360 was reporting (on "June 15 3:10 pm" at a time apparently BEFORE you contacted me in the email below at 6:37 pm EDT that day) that the '813 Patent was owned by LCS Group, LLC (i.e., "... patent held by LCS Group, LLC...")? If so, why would you/Law360 have contacted Lucerne Biosciences/I? But then again, the patent was clearly owned by Lucerne Biosciences at the time of the Board's invalidation judgment because the Board's adverse judgment was against the "patent owner" Lucerne Biosciences, LLC. Any

## The Patent '813 Story, Part II -- Version 2

reasonable person (and certainly any legal news reporter) would see that, which is striking in view of what's visible in that opening sentence about "patent held by LCS Group, LLC...." I don't see "Lucerne Biosciences" anywhere in the opening line of the article (though I realize it may be elsewhere in the article which is why I am requesting the article on behalf of the company).

So you know, Lucerne Biosciences, LLC exclusively licensed the '813 Patent (and U.S. Patent Application 14/464,249) to LCS Group, LLC to handle its commercialization through such things as licensing, but if Law 360 were trying to represent something like that by stating "....patent held by LCS Group, LLC..." it would have at least needed to support its statement in the rest of the article with information about the exclusive license or it would seem to be making a misrepresentation that could harm Lucerne Biosciences even more than it already has been harmed by Shire's successful invalidation of the patent through the IPR. According to the Exclusive License between LCS Group and Lucerne Biosciences, Lucerne is responsible for litigating issues related to its wholly owned IP (i.e., the invalidated '813 Patent and U.S. Patent Application No. 14/464,249), such as matters of misrepresentation and unfair and deceptive trade practice, as well as handling IPRs, patent prosecution, etc.... This is why I am writing this email to you/Law360, to let you know that company takes these matters extremely seriously and has now begun to investigate this June 15 Law360 article. That's why the company would like to see what was stated in that June 15 Law 360 article so it can use that information to satisfy its fiduciary obligation to the Exclusive License Agreement it has with LCS Group, LLC and take legal actions if they are warranted.

Remarkably, the headline of the June 15 ("at 3:10 pm") Law360 article is "Binge Eating Patent Nixed After Inventor Goes Unresponsive." **But the inventor has nothing to do with anything here. Lucerne Biosciences -- the patent owner against whom the Board made its adverse judgment to invalidate the '813 Patent -- is the real-party of interest in the IPR, not the inventor.** So why does Law 360 even bring up the inventor in its article, much less squarely in its headline? The inventor couldn't even represent himself in the IPR (which Vin Guirrieri reported on last November and so is cc'd here), so why would the Law360 article even mention anything about the inventor? At best, that's incompetence. At worst, it would seem to be willful misrepresentation for what I could only imagine would be unlawful anti-competitive purposes, particularly in view of your apparently contacting me for a quote after that article was already published on-line. Further, "Lucerne Biosciences" -- the patent owner against whom the Board made its adverse judgment to invalidate the patent -- was anything but unresponsive, having emailed the Board **directly in the immediate days leading up to the invalidation** on (i) May 25 at 11:42 pm EDT, (ii) May 27 at 2:18 pm EDT, and (iii) June 2 at 5:17 pm EDT with very critical information supporting the motivation behind Shire's bogus IPR (see "The Patent '813 Story, Part II - version 2"). But there's another way to look at the headline "Binge Eating Patent Nixed After Inventor Goes Unresponsive." In communications analysis, that's called a "projectively-based headline" in that it would seem to inaccurately "blame" the inventor's unresponsiveness for the invalidation of the patent. But after the information you/Law 360 were provided in "The Patent '813 Story, Part II -- Version 2 (draft)" on June 15 (by hyperlink in the email below), you'd know that such a headline would be one of the biggest distortions in legal reporting history because the patent was nixed on the basis of an act of fraud and misrepresentation that a high school sophomore would see for both its objective and motivational nature (hence Richard Bocer's comment below "Everyone familiar with Shire's IPR of the '813 Patent knows it was completely baseless and therefore the PTAB's invalidation of the '813 Patent was completely baseless"). In others, the "real blame" should go to Shire who filed a bogus IPR petition and its declarant who made the bogus Declaration.

If I were in your shoes -- and Law360's -- I'd start doing everything possible to report the truth and to get to the truth of this story before its truth gets to you and Law360 in a way that history will judge Law360's reporting as being more like a "liar" (like Shire's IPR petition and its declarant's

## The Patent '813 Story, Part II -- Version 2

declaration) than a "truth-teller." That "liar/truth-teller dichotomy" comes from a 2013 "deception detection" intelligence/national security study whose details (and reference itself) you/Law360 can find in "The Patent '813 Story, Part II - Version 2 -- draft" (pp. 244, 255, 310-311, 342, 529). And if I were in your shoes -- and Law 360's -- I'd definitely want to begin telling the truth before Richard Bocer and/or Michael Steigher use that that critical piece of intel I mentioned to you at 5 pm EDT yesterday that they were pursuing through special communications with a PSR-e/p. For all you and Law360 know, they may even already have it but rather than planning to provide it to you/Law360 are instead planning with a team of lawyers to use it to take actions against persons/companies that have sought to harm Lucerne Biosciences (including potentially Law360 depending on what was written in that June 15 article).

Based on the company's behavioral intelligence expertise, I think it's fair to say that had I given you/Law360 a quote in response to your email below on June 15 at 6:37 pm EDT, it would have been predictable how you/Law360 would have written your article, because it would have been in keeping with all that anti-competitive conflation/misrepresentation conduct that has sought to harm the company and which was both the primary and terminal cause that led to the invalidation of the '813 Patent. That might help you understand why that critical piece of intel is so important and why Lucerne Biosciences is making it the focus of its legal strategy for final resolution -- and also why the re-validation of the '813 Patent would make perfect sense (on which Richard Bocer comments below).

By the way, do you know who calls the shots for Lucerne Biosciences, LLC? If I told you it's not me, would you believe me? And if it's not me, who could it be? Here's one way to think about these three questions. If this Patent '813 invalidation story is massive in scope and tied to one of the biggest stories of all mankind, which anyone familiar with its details would surely say, who gets involved in things of such monumental epically-sized scope? A guy who's a psychiatrist involved in various business ventures? The CIA? Yale? NSA? I can only think of one "entity" that would be at the center of a story this big and it's none of them. Don't you and Law360 see how serious this story is? If I were a character in its cast, which I am, I'd be profoundly fearful for being on the wrong side of that "one entity" when that "one entity" goes after the "liars" in the story. And I can assure you the "one entity" is going after the "liars" in the story. Any reasonable person would see that in view of the story.

This may help you understand why I have been writing so extensively in various representative capacities through very difficult life challenges since the time that Shire filed its bogus IPR petition on May 9, 2014. Those life challenges have not been small. My wife was ill with metastatic breast cancer during the time of the IPR until she died on January 18, 2015. The last few months of her life -- just before Lucerne Biosciences took the helm in the IPR which was during the time when Shire, its outside counsel and its declarant were proudly sitting on the laurels of their misrepresentations -- I was watching my wife die. And when Lucerne Biosciences took the helm in the IPR and Shire & Co. continued their misrepresentations, I had just become a single father with kids 10 and 8 years old who lost their only mother. I mean these two kids watched their mother die right before their eyes the last day of her life in a hospice in Branford, CT. Have you ever seen someone die right before your eyes like that? Do you know what that's like as a father and a husband? Do you know what it's like to live through something like that and **know** that there's an eating disorder expert who clearly knows he's intentionally lying on the record and that there's a global pharmaceutical company who's supporting those lies and clearly must know it too, while I'm trying to raise two kids who just lost their mother? And what do you think it's like to take time from my children over the last few hours, time they desperately need with their father and only parent, to report on yet more apparent incompetence and misrepresentation involving the '813 Patent's story? If you were in my shoes, Mr. Penton, how would you feel? What's the world coming to, really? Or perhaps that is why this story is so monumental in its scope and implications, because it's speaking to that very issue?





























## The Patent '813 Story, Part II -- Version 2

communications that Lucerne Biosciences is representing to you. There's no other way to explain your email reply. That's about the easiest and most straightforward case of misrepresentation (by omission of materially important and relevant information) in the history of mankind, one that any reasonable person would understand for its monumentally serious legal implications in your (and Baker Hostetler's) representation of the company in the IPR of the '813 Patent. Considering all the harm that has been caused to the company while it's been represented by you and Baker Hostetler, Lucerne Biosciences **will have to take proper actions**, of which it has prepared extensively, as you've now provided it all the critical and easy-to-see incriminating evidence it needs to do so.

There's an equally serious problem with your "second email" but that response will come on that "email frame." After all, each frame has to be considered in its proper framework.

**Friday June 19, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** High-priority National Security Matter  
**Date:** June 19, 2015 9:37:12 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** MD MD <louiscsan@aol.com>, lsanfilippo@lcsgroupllc.com

Joe,

On behalf of Lucerne Biosciences, LLC, I am writing to inform you that the company has been sanctioned by an elite behavioral intelligence team made up of three members to directly intervene in a high-priority U.S. national security situation using novel interventional communication techniques that have been empirically tested. You will receive a sequence of emails over the course of the day that are **collectively designed** to explain the nature of scope of this serious U.S. national security matter and what the company has been doing to promptly resolve it. Some emails may ask you to do simple things like "reply" (or "reply to all") to the email, though at least one email is lengthier and provides substantive explanatory content for why this matter is a national security situation that has warranted direct involvement of the National Security Agency (of which you have been provided evidence).

Please "reply to all" to this email in such a manner that this email from the company can be seen in its whole on the "reply to all email" that you send "to [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)" and that cc's "[louiscsan@aol.com](mailto:louiscsan@aol.com)" and "[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)" (including the signature line below this sentence).

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**9:47 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and

## The Patent '813 Story, Part II -- Version 2

**"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 9 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/j7SIJreeba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/j7SIJreeba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>

**Subject:** Fwd: Clarification of email on March 27, 2015 regarding a staff psychiatrist

**Date:** June 19, 2015 10:20:17 AM EDT

**To:** Tom Benoit <Tom@allenthomas.com>

**Cc:** Joseph Lucci <jlucci@bakerlaw.com>, lucernebio@lucernebio.com

Dear Mr. Benoit,

Thank you for your email. It warrants some commentary. There is nothing about your email to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" that is binding for its confidentiality, whether "general confidentiality" or "narrow confidentiality." That would require a legal agreement in which I agree to such confidentiality and voluntarily sign it indicating that I would keep your information/email confidential according to whatever provisions are represented in the agreement. In business, they call this a "Confidentiality Disclosure Agreement" ("CDA") and it requires execution by the involved persons/parties. You (and Allen Thomas) and I have not signed any such confidentiality agreement, nor have I signed any such thing with "Yale," so there's nothing on my end that would obligate me to keep your emails confidential. Further, as you may or may not know, I am not an employee of Yale but on what's called their "voluntary clinical faculty." So even if you signed some kind confidentiality agreement with Yale thinking that you're email would be sent to me "confidentially," it would be a mistaken assumption because confidentiality has nothing to do with me because my only affiliation with Yale is on a voluntary non-paid basis and I never signed any confidentiality agreement with Yale to keep your communications "confidential."

In this respect, your email raises serious red flags because of its high highly defensive posture, as if you're trying to cover over your first email's "solicitation objectives" by shrouding it in "confidentiality" but there's nothing about your first email, or you second email, to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" that is confidential or could be reasonably construed as such. Now if it were the case that you were directly aware of materially relevant and important information (as might be derived from communications you have with others) that influenced your writing of your email to make "confidentiality" an issue and what you were directly aware of had to do with "business-related events" in which I might have some kind of representative role, a judge or jury could find you guilty of being an accomplice to anti-competitive conduct if harm was caused to one or more businesses that I have been involved with. I will not presume that's the case but I will direct you to information to help you understand if you may have been "exploited" or "used" for such purpose by other parties as your email suggests that if this scenario were the case you may not have realized what you were doing (because it wasn't explained to you). For that information, you can find a press release issued by LCS Group, LLC (of which I am the CEO) at: <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

I am cc'ing Lucerne Biosciences, LLC on this email so that the company is made aware of this communication and can properly evaluate its implications. I am also cc'ing Joe Lucci who is an attorney at Baker Hostetler, LLP. He is centrally involved in this matter.

By the way, Dr. Holzman is not the Chairman of Psychiatry of Yale's Department of Psychiatry last I checked. It's Dr. John H. Krystal.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Voluntary Clinical Faculty Member, Assistant Clinical Professor of Psychiatry  
Department of Psychiatry, Yale University School of Medicine

**From:** Tom Benoit <Tom@allenthomas.com>  
**Subject:** FW: Clarification of email on March 27, 2015 regarding a staff psychiatrist  
**Date:** June 19, 2015 9:17:00 AM EDT  
**To:** <louis.sanfilippo@yale.edu>

Dr. Sanfilippo, my name is Tom Benoit. I am a Yale graduate of the School of Epidemiology and Public Health. I am presently assisting Dr. Ben Zigun, Chairman of Psychiatry at Griffin Hospital, recruit a staff psychiatrist. I sent out a general email to a few of the faculty members at Yale, including yourself and Dr. Holzman, Chairman of Psychiatry at Yale, asking for information about this position to be shared with anyone who might be interested.

I am sure it is obvious, but I want to assure you that I am not trying to recruit you nor Dr. Holzman for a junior staff position. Having graduated from Yale, I have the greatest respect for your faculty and believe that anyone so referred would be qualified. In addition, I am not aware of any contractual relationship you may have with any organization, therefore I am not attempting to interfere with any contract between you and another party.

Apparently, someone purporting to be at Lucerne Biosciences has possession of the email I sent to you confidentially (see below) on March 27, 2015, and is alleging that I may be engaged in unlawful anticompetitive conduct. It may be a hoax and I do not know how they gained access to a general confidential email sent to you. In any event, I want to clarify that I am not trying to interfere or induce you to violate any contractual relationship you may have with anyone. Moreover, you will not be receiving any other emails from me or our firm requesting any assistance in trying to locate a junior staff psychiatrist. I am sorry for any inconvenience a misunderstanding of our intentions may of caused.

Regards,  
Tom Benoit  
732 542 1011 ex17

CONFIDENTIALITY NOTICE: This e-mail/fax and its attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION. If you are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any review, dissemination, distribution, printing, or copying of this e-mail message and/or any attachments is strictly prohibited. If you have received this transmission in error, please notify the sender immediately and permanently delete this e-mail (shred the document) and any attachments. Thank you.

**From:** Tom Benoit [mailto:Tom@allenthomas.com]  
**Sent:** Friday, March 27, 2015 3:24 PM  
**To:** 'louis.sanfilippo@yale.edu'  
**Subject:** FW: Position Available: Outpatient Psychiatrist for Adults

## The Patent '813 Story, Part II -- Version 2

Dr. Sanfilippo:

I am a former Yale graduate now helping a community hospital just outside of New Haven, in Derby CT looking for a staff psychiatrist to treat adult patients on an outpatient basis.

Some of the **responsibilities of the staff psychiatrics are:**

Medication management of adult outpatients and adult IOP patients, including individuals with co-occurring disorders.

Supervision of APRNs.

Regular participation in team meetings and committees, such as peer review.

Average of 2 medication check visits per hour.

Occasional coverage on the inpatient psychiatric unit.

Shared call rotation with 3 other psychiatrists.

**Requirements of the psychiatrist are:**

Excellent teamwork and communication skills.

Active State of Connecticut Medical License.

Active Connecticut Controlled Substances Practitioner Registration.

Active DEA Practitioner Registration.

Active Board Certification in General Psychiatry.

Active Buprenorphine (Suboxone) Physician Waiver Preferred.

Salary, benefits and time off policy is very competitive- \$200,000 or more compensation depending upon experience. **Anyone who wishes to apply should send a CV or call for more details.**

I would appreciate your sharing this information with anyone who you feel may be interested. This is a jewel of a community hospital with a national reputation for their holistic, quality patient care.

Thank you,

Tom Benoit  
President  
Allen Thomas Associates  
Phone: (732) 542-1011 ex17  
Fax: (732) 542-1198

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Fwd: [Fwd: Shire plc News Alert - Notification of major interests in shares]

**Date:** June 19, 2015 10:30:42 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, the company requests that you "reply to all" this

## The Patent '813 Story, Part II -- Version 2

"forwarded email" from LCS Group, LLC (via its CEO Louis Sanfilippo) that features an email the company received from Shire Plc yesterday, June 18 at 12:15 pm EDT. You don't have to say anything in your "reply to all." Consider this simply a procedural step that the company is taking to bring final resolution to the national security matter of which you should have received an email on behalf of the company a short while ago.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Subject:** **Fwd: Shire plc News Alert - Notification of major interests in shares**  
**Date:** June 19, 2015 10:23:19 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Shire <[alerts@shire.com](mailto:alerts@shire.com)>  
**Subject:** **Shire plc News Alert - Notification of major interests in shares**  
**Date:** June 18, 2015 12:15:35 PM EDT  
**To:** <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Reply-To:** Shire <[alerts@shire.com](mailto:alerts@shire.com)>

Dear Louis Sanfilippo,

Shire has added a new press release to the Company's web site. To view the release, please click on the link below:

<https://www.shire.com/newsroom/2015/june/notification-of-major-interests-in-shares>

**[TEXT BOXING CONTENT/FORMAT STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** **Fwd: [Fwd: And I'm not even getting a commission . . .]**  
**Date:** June 19, 2015 11:05:51 AM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com), MD MD <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Joe,

On behalf of Lucerne Biosciences, this email is being provided to you to help you understand an

## The Patent '813 Story, Part II -- Version 2

email that is expected to be sent to you at some point before 5 pm EDT today. One way think about the forwarded email below from "AAAAAAA BBBBBB" is this way: what if she was made aware of a serious national security matter and is trying to constructively intervene by indicating that it now involves the direct intervention of three key members of an elite behavioral intelligence team, and she is passing along that information to me through a proprietary and novel communication platform so that I can pass it along to you in my proper representative capacity. And in this scenario, what if she were trying to say that the re-validation of the 13 claims of the '813 Patent are very important for national security reasons and that the management team working to accomplish this re-validation of the '813 Patent is comprised of the "three secret managers" (of the secretive company Lucerne Biosciences) who are one and the same as the "three members" of the "behavioral intelligence team" (as referentially communicated in the numerical patterning of "three responsible 13 year old girls" and "Emie/Gabby/Natalie"). (I.e., Think of the "Manager/Member" designation of my own role in the company as "referentially significant" in this way and the three of "Byan Haygins," "Richard Bocer," and "Michael Steigher" that way too whose respective alias communications were on the email thread that "went missing" from your email responses yesterday).

Lastly, take note of the "feel free to pass along to others." This feature of her email will be a very important feature of the email you should expect to receive on behalf of the company sometime before 5 pm EDT today that will provide substantive information and context for this national security matter and what the company has been doing, and has done, to bring about the proper "perceptual boundary conditions" for its prompt and rather perfect final resolution.

Please "reply to all" on this email. I assume that you're busy this morning as I have yet to see you reply to any of today's emails so far (as the company has asked of you).

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)  
**Subject:** Fwd: And I'm not even getting a commission . . .  
**Date:** June 19, 2015 10:37:39 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** XXXXXXXX STRIPPED  
**Subject:** And I'm not even getting a commission . . .  
**Date:** June 18, 2015 7:30:29 PM EDT  
**To:** " <[karvic13@yahoo.com](mailto:karvic13@yahoo.com)>

Hi all,

XXXXX, YYYYYY, ZZZZZZ asked me to email parents with young children to let you know they have formed a babysitting co-op and are eager to watch your kids at CCCCCC - flyer with details attached.

Their plan is to be available for short and long stints and for getting kids to/from

## The Patent '813 Story, Part II -- Version 2

swimming, tennis, golf, etc. All three are responsible, love kids and are eager to be helpful. Their mothers are eager for them to do something other than eat curly fries all summer. J

They are surgically attached to their phones and you can text them. They have bikes and can be down at CCCCCC in 10 minutes.

Feel free to pass along to others.

Thanks!  
DDDDDDDD

**[ATTACHMENT: STRIPPED]**

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>  
**Subject:** Fwd: Thoughts of the Week - Father's Day Fun  
**Date:** June 19, 2015 11:35:43 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>

Joe,

And to follow-up on the last email that you received having the subject "Fwd:[Fwd: And I'm not interested even getting a commission....]," what if the person sending that email was "communicatively connected" to the person sending this email below and the two of them were "communicatively connected" to "Louis Sanfilippo"? And what if the person sending the email below was similarly made aware of a national security matter that required some "fatherly intervention" (i.e., hence the "Father's Day" focus), as might be referentially communicated to represent the "fatherly intervention" of Lucerne Biosciences today?

In this "collaborative communication scenario," "Lucerne Biosciences" and its "three secret managers" might be referentially communicated as the "fatherly intervention" through the numerical patterning of their "two"/"one" split in "invisibility/visibility" (i.e., the two "generally 'unseen' secret managers" that are "Richard Bocer" and "Michael Steigher," and the one "generally 'seen' secret manager" that is "Byan Haygins"). In such a communication scenario, you might find additional "perceptual support" in the content of the "Father's Day Fun" section of the email that highlights "3:30 pm" and "ages 3 years old to 23 years old." Specifically, the 2 of 3 "3s" in "3:30" would represent the "two hidden managers" of "Michael Steigher" and "Richard Bocer" (as also the "23") but all aligned as "3" under the "fatherly influence" of Lucerne Biosciences, LLC. If you want to expand the referential frame, you could think of LCS Group, LLC as the complimentary "Mother's Day," also referenced in the email below. The "three mile hike" and "18 holes" would be a way of saying the Patent Board needs to revalidate the '813 Patent because everyone knows that its invalidation was bogus, including the person who sent this email and the person who sent the "not getting a commission" email.

Please "reply to all" on this email too.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** "Jeffrey M. Weiner" <[info@marcumllp.com](mailto:info@marcumllp.com)>  
**Subject:** Thoughts of the Week - Father's Day Fun  
**Date:** June 19, 2015 10:33:08 AM EDT  
**To:** <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

**[EMAIL CONTENTS STRIPPED:** PDF of entire email is available at:  
[http://www.4shared.com/download/EoSabLN7ba/Thoughts\\_of\\_the\\_Week\\_-\\_Fathers.pdf?lgfp=3000](http://www.4shared.com/download/EoSabLN7ba/Thoughts_of_the_Week_-_Fathers.pdf?lgfp=3000)]

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: USTA u10 match tomorrow]  
**Date:** June 19, 2015 12:23:10 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Joe,

On behalf of Lucerne Biosciences, I'd like to expand on the last email you should have received from my "yale.edu" email involving "father's day" and the ones prior to that this morning from the company. Expanding on this novel communication platform being established by Lucerne Biosciences, what if the person who sent the email below is "communicatively connected" to (i) the person who sent the "not getting a commission" email, (ii) the person who sent the "father's day email" and (iii) "me, Louis Sanfilippo." I can tell you that there is a "communication connection" because persons (i) and (ii) are in the same "social/club circle" as the person who sent the email below and me [i.e., (iii)].

Now look at the "communication platform" of the email's delivery below (including how it was communicated to Lucerne Biosciences and then to you). What do you see? You see "Louis Sanfilippo" listed twice in the originating email but there are two different email addresses for Louis Sanfilippo, "[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)" and "[louiscsan@aol.com](mailto:louiscsan@aol.com)." What if this person was provided that alias email so that it could be deployed at such time that he was made aware of a national security situation that warranted the introduction of a novel communication platform utilizing proprietary communications strategies so that the national security crisis (that was clearly evolving in view of people with intelligence expertise and data) could be averted at its source level in communication, perception and consciousness? In this respect, you might think of the originating email below as referentially saying "Louis Sanfilippo" is the "publicly visible manager" of an important interventional intelligence team that has been deployed today to rapidly bring final resolution to a national security matter. And because this matter is so important, Louis Sanfilippo is now publicly revealing himself through people that he knows personally by showing that "secret manager identity" of "Byan Haygins" in "Lucerne Biosciences" and confirming it by forwarding the "[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)" email to "[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)" so that it could be sent to you to explain its serious national security implications. After all, wouldn't you think that a person involved in high-priority intelligence matters who works under an alias in a company no one knows anything about would only disclose his/her identity if it was deemed to be absolutely necessary to avert a serious national security problem?

And what if that person below sent additional emails with the same "dual representation feature" to other emails of mine (as he did)? That would make a lot of communication sense, wouldn't it,

## The Patent '813 Story, Part II -- Version 2

and emphasize its priority communicatively? And it might also explain the real-time nature of this national security matter and how Lucerne Biosciences is actively intervening in real-time using perceptually-based communication tools it has disseminated in various ways previously to secure important U.S. national security interests.

Taking this one step further, take note how the person indicates "replying to this email." That's what Lucerne Biosciences has asked you to do. But you're not doing it even though you've been specifically asked to do so on behalf of the company to secure important national security interests. So you know, I will appropriately respond to his email as he has asked in my proper representative capacity to do so. Simple stuff but it can become complicated when communication platforms are founded on faulty psychodynamic reasoning. Lucerne's communication platform has been perceptually designed to restore the foundational fault of another communication platform that it has been sanctioned to resolve "perceptually and intrapsychically" by an elite behavioral intelligence team.

Please reply appropriately to this email as a "reply to all."

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)  
**Subject:** Fwd: USTA u10 match tomorrow  
**Date:** June 19, 2015 12:06:32 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** XXXXXXXX XXXXXXXX <XXXX@XXXX.com>  
**Subject:** USTA u10 match tomorrow  
**Date:** June 19, 2015 11:26:26 AM EDT  
**To:** XXXXXXXX XXXXXXXX <XXXX@XXXX.com>  
**Cc:** AAAAAAA <AAAAAA.AAA@yale.edu>, BBBBB BBBBB <CCCCC  
CCCC@outlook.com>, "DDDDDD@yaho.com" <EEEEEEEE@yaho.com>, FFFFF FFFF <FFFFFFFFF@yaho.com>, Louis Sanfilippo MD  
<[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)>, Louis Sanfilippo <[louiscsan@aol.com](mailto:louiscsan@aol.com)>, GGGGG  
GGGGG GGGGG <[GGGGGG.GGGGG@yahoo.com](mailto:GGGGGG.GGGGG@yahoo.com)>, HHH  
HHHHH<[HHHHHHH@sbcglobal.net](mailto:HHHHHHH@sbcglobal.net)>, "[HHHHH@gmail.com](mailto:HHHHH@gmail.com)"  
<[HHHHH@gmail.com](mailto:HHHHH@gmail.com)>  
**Reply-To:** XXXXXXXX XXXXXXXX <XXXX@XXXX.com>

Hello USTA Parents,

We have a match tomorrow at 1pm against the New haven team. The match is at the Yale indoor tennis center. The on site Pine Orchard coach is Alex. Alex will be there at 12:30 in case anyone wants to get there early. Please let me confirm your attendance for the match by replying to this email. If you are not registered for the team you need to do so before the match. The

## The Patent '813 Story, Part II -- Version 2

team number is JJJJJJJJ.

Thanks,

XXXXXX

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: USTA u10 match tomorrow]]  
**Date:** June 20, 2015 11:45:20 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgruopluc.com, MD MD <louiscsan@aol.com>

Joe,

On behalf of Lucerne Biosciences, there is at least one important "communication point" the company would like to make before you receive its "substantive explanatory content email." Notice in that "originating USTA email" (below) its "communication delivery method." Does that look familiar? It should, because it's the way that LCS Group, LLC handled its "Final Decision" on October 1, 2014, which you will recall was an email **from** "lsanfilippo@lcsgruopluc.com" **to** "lsanfilippo@lcsgruopluc.com" at 5:00 pm EDT. You'll also recall that "louiscsan@aol.com" was "cc'd on that email and you were "bcc'd on it. Why do you think that was? And who do you think was bcc'd on that "originating email" below? And why do think that the "first person" cc'd on the "originating email" below has a "yale.edu" email address?

You'll also recall how the Board handled its Exhibit 3001. It's opening page featured a self-sent/self-received email **from** Amy Kattula **to** Amy Kattula. You can see how it's all tied together, can't you? But where "the tie" **completely breaks** are with two "highly confidential (classified) emails" **from** LCS Group, LLC at 6:00 pm and 7:00 pm EDT on October 1, 2014. To whom they were sent, why they were sent, and what was attached in them is the critical piece of the puzzle for understanding the imminently expected "final resolution" to "The Patent '813 Story, Part II." This story is much much bigger than you think it is.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: USTA u10 match tomorrow]  
**Date:** June 19, 2015 12:23:10 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgruopluc.com, MD MD <louiscsan@aol.com>

Joe,

On behalf of Lucerne Biosciences, I'd like to expand on the last email you should have received from my "yale.edu" email involving "father's day" and the ones prior to that this morning from the company. Expanding on this novel communication platform being established by Lucerne Biosciences, what if the person who sent the email below is "communicatively connected" to (i) the person who sent the "not getting a commission"

## The Patent '813 Story, Part II -- Version 2

email, (ii) the person who sent the "father's day email" and (iii) "me, Louis Sanfilippo." I can tell you that there is a "communication connection" because persons (i) and (ii) are in the same "social/club circle" as the person who sent the email below and me [i.e., (iii)].

Now look at the "communication platform" of the email's delivery below (including how it was communicated to Lucerne Biosciences and then to you). What do you see? You see "Louis Sanfilippo" listed twice in the originating email but there are two different email addresses for Louis Sanfilippo, "[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)" and "louiscsan@aol.com." What if this person was provided that alias email so that it could be deployed at such time that he was made aware of a national security situation that warranted the introduction of a novel communication platform utilizing proprietary communications strategies so that the national security crisis (that was clearly evolving in view of people with intelligence expertise and data) could be averted at its source level in communication, perception and consciousness? In this respect, you might think of the originating email below as referentially saying "Louis Sanfilippo" is the "publicly visible manager" of an important interventional intelligence team that has been deployed today to rapidly bring final resolution to a national security matter. And because this matter is so important, Louis Sanfilippo is now publicly revealing himself through people that he knows personally by showing that "secret manager identity" of "Byan Haygins" in "Lucerne Biosciences" and confirming it by forwarding the "[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)" email to "[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)" so that it could be sent to you to explain its serious national security implications. After all, wouldn't you think that a person involved in high-priority intelligence matters who works under an alias in a company no one knows anything about would only disclose his/her identity if it was deemed to be absolutely necessary to avert a serious national security problem?

And what if that person below sent additional emails with the same "dual representation feature" to other emails of mine (as he did)? That would make a lot of communication sense, wouldn't it, and emphasize its priority communicatively? And it might also explain the real-time nature of this national security matter and how Lucerne Biosciences is actively intervening in real-time using perceptually-based communication tools it has disseminated in various ways previously to secure important U.S. national security interests.

Taking this one step further, take note how the person indicates "replying to this email." That's what Lucerne Biosciences has asked you to do. But you're not doing it even though you've been specifically asked to do so on behalf of the company to secure important national security interests. So you know, I will appropriately respond to his email as he has asked in my proper representative capacity to do so. Simple stuff but it can become complicated when communication platforms are founded on faulty psychodynamic reasoning. Lucerne's communication platform has been perceptually designed to restore the foundational fault of another communication platform that it has been sanctioned to resolve "perceptually and intrapsychically" by an elite behavioral intelligence team.

Please reply appropriately to this email as a "reply to all."

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** [byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)  
**Subject:** Fwd: USTA u10 match tomorrow  
**Date:** June 19, 2015 12:06:32 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** XXXXXXXX XXXXXXXX <XXXX@XXXX.com>  
**Subject:** USTA u10 match tomorrow  
**Date:** June 19, 2015 11:26:26 AM EDT  
**To:** XXXXXXXX XXXXXXXX <XXXX@XXXX.com>  
**Cc:** AAAAAAAA <AAAAAAA.AAA@yale.edu>, BBBBBB BBBBBB <CCCCC  
CCCCC@outlook.com>, "DDDDDDDD@yahoo.com"  
<EEEEEEEEE@yahoo.com>, FFFFF FFFF <FFFFFFFFFFFF@yahoo.com>,  
Louis Sanfilippo MD <[byan.haygins@gmail.com](mailto:byan.haygins@gmail.com)>, Louis Sanfilippo  
<[louiscsan@aol.com](mailto:louiscsan@aol.com)>, GGGGG GGGGGG GGGGG  
<[GGGGGG\\_GGGGG@yahoo.com](mailto:GGGGGG_GGGGG@yahoo.com)>, HHH  
HHHHH<[HHHHHHH@sbcglobal.net](mailto:HHHHHHH@sbcglobal.net)>, "HHHHH@gmail.com"  
<[HHHHH@gmail.com](mailto:HHHHH@gmail.com)>  
**Reply-To:** XXXXXXXX XXXXXXXX <XXXX@XXXX.com>

Hello USTA Parents,

We have a match tomorrow at 1pm against the New haven team. The match is at the Yale indoor tennis center. The on site Pine Orchard coach is Alex. Alex will be there at 12:30 in case anyone wants to get there early.  
Please let me confirm your attendance for the match by replying to this email. If you are not registered for the team you need to do so before the match. The team number is JJJJJJJJ.

Thanks,

XXXXXX

### Sunday June 21, 2015:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Consciousness Frame 2  
**Date:** June 21, 2015 12:03:18 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>, Boccer MD <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>, michael.steigher@aol.com

Joe,

Happy Father's Day. On behalf of Lucerne Biosciences, this email to you is designed to be very different "perceptually" than the emails that you received throughout the day on Thursday June 18 regarding your "misrepresentation by omission behavior." This email builds on the emails that you should have received from the company and "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" on Friday June 19

## The Patent '813 Story, Part II -- Version 2

and Saturday June 20, though you didn't provide any confirmation by "replying to all" as requested by the company for its June 19 emails. The "perceptual objective" of this email is to establish a different "consciousness frame of reference" than the Thursday June 18 emails involving company's concerns regarding your "misrepresentation by omission behavior." In other words, these two "email sequences" (June 18 - "Sequence 1"; June 19-20 -Sequence 2") represent two different "**perceptual and consciousness platforms**" and each has its own unique "perceptual features and consciousness objectives" (as well "practical business objectives"). "Sequence 1" featured a "legal frame" and was designed to effectively put you on notice for misrepresentation in a manner that may be materially relevant and important to the invalidation of the '813 Patent and the harm caused Lucerne Biosciences by its invalidation. "Sequence 2" features a "psychodynamic frame" that is designed to help you understand what is going in your "theater of consciousness" at the level of "perception and representation" that appears to be motivating your "misrepresentation by omission behavior." This "psychodynamic frame" is important because it is foundational to your "communication behavior" as it originates from within your "mind and consciousness." This way, you have "two frames" to explain the nature of **same** "communication (misrepresentation) behavior" **from you**.

Let's begin at square 1. I know you to be a decent person who wants to be helpful to his clients. In "Sequence 1," you were not helpful to Lucerne Biosciences because you were effectively misrepresenting the company's own communications to you (made by me in my representative "manager" role) and seeming to have no explanation for what "went missing." But then again, there are many instances that the company can identify you as being helpful to it, as for instance identifying "Shire/FLH misrepresentations" of different kinds in the IPR since January 27, 2015. This "behavioral communication discrepancy" raises an important question: how does one explain the nature of your email communication behavior in "Sequence 1" that repeatedly featured "misrepresentation by omission of materially important and relevant information" that could be harmful to Lucerne Biosciences (and even be considered unlawful) when you generally seem to be an honest person who wants to help his clients and has even been helpful to Lucerne Biosciences?

There's only one plausible explanation that I see at this moment in time, which is that your omission of material in your emails was "intrapsychically motivated" to try to be helpful to "Louis Sanfilippo." But what would "intrapsychically motivate" you to try to be helpful to "Louis Sanfilippo" when you were communicating with Lucerne Biosciences (*vis-à-vis* "Louis Sanfilippo as a Manager of Lucerne Biosciences") and, moreover, your communications were tantamount to harming the company because they were misrepresenting what the company asked you to simply "send back to it" as "it was sent to you"? You can see the problem, namely, that you're communicating to the company in a way that "projects" (i.e., inaccurately attributes) the message that the company is somehow not clearly communicating to you when the "reality" is that you're not clearly communicating to the company because you're omitting important and relevant parts of what should be "transparent communication." There's a lot of "psychodynamic dimension" to the nature of this kind of misrepresentation and it therefore requires some psychodynamic tools to understand for its profound implications on perception, consciousness and communication behavior. This is why you received the slew of "Sequence 2 emails" Friday June 19 and earlier yesterday Saturday June 20. Basically, they were to help provide you certain "perceptual tools" so that you can more clearly see the "intrapsychic motivational problem" that you are experiencing because your perception of things has been quite significantly confused by certain "intrapsychic and perceptual boundary conditions" involving that "third-party conflict of interest" you've read about in various emails sent to you in various of my representative capacities.

## The Patent '813 Story, Part II -- Version 2

In this light, the objective of this email is to explain your “communication behavior” psychodynamically in a way that helps you to establish in your own “mind and consciousness” a “Consciousness Frame No. 2” (i.e., the “psychodynamic frame”) that can help you see why “Consciousness Frame No. 1” (i.e., the “legal frame”) exists and is a very serious and legitimate problem for you. This is very important for establishing the requisite boundary conditions for “finally resolving,” both in “mind and consciousness” (and practically too), that national security situation you were made aware yesterday morning. “Consciousness Frame No. 1” (from “Sequence 1”) would be the “narrative frame” that explains your misrepresentation communication behavior “legally” (as would be featured in a “complaint” that documented your “misrepresentation by omission,” its relationship to other “misrepresentation by omission” from you, and its collective impact to seriously harm the company). Certainly, if you did something unlawful that harmed the company and weren’t making yourself accountable for it, the company would move to take legal action against you. Lucerne Biosciences is committed defending its legal rights and, as you know, has positioned itself as the “entity” to deal with “legal issues” of this kind. It also has positioned itself to do this with “collaborators.” You’re a lawyer so you can understand that if the company had evidence that its own attorney harmed it (and therefore its collaborators), it would certainly defend its rights, especially when its rights would involve a patent it owns for an FDA-approved drug indication that was invalidated because the company was a victim of fraud and misrepresentation, deceptive trade practice and anti-competitive conduct.

But there are other ways to **frame and resolve problems**, including significant ones like the invalidation of a perfectly valid patent from fraud and deceptive trade practice perpetrated by a global pharmaceutical company, or like the “Bank of America interference problem” you heard about yesterday morning. For instance, a psychiatrist might seek to frame and resolve problems through “psychodynamic and behavioral/communication interventions,” on the assumption that many problems originate in “mind and consciousness” and therefore require a “framing” and “resolution” in “mind and consciousness” if their “frame for resolution” is to be meaningful, lasting and without any “intrapsychic conflict of interest.” This is the basis for “Consciousness Frame No. 2” that is the focus of this email. You’ll find that this email is designed to help you **understand** the “intrapsychic nature” of not only your own misrepresentation communication behavior but also that of Frommer, Lawrence & Haug’s Ed Haug and Sandra Kuzmich, as well as those countless “third-party interferers/exploitees” that have sent emails to me that seem so often to be highly deviant, if not completely bizarre, in their “content” and/or “delivery methods” from persons/companies that one wouldn’t expect to communicate that way.

The one psychodynamic thing that is **very obvious** about your “misrepresentation by omission behavior” is that it seeks to **omit “intrapsychic representational aspects”** of Louis Sanfilippo **“outside of Louis Sanfilippo personally.”** In other words, your “Sequence 1” communication misrepresentation behavior reveals that you minimize, repress, and/or even deny any perceptual value to “Lucerne Biosciences” or Louis Sanfilippo’s role as a “Manager/Member” in Lucerne Biosciences, as if the company (and its management/membership) were unimportant and/or irrelevant, even though the company (and its management/membership) is important and relevant, as well as legitimate as a business entity (with legitimate business management/membership). By omitting a number of “emails from the company” and attachments relevant to the company’s interests, you can see how you were “intrapsychically motivated” to tailor your perception of reality -- as communicated **through** your “representation behavior” -- to **“perceptually over-value”** Louis Sanfilippo (personally) but **“perceptually de-value”** Lucerne Biosciences and the “Manager/Member role” that Louis Sanfilippo has in the company. You also did this when FLH’s Sandra Kuzmich emailed you on Sept. 4, 2014 stating that Shire identified you as representing “Dr. Sanfilippo” when you were representing “LCS Group, LLC” in the IPR as well as in “business discussions with Shire” (stemming from the Oct. 24, 2013 CDA that you reviewed for the company). In that instance, you completely failed to identify Ms. Kuzmich’s misrepresentation problem, much less bring it to the attention of your client LCS Group. Had you

## The Patent '813 Story, Part II -- Version 2

“perceptually valued” your client LCS Group **in any way whatsoever** and **practiced ethically as an attorney**, then you would have simply explained to Ms. Kuzmich that the email from LCS Group to which she was responding (and that you yourself reviewed for LCS Group) was a representation from LCS Group to Shire vis-à-vis each company’s CEO and contained important information on both “the IPR of the ‘813 Patent” and “Patent ‘813 business matters” involving LCS Group, and had **nothing to do whatsoever** with “Louis Sanfilippo personally.” In other words, you would have nipped the misrepresentation problem right up-front to lawfully support LCS Group, the company you were representing in both “legal” (i.e., IPR) and “business (i.e., CDA) matters involving Shire.

This “**split perceptual over-valuing/de-valuing**” is exactly the “communication representational behavior” of FLH’s Ed Haug and Sandra Kuzmich throughout the IPR (across both LCS Group and Lucerne Biosciences) in which they **perceptually overvalued** “personal representation” (i.e., your “client Dr. Sanfilippo”) and perceptually de-valued “company representation” (i.e., Powers of Attorney, legal standing through patent assignment, business filings, etc...seemed meaningless and irrelevant to them), itself remarkable in view of the fact that they are attorneys and also that the Board ordered (in November 2014) “**company** representation” because it did not support “pro se representation.” This, of course, strongly supports that Ed Haug’s and Sandra Kuzmich’s “intrapsychic motivation” for their own “misrepresentational communication behavior” has the same “foundational intrapsychic source” as that for yours. It also suggests that you and them are utilizing the same defense mechanisms to engage in such “misrepresentation communication behavior.” One of these would be the immature defense mechanism of “splitting” based on a polarization of perceptions that “over-value” one kind of representation (i.e., “Louis Sanfilippo personally”) and “de-value” another kind of representation (i.e., “LLC company entity,” “Louis Sanfilippo as Manager of an LLC entity”), even if doing that is outside any basis “in reality” and may be unlawful. The psychological basis for this kind of “representational splitting” is primarily to satisfy irrational inner needs, fantasies, etc... and is often seen clinically in patients with Borderline Personality Disorder and Narcissistic Personality Disorder. This “representational splitting” that overvalues “person” and devalues “legitimate legal/business standing” also happens to be exactly the same “communication representational behavior” of Cantor Colburn’s Anne Maxwell and Chad Dever in those termination-related emails that you’ve seen. It’s also the exact same “communication representational behavior” of just about every “third-party interferer/exploitee” who has communicated “to Louis Sanfilippo” in some form or another, with their aggregate number having grown seemingly exponentially in just months (which itself makes the “collective third-party interference/exploitee” communication patterns very transparent to “me” for its “psychodynamic and behavioral features”).

This pervasive “**representational splitting communication behavior**,” of course, raises the “psychodynamically-based question” of why is everyone seemingly “intrapsychically motivated” to overvalue communications with “Louis Sanfilippo” as an “**intrapsychic representation of Louis Sanfilippo personally/generically**,” even when it makes no rational, legal, or business sense to communicate with him in this undifferentiated, primitive and child-like way? Another way of thinking about the question is this way: why is everyone’s “individual theater of consciousness” organized around the “one person” who is “Louis Sanfilippo,” to the point that it seems to support that there a “collective theater of consciousness” organized around the “one person” who is “Louis Sanfilippo personally” and therefore drives individuals to perceive “Louis Sanfilippo” in an undifferentiated, primitive and child-like way? You can see how this “**intrapsychically-motivated representational splitting communication behavior**” implies that there must be some “foundational collective theater of consciousness” that exists which is based on a “shared communication platform” that represents “Louis Sanfilippo” as its “**personal (generic) subject**” **but completely disregards his “differentiated professional, legal and/or business standing**” (i.e., Manager of Lucerne Biosciences). This would explain why there would appear to be a “collective body” of “individuals” whose communications “to Louis Sanfilippo” make it very

## The Patent '813 Story, Part II -- Version 2

obvious that their perception of "Louis Sanfilippo" is "intrapsychically motivated" and "perceptually modeled" by his "**generic personal representative nature**" outside any "legal, business and/or professional representative roles."

But how could that be? Why would such a "shared communication platform" involving "Louis Sanfilippo" as its "personal subject" even exist in the first place? Clearly, "Louis Sanfilippo" isn't God, much less a "personal God," so why would anyone be motivated to establish and/or participate in a "shared communication platform" involving him in a way that supported and encouraged a "**personal intrapsychic representation**" of him as if he were a "personal God" that deserved this kind of shared communication (presumably on the basis of his "personal God-like nature")? In other words, why would a collective body of people want to pay so much attention to "Louis Sanfilippo - personally," as if he were God and somehow capable of "inter-connecting" them on the basis of his "**personal intrapsychic representation**" in their own "collective and individually-based theaters of consciousness"? There's only one reason that I can think of. It's that a group of "behavioral experts" (as you might find at an elite academic institution) wanted to behave as if they were God by performing what you might call a "**global consciousness experiment**" ("**GCE**"). And that this "GCE" would be based on a "**global consciousness communication platform**" ("**GC-CP**") to support its "third-party communicants" -- or "**GCE-participants**" -- to make their observations/communications involving "Louis Sanfilippo -- the person" with each other and the GCE-founders but to keep these observations/communications **outside the "communication view" of "Louis Sanfilippo" himself and without any regard whatsoever to his legal, business and/or professional standing and representatives roles**. If one wanted to be symbolic about it, it would be easy enough to see how these behavioral experts might even seek to identify "Louis Sanfilippo" as a "personal intrapsychic representation" of the institution they work for that developed the "foundational platform" for such a "GCE." Considering that "Louis Sanfilippo" is on the faculty of Yale's School of Medicine, one might consider that the elite institution could be "Yale."

But any reasonable person would see that "**generic representation of a person**" in this way actually minimizes, even contemptuously disregards, any contribution "Louis Sanfilippo" would make in a "**differentiated representative role**" that would have a specific legal, business and/or professional standing and for which he may have contributed substantial resources and time (as in building an LLC business as its CEO). That would be like treating "Louis Sanfilippo" as if he's nothing, having no meaning or value in anything he would lawfully and freely pursue according to standard business, legal and professional structures (i.e., being a Manager in a company, an "MD" with professional roles, etc...). One way to think of it is like a drug: generic vs. trade. There's a reason why drugs are marketed under a trade name, have FDA-exclusivity and protection against unlawful genericization, etc... Shire and its counsel of Ed Haug and Sandra Kuzmich are in the business of supporting the differentiation of "Vyvanse" against "genericization" and go to great length to defend such rights based on legal standing, yet remarkably they have no problem "genericizing" Louis Sanfilippo when there is no legal standing to do so.

If you think about it, it's easy to see that a GCE centered on "Louis Sanfilippo personally" would be like making "Louis Sanfilippo" something of a "generic icon" for a "communist consciousness" with the "institutional founder" being the "communist leader." By definition, U.S. businesses couldn't function, nor even exist, in this "**representational/communication paradigm**" because businesses are "differentiated entities," not only from "persons" but also between each other (i.e., LLCs, Inc's, LLP's, etc...) and therefore require "**perceptual and intrapsychic representational differentiation**" in the minds of the businesspersons who run them and interact with other businesses to make a country like the United States function. Similarly, "Vyvanse" as a "differentiated marketed drug" couldn't even exist in this "representational/communication paradigm" and you (and Anne Maxwell, and Ed Haug and Sandra Kuzmich) wouldn't even be able to practice pharma patent law in this "representational/communication paradigm."

## The Patent '813 Story, Part II -- Version 2

On the surface, it would seem that any experiment in “global consciousness” of this (communist) kind would necessarily have to have some kind of “singular focus” that allowed it to be “globally-based” and “inter-connected.” In other words, it would need a “communal tie.” Focusing on ten people, for instance, wouldn’t make sense psychodynamically. And what better way (at least on the surface) to build that “communal tie” than to establish the GCE’s “global inter-connected center” through “one person” affiliated in some way with the “one institution” of its “behavioral expert founders” and make that “one person” someone people could identify with by virtue of his/her general likability and/or accessibility? Further, if everyone in such a GCE was collectively organized to support a “global consciousness” centered around “one person,” it’s easy to see how it would seem (at least on the surface) to be an experiment fundamentally motivated to “help that one person” succeed in whatever he/she was doing. A kind of “global support system” for that one person. The founders of such a project might even rationalize the experimental platform on the basis of claiming, “how could an experiment be bad for any one person if the idea is for everyone to help that one person?” Also, any such experiment would need to keep the GCE’s “global consciousness communication platform” a secret from its “human subject” because its exposure to its subject would clearly undermine the communication infrastructure and dynamic necessary to support the GCE and its “human objective” of inter-connecting through “one person.” After all, if Louis Sanfilippo was that “one person” and he knew about the GCE and/or saw its “GC-CP” on-line, for instance, then it would introduce an “intrapsychic split” in the GCE’s “global consciousness” by making him an “internal party” to it when the GCE would require him to be an “external party” to its “communication platform” and its “GCE theater of consciousness.”

But any such GCE based on “one person” or even “one company” would have a **serious and inevitably fatal psychodynamically-based “foundational ‘consciousness-communication’ problem.”** The reason is that the GCE would be organized around its “single subject” in a way that would necessarily drive a **“collective projectively-based perception of Louis Sanfilippo”** (i.e., fantasy-based) that would be “split against” each person’s **“individually-based perception of Louis Sanfilippo,”** with the “intrapsychic split” more severe for those persons involved with Louis Sanfilippo in his **“differentiated representative capacities”** (i.e., MD/psychiatrist, CEO LCS Group, Manager of Lucerne Biosciences, Manager of Cenestra). You can think of this as there being two concurrent “perceptually-based theaters of consciousness” involving “Louis Sanfilippo” within one person’s “one mind,” one “theater” based on the “GCE” and the other based on individually-based communications and/or interactions with “Louis Sanfilippo” in various representative roles (i.e., MD/psychiatrist, CEO LCS Group, Manager of Lucerne Biosciences, Manager of Cenestra, father, friend, colleague, etc...). This “dual-frame” (or “split-frame”) in a single person’s “one theater of consciousness” in which “one theater” would support and encourage a **“generalized undifferentiated intrapsychic level of representation”** (i.e., GCE) and other “theater” would support and encourage a **“non-general differentiated intrapsychic level of representation”** (i.e., individually-based) is **perceptually and intrapsychically untenable over time.** In other words, the “GCE theater of consciousness” that would support its GCE-participants, some of whom would be interacting with “Louis Sanfilippo” on an individual basis on matters of business/legal/professional standing that would require his participation in **“differentiated legal/business/professional representative roles,”** ultimately would be destined to “perceptually fragment” (i.e., deteriorate), with its “perceptual fragmentation” proportionate in intensity to: (i) the number of “GCE-participants,” (ii) the extent of collective communication activity on the GC-CP involving “Louis Sanfilippo” (iii) the number of “differentiated representative roles” Louis Sanfilippo might have through various business/legal entities and/or professionally recognized roles.

This inevitability toward “perceptual fragmentation” in the “GCE theater of consciousness” would effectively lead to the **“global intrapsychic fragmentation of the GC”** and it would be “behaviorally expressed” by increasingly incoherent and meaningless communications that conflate important distinctions related to “Louis Sanfilippo (i.e., legal or business distinctions

## The Patent '813 Story, Part II -- Version 2

among many others). This is exactly what has happened in your “misrepresentation communication behavior,” as well as that of Shire’s and FLH’s, as well as that of all those “third-party interferers/exploitees.” This “perceptual/intrapsychic fragmentation” is based on a simple psychodynamic reality, namely, that everyone has different fantasies, inner needs, etc.... (i.e., projections) and with so many competing “individually-based projections” collectively occupying one “GCE theater of consciousness,” it’s inevitable for there to be a massive splintering (or splitting) in the “shared perception and communication” involving one person like “Louis Sanfilippo.” Psychodynamically, this “global intrapsychic fragmentation of the GC” would be reflective of a “regressive group deterioration” based on the “projective identification” and “acting” of its GCE-participants that itself would derive from a “terminal amplification” of its “projection-based communication platform” as the group itself would see and experience the deteriorating “GC theater of consciousness” and its communications. Another way of putting it is that the “global intrapsychic fragmentation of the GC” would be the result of its GCE-participants consciously beginning to recognize that it was inevitably heading to its own death.

In this respect, a “GCE theater of consciousness” organized around a single person like “Louis Sanfilippo” through its “GC-CP” would be expected to undergo an amplification in its perceptual fragmentation that is a function of (i) the number of “projective differences” (i.e., GCE-participants), (ii) “high stakes nature” of Louis Sanfilippo’s involvement in “publicly visible” situations through which GCE-participants might be “projectively motivated” to interact with him (by emailing him for instance), (iii) the number of legitimate legal, business and professional “representative roles” Louis Sanfilippo would have and (iv) the implications of the GCE’s “death” for its GCE-participants and GCE-founders. This “amplification of perceptual/intrapsychic fragmentation” would be expected to exponentially intensify as the “GC theater of consciousness” reached complete collapse (i.e., death), effectively (and ironically) “uniting the global consciousness” by its own massive perceptual fragmentation (as emerging from its GCE-communicants). In this psychodynamic context, if “Louis Sanfilippo” were the single subject in a GCE and he weren’t a psychiatrist with special psychodynamic skills to understand how this dynamic works in individual and group consciousness, the “projective amplification” emerging from a high number of GCP-participants (of whom a fair number would be communicating with him on the basis of their GCE-induced projections) would have the effect of “psychodynamically pressuring” him to projectively identify and act out according these individually-based projections. That, in turn, could collectively could push him to become psychotic and/or to act irrationally, unlawfully, incompetently, etc.... That sounds like the behavior seen in Ed Haug and Sandra Kuzmich at different times, and you more recently, which provides insight into the “intrapsychic and perceptual condition” of the GCE’s “theater of consciousness” over recent months.

On other hand, with enough GCE-participants, it’s easy to see psychodynamically how there could be enough “projective amplification” -- as **behaviorally expressed** in “individually-based communications” to “Louis Sanfilippo” but **intrapsychically motivated** by the “GC-CP” -- for “Louis Sanfilippo” to quite **consciously see** how people are thinking about him, what they want him to do, and why they are motivated to communicate with him as they are, especially if the anxiety and regression in the GCE “theater of consciousness” is high. In effect, a person like Louis Sanfilippo (who is a psychiatrist) could practically discern the “real-time communications” in the GC-CP simply based on his “clinical observations” of communications made to him from GCE-participants in any medium (i.e., email, text, in-person, phone). High projective amplification within the GCE’s “theater of consciousness” would effectively “reveal” how the GCE works at both “group” and “individual” psychodynamic and communication levels, and also **expose** its GCE-participants who directly communicate with him. You can think of it as Louis Sanfilippo having “X-ray glasses” that can “see” into the “mind and consciousness” of its “mentally fractured GCE-participants,” allowing him to differentiate GCE-participants from non-GCE-participants simply based on how any person would communicate with him at any given time. This reality and its

## The Patent '813 Story, Part II -- Version 2

communication into the CG-CP and its “GCE theater of consciousness” would inevitably establish a “terminal boundary condition” because the GCE would no longer be “globally united” through him but rather just the opposite: completely splintered apart into its “individual GCE-participants” as they become “consciously identifiable” to him. After all, Louis Sanfilippo would transparently see its GCE-participants’ “GCE-based motivations” in their communication behavior to him “individually” (for which he would hold them individually accountable), which in turn would completely undermine the “global consciousness objective” of the GCE.

Joe, your “Sequence 1 misrepresentation behavior” (and your lack of responsiveness to Lucerne Biosciences’ June 19 email requests for replies) in view of everything that I have seen in any number of representative capacities **including communication interactions with various persons Thursday, Friday and yesterday**, effectively confirms that you are a participant in a GCE and its GC-CP. It also effectively confirms that the people who designed the GCE were not just interested in “a GCE” (for its apparently well-intended collaborative uniting function) but were also interested in profiling “Louis Sanfilippo” for certain “intelligence objectives,” including to develop and apply deception-based intelligence technology (as might be applied by the Central Intelligence Agency). It also effectively confirms that whoever designed this GCE and its CG-CP knows **nothing at all** about consciousness and perceptual dynamics because they got the very first step of the experimental platform all wrong, namely, its **foundation in each individual participant’s consciousness and perception**. After all, any GCE based on “projection” (i.e., inaccurately attributing to another one’s own fantasies, irrational feelings, unacceptable impulses, etc....) and “splitting” (polarizing “generic” vs. “differentiated” intrapsychic representations with an exclusive over-emphasis on “generic” even when it would be irrational) would necessarily drive an ever-amplifying cycle of “projective identification” and “acting out” of the “foundational projection-based splitting platform.” Psychologically, this is actually a pressure-cooker to make people “crazy” in proportion to how many “items” (participants) are in the “stove” cooking. Without GCE-participants having “perceptual outlets” from the GCE’s theater of consciousness, this would be the perfect way to cause a massive “group psychosis” through massive “collectively-shared regressive projective amplification.”

With this in view, think about the concept of “projection-based splitting” that you’ve read about in any number of emails from me in various representative capacities. Assuming that you are an active participant in a GCE and GC-CP involving Louis Sanfilippo, you can see how it would intrapsychically drive a “split frame” in your “theater of consciousness.” The “split frame” in your own “theater of consciousness” would be based on your perception of reality involving Louis Sanfilippo from the “GC-CP” on one side and an “individually-based CP” on the other side, with an amplification of the “**intrapsychic representational split**” based on how significantly these two “sides” diverge in their “**intrapsychic representational significance and meaning**.” For instance, you could see how this “dual perceptual/representational frame” might cause you serious “mental problems” (or legal problems for that matter) if you were representing “Lucerne Biosciences” and obligated professionally and ethically to respond to “Louis Sanfilippo” in his “representative role” as a “Manager” of the company but you also had another “perceptual/representational frame” exclusively focused on “Louis Sanfilippo - personally” that “intrapsychically motivated” you to “genericize” his “representative role.” This “intrapsychic representational split” would simply be a psychodynamic function of having a GC-CP involving “Louis Sanfilippo - generically” that itself would be supported by individuals who communicate with “Louis Sanfilippo - differentiated-ly” in any number of “differentiated role settings.” “Individually-based communications” with “Louis Sanfilippo” necessarily require more **differentiated communication and therefore involve more differentiated intrapsychic representation**, especially if they are being made in certain legal, business or professional contexts in which “Louis Sanfilippo” has an authorized legal, business role and/or professional role, as would be the case if “Louis Sanfilippo” was communicating with another business on a Cenestra matter in his “role as a manager” for the company. In such instance, for example, a

## The Patent '813 Story, Part II -- Version 2

company seeking to license a patent from Cenestra wouldn't ask "Louis Sanfilippo" to sign a license agreement in his "representative role" as a "manager of Lucerne Biosciences," nor would they ask him to sign it "personally" (nor would Louis Sanfilippo sign a license agreement in either of those ways). Rather, the prospective licensee would request that Louis Sanfilippo sign the agreement in his "representative legal/business role" as a "manager of Cenestra." But to do that requires "**differentiated intrapsychic and communication representations**" that simply couldn't be a feature of a GCE seeking to inter-connect everyone through the "one generalized role" represented by "Louis Sanfilippo personally." These are very simple psychodynamic concepts, but they can be hard to see and apply if one has "**intrapsychic motivational dissonance**" based on a deep foundational confusion in consciousness about how to "see" something (i.e., "intrapsychically represent" it), as would be expected if someone was participating in a GCE with "split representational/communication framing."

By its basic psychodynamic nature, the GCE's "theater of consciousness" would motivate a **perceptually narrowing in the "intrapsychic representation and meaning"** of "Louis Sanfilippo" in its individual participant's "theater of consciousness" by virtue of the psychological reality that its motivational driver would be to only intrapsychically identify, represent and communicate with "Louis Sanfilippo" exclusively "**as Louis Sanfilippo personally/generically,**" and to repress everything that differentiates him. Thus, insofar as anything would come up in the GCE-participant's perceptual field that intrapsychically/communicatively represents "Louis Sanfilippo" in a role that is **not** him "personally/generically," the GCE participant would be "intrapsychically motivated" to **repress** (i.e. perceptually under-value) that "non-personal differentiated representation" from their conscious view of reality even if it was legally legitimate, required to do business or necessary to practice medicine (among other examples). This is because identifying and relating to Louis Sanfilippo in a lawful, business and/or professionally appropriate way would be counter to GCE's "global consciousness objective" of uniting/inter-connecting through "Louis Sanfilippo - personally/generically." In other words, the GCE-participant's "theater of consciousness" would be motivated to distort reality and/or suppress important aspects of reality -- even as it would exist "lawfully" or be important professionally or for business -- in order to maintain and perpetuate the fantasy of "Louis Sanfilippo" as the "personal human center" uniting the GCE's "collective theater of consciousness." You can see how this would lend itself to "global intrapsychic lawlessness" among the GCE-participants, which may help to **motivationally explain** all the misrepresentation communication behavior, deceptive trade practice and anti-competitive conduct in "The Patent '813 Story, Part II," including from you and a number of other persons trained as **lawyers**. Another way to explain the "Bank of America interference event" from yesterday would be if a GCE-participant was also an employee of Bank of America and "projectively identified and acted out" from the GCE's "theater of consciousness" by putting the extended hold on the deposited check. That may be a better explanation than "NSA interference."

You can see how a GCE could become a recipe for not only lawlessness but also serious mental problems in its GCE-participants, including even putting some of them who are involved with Louis Sanfilippo on a more "differentiated basis" (i.e., attorneys involved with one or more companies for which he's had a representative role, a patient seeing him as an MD/psychiatrist at his private practice, colleagues who relate to him on the basis of professional standing, etc...) at risk for psychosis. This is because the "GCE theater of consciousness" would **perceptually overvalue** the idea of "Louis Sanfilippo personally/generically" to the point in which regressive defense mechanisms like projection and distortion would be expected to blur "intrapsychic representations of reality" rather than clarify them through "differentiated mental representations," the ones that people close to Louis Sanfilippo routinely need to employ in order to maintain lawful boundaries of behavior in relation to him. "Perceptually overvalued ideas" like this become the "intrapsychic basis" for "ideas of reference" and "ideas of reference" become the "intrapsychic basis" for delusions, perceptual aberrations and even acute psychosis (at individual and/or group

## The Patent '813 Story, Part II -- Version 2

levels). In other words, when every “intrapsychic representation” (whether made/or received) would seem to begin and end with “Louis Sanfilippo personally/generically” (that the GCE would require its participants to have), you effectively create an undifferentiated meaningless mix of communications that establish “psychotic boundary conditions” in the “GCE theater of consciousness” with “Louis Sanfilippo” at its “psychotically-based and representationally-undifferentiated center.”

You can see how this could drive some people to hate “Louis Sanfilippo” because he would seem to be obstructing the objective of the GCE. But that’s not the issue at all because their “perception of hate” would be “projectively based,” meaning that it would inaccurately attribute their own unacceptable feelings to “Louis Sanfilippo,” as if it was his fault when it’s really the fault of the GCE-founders (who founded the GCE on a fatal and rather obvious “consciousness problem”). You saw some of that “blame Louis Sanfilippo” behavior in the June 15 Law 360 article that Law360 wisely decided to remove from the web, as evidenced in its very deadline that identified “the inventor” of the ‘813 Patent as “unresponsive,” as if its invalidation was his fault, when you know as well as anyone that its invalidation was foundationally based on Shire’s bogus IPR. Psychodynamically, a GCE “theater of consciousness” would perfectly foundationally support and encourage the same primitive undifferentiated “**intrapsychic representational reasoning**” of Shire’s IPR petition and Dr. Brewerton’s Declaration (on which it is based) that used “binge eating generically” (regardless of any appropriate differentiated clinical setting), in the same “intrapsychic way” that a GCE would use “Louis Sanfilippo generically” (regardless of any appropriate differentiated legal standing), which goes to show how Shire’s IPR and Dr. Brewerton’s Declaration surely must have been “intrapsychically motivated” by a GCE and its GC-CP. Yet this is exactly **not the way** MD/psychiatrists, pharmaceutical company executives, attorneys, and other “professional types” featured in “The Patent ‘813 Story, Part II” intrapsychically represent and communicate reality. This may help you see why there are so many references in “The Patent ‘813 Story, Part II” to an “incompetent, irrational and/or psychotic MD/psychiatrist,” because it’s another frame for explaining how a GCE-framework “dumbs down” its GCE-participants by making the very “intrapsychic representational distinctions” which would make a person “smart” completely meaningless and irrelevant. Dr. Brewerton’s Declaration and Shire’s IPR petition is clearly based on “GCE reasoning and representation,” which effectively confirms (in view of everything else in “The Patent ‘813 Story, Part II”) that the IPR’s foundational basis is in the GCE and that it is therefore lawless (i.e., unlawful) because it completely fails to abide by the kinds of standards that would be used by a person if they were handling this matter according to lawful legal and business standards.

The severe and deep foundational problem in a GCE-based “theater of consciousness,” as built on a GC-CP, is that it is psychodynamically based on “**undifferentiated intrapsychic representations and reasoning.**” And to support and encourage that kind of “intrapsychic representation and reasoning,” it necessarily must exploit in its GCE-participants their immature defense mechanisms of projection and splitting to distort, suppress and/or repress reality to tailor perception in a way that blurs the kinds of “intrapsychic representations” that help people stay “anchored in reality.” Now this may seem like an impossible problem to resolve. However, the reality is quite the opposite. It’s actually a rather easy problem to resolve (and quickly too) without necessarily a whole lot of psychodynamic work as might be needed in years of therapy. However, its “**intrapsychic and perceptual resolution**” does require an expert degree of skill in psychodynamic understanding and special communication methods that can be employed to perceptually drive certain things to happen in the “GCE’s theater of consciousness” as well as in each GCE-participant’s “individually-based theater of consciousness.” This is exactly what Lucerne Biosciences has been closely working on with LCS Group, in collaboration with Louis Sanfilippo “personally” and “Louis Sanfilippo, MD, LLC” since October 1, 2014, as this GCE would appear to have gotten quite a bit larger than its “behavioral researcher founders and institution” probably ever expected. To be sure, the GCE is apparently now causing quite a

## The Patent '813 Story, Part II -- Version 2

number of people significant mental distress (as observed by “me” in any number of representative capacities), including its “founding entity” and “founding persons.” Some of these persons have become severely symptomatic to the point that they’re having a hard time rationally communicating with me (which given my psychiatric skills allows me to understand the degree of “perceptual and intrapsychic fragmentation” taking place in the GCE’s “theater of consciousness”).

This is where the “**perceptual and intrapsychic importance**” of “LCS Group, LLC” and “Lucerne Biosciences, LLC,” the invalidation of the ‘813 Patent, and “The Patent 813 Story, Part II” come into play. In this light, consider that there’s the “GCE theater of consciousness” vis-à-vis its “CG-CP” involving “Louis Sanfilippo” that is intrapsychically and perceptually modeled on a “projectively-based split-communication frame” involving “Louis Sanfilippo” that seeks to establish “**one collective** theater of consciousness” (the GCE) in the “**perceptual presence**” of another within each GCE-participant’s “**one individual** theater of consciousness.” These two “theaters of consciousness” are **not** “intrapsychically and representationally compatible” but actually run contrary to each other because each is based on diametrically opposite “**intrapsychic representation and reasoning paradigms**,” the GCE theater based on “**undifferentiated** intrapsychic representation and reasoning” (i.e., Louis Sanfilippo generically/personally) and the “individually-based” on “**differentiated** intrapsychic representation and reasoning” (i.e., Louis Sanfilippo as MD/psychiatrist, inventor, CEO, Manager, writer, father, friend, colleague, etc...). That makes them communicatively mutually incompatible and forces the “GCE-participants” who “individually communicate” with Louis Sanfilippo into a very compromising position at multiple levels (i.e., intrapsychically/perceptually, personally, professionally, legally, in business, etc...). These would be the persons most severely exploited psychologically (as well as legally, professionally and in business) by the GCE, which may help you see how you fit in to the GCE framework.

But this “exploited third-party position” between the “GCE-founders” and “Louis Sanfilippo” is not that hard to resolve. However, the only way to resolve it at the individual and group as-a-whole levels is to reconcile the “**intrapsychic and representational split**” caused by the GCE. And the only way to reconcile the “**intrapsychic and representational split**” caused by the GCE would be to establish a **third** “theater of consciousness” that is based “in reality” (i.e., non-projective, non-splitting, truthful) that “represents” the two “split frames/theaters of consciousness” and their respective “**intrapsychic representation and reasoning**” so that they can be seen **in view of each other**. In other words, establishing a “third theater of consciousness” with its own “communication platform” becomes necessary intrapsychically and perceptually to resolve the “intrapsychic and representational split” caused by an extreme polarization of “**generalized undifferentiated perceptual constructs**” and “**non-generalized differentiated perceptual constructs**” that are themselves incompatible with each other but which can be “re-organized” for their “intrapsychic representational significance” through a “third theater of consciousness.” This “third theater of consciousness” would allow GCE-participants to escape the perceptual and communication fragmentation caused by a terminal collapse of the GCE’s “theater of consciousness” on account of massive projective amplification that in turn drives massive “projective identification” and “acting out” of its GCE-participants.

In the example of your misrepresentations from Thursday’s “Sequence 1 emails,” I don’t think that you could even “**consciously see**” your “misrepresentation by omission behavior” because your own “theater of consciousness” repressed it to suit your inner fantasies to “intrapsychically represent” Louis Sanfilippo as the “generic person” according to the framework of the “GCE’s collective theater of” and then communicate back on the basis of that “repressed perception of reality.” Applying the “GCE theater of consciousness” to “individually-based communications” involving Louis Sanfilippo naturally leads to a very rigid and inflexible yet vague representation of reality, particularly the perception that **either** “Louis Sanfilippo personally is the going to be the

## The Patent '813 Story, Part II -- Version 2

messiah-equivalent to bring the GCE together” or “Louis Sanfilippo is the asshole who’s going to bring the GCE all crashing down.” But that “perceptually split either/or frame” is completely illogical, even psychotic, because it’s based on being “locked in” to an irrational “GCE theater of consciousness” that requires polarized “intrapsychic representational splitting” within **one person’s** “individually-based theater of consciousness” (i.e., “GCE-generalized representation is good” vs. “differentiated lawful, business and/or professional representation is bad”).

Lucerne Biosciences and its collaborators have “perceptually planned” for “final resolution” by introducing highly “**differentiated perceptual and representational constructs**” intrapsychically designed to establish that “**third theater of consciousness**” on which repair can be made to the “intrapsychic representationally splitting” caused by the GCE in its GCE-participant’s individually-based theater’s of consciousness. This is what “The Patent ‘813 Story, Part II” is all about. It’s “intrapsychic and perceptual objective” has been to establish **differentiated perceptual and representational constructs** that metaphorically model how the company and its collaborators planned “final resolution” to be an “intrapsychic and perceptual phenomenon.” This then provides the GCE-participant a way of “consciously seeing” how its “final resolution” is designed to work so that they can be “intrapsychically freed” from the “intrapsychic third-party interference” that is the GC-CP itself, as they have been provided the “perceptual and representational differentiation” from the communications that comprise “The Patent ‘813 Story, Part II.” This helps establish boundary conditions for what’s called a “perceptual inversion” (in one’s “theater of consciousness”) meant to turn “projective distortion that drives representational splitting” (and visa versa) into “conscious clarity that drives representational unity” (and visa versa).

This may help you understand why Lucerne Biosciences allowed the ‘813 Patent to be invalidated. It’s a perfect example to see (with hindsight) what can happen when a person’s “individually-based theater of consciousness” or group’s “collective theater of consciousness” that should be engaged in “**differentiated representational communication and reasoning**” (because its appropriate for lawful, business and/or professional conduct) becomes irrationally driven by a GC-CP platform that is foundationally based on a **complete absence** of “intrapsychic differentiated representation and reasoning” (as would be required for lawful, business and/or professional conduct). This is the psychodynamic basis of “third-party interference/exploitation,” **as it takes place within the “mind and consciousness” of its “personal interferer(s)/exploitee(s).”** You can see how Shire’s outside counsel Ed Haug and Sandra Kuzmich experienced this regressive intrapsychic deterioration within their own “individually-based theaters of consciousness,” as evidenced in their varied “misrepresentational communication behavior,” on account of what I can only imagine would be their involvement as GCE-participants in a GCE. You can also see how the Board experienced the same regressive intrapsychic deterioration, as evidenced in its “undifferentiated representational communication” when it conflated LCS Group and Lucerne Biosciences, particularly when those distinctions were made very clear to it and it’s their role in the IPR proceeding to ensure that it takes place lawfully (including at the representational level of which company is in the proceeding). When the Board can’t get that simple thing right, you know the GCE’s “theater of consciousness” is reaching its “global consciousness death.”

In this light, you can see how the “content and meaning” or “novelty of the invention” of the ‘813 Patent was completely dumbed down, contemptuously disregarded, and made totally irrelevant and unimportant because the **only relevant and important thing** was “Louis Sanfilippo “generally/personally/generically” (in both mind and communication). This is the exact opposite of what innovation is supposed to be, because innovation is based on differentiating a creative “idea” from what already exists by virtue of communicating the “new differentiating features” of the “new idea.” That’s the whole basis of the ‘813 Patent, namely, that it differentiates “Binge Eating Disorder” from “binge eating” and “binge eating in Bulimia Nervosa” and it then makes this

## The Patent '813 Story, Part II -- Version 2

“foundational differentiation” (as based in the DSM-IV-TR) a basis for a differentiated pharmacological treatment, lisdexamfetamine dimesylate. That’s innovation defined! It’s actually a kind of “double innovation” if you think about it.

For Shire, FLH and Dr. Brewerton, the eating disorder art clearly wasn’t even important (much less relevant) in the IPR because the IPR was a manifest symptom of the undifferentiated representational reasoning motivated by the GCE and its “theater of consciousness.” And as LCS Group first and then Lucerne Biosciences confronted this regressive deterioration involving “undifferentiated representational reasoning” with “the truth of the eating disorder art” in all its differentiated representations, you can see how the GCE’s “theater of consciousness” (of which Shire, FLH and Dr. Brewerton were included) experienced its own “GC intrapsychic and perceptual deterioration” and in turn acted out against LCS Group first and then Lucerne Biosciences. Dr. Brewerton’s Declaration is based on the **complete absence** of “intrapsychic differentiated representations” which belies his professional standing as an “eating disorder expert.” Everything that any rational person would see as relevant and important for something like an invention (i.e., the '813 Patent), as it would come from “differentiated representational reasoning and its outward communication,” was completely irrelevant and unimportant in the IPR because the only objective seemed to be to have an undifferentiated generic “Louis Sanfilippo” stand at the center of the Patent '813 story.

By establishing an alternative “**third** intrapsychic/perceptual platform” that has been “The Patent '813 Story, Part II,” Lucerne Biosciences and its collaborators have collectively built the “**intrapsychic and perceptual scaffolding**” for the GCE-participant to “intrapsychically engage” in “differentiated representational reasoning.” Once that is sufficiently in place (as it is now), it establishes the “intrapsychic and perceptual boundary conditions” for a “**third theater of consciousness**” from which GCE-participants “watching the show” from their own “split GCE/individually-based theater of consciousness” can watch the “**new show**” that finally resolves their “split GCE/individually-based theater of consciousness.” You can think of this “resolution” in email terms. Email 1 has the subject “Consciousness Frame 1,” then email 2 has the subject “Re: Consciousness Frame 1” (that is Consciousness Frame 2), and then email 3 has the subject “Re: [Re: Consciousness Frame 1] (that is Consciousness Frame 3). The third and final email provides the clearest perspective because it’s the most inclusive and also the most differentiated as its differentiation involves “Frames 1 and 2.” The email bracketing you’ve seen lately in any number of emails “per APS protocols” have been psychodynamically modeled to help the GCE-participant’s “individual theater of consciousness” engage in more “differentiated representational reasoning” in expectation of “final resolution” that requires sufficient “differentiated representation reasoning” in order to “consciously see” what’s happening based on events taking place in the “collective theater of consciousness” of GCE-participants.

This “intrapsychic and perceptual platform” is a “**precursor boundary condition**” for establishing a “**third communication platform**” (that is neither communication to/from the GC-CP or to/from “Louis Sanfilippo” individually) which you might call the “**Patent '813 Story theater of consciousness**,” itself based on a non-projective frame of reference that incorporates a “hindsight perspective” on **both** (i) the “CCE theater of consciousness” (i.e., “Consciousness Frame 1”) and (ii) the “Patent '813 Story, Part II theater of consciousness” (i.e., “Consciousness Frame 2”). It is on this “Patent '813 Story communication platform” and its “theater of consciousness” that the damage of the “projectively-based split lens” in each individual participant’s “individually-based theater of consciousness” and in the GCE-group as-a-whole would be “perceptually and intrapsychically repaired.” This would happen through an increasingly differentiated and accurate understanding of “the story” in its myriad intriguing features. In other words, it would happen by lessening the “intrapsychic distortion” and “representational splitting” built up over time through the GCE and its “theater of consciousness.” The “Patent '813 theater of consciousness” and its “communication platform”

## The Patent '813 Story, Part II -- Version 2

would also be an opportunity for people to understand what Binge Eating Disorder really is all about, and that it's far more differentiated (diagnostically) than simply being just "binge eating." And its FDA-approved treatment of "Vyvanse" is far more differentiated than just treatment with "an ADHD stimulant."

So you can see how the perceptual fragmentation of the "GCE's theater of consciousness" necessitated a "secondary communication platform/theater of consciousness" (i.e., "The Patent '813 Story, Part II) which now warrants a "third and final resolving theater of consciousness" (i.e., "The Patent '813 Story") that helps each of the GCE-participants "see the whole dual-sided story" involving its currently two highly divergent sides. Psychodynamically, this kind of "final resolution" can only happen from a "third theater of consciousness" having its own "communication platform," which may give you a sense of where "The Patent '813 Story" is going and the kinds of preparations Lucerne Biosciences and its collaborators have already made. That "Patent '813 Story communication platform" and its "Patent '813 Story theater of consciousness" then becomes the "**new and real GCE,**" namely, its "**unitary common thread**" which is foundationally based on the "final resolution" of "The Patent '813 Story, Part II" in the "mind and consciousness" of **each of its individual participants** as they re-organize as a "**new GC-group-as-a-whole.**" The difference between the "former GCE" ("GCE-1") and the "new GCE" ("GCE-2") is that the "new GCE" would be completely transparent for what it is and wouldn't exclude even one person from its platform. In this light, it's "intrapsychically freeing" and non-discriminatory, which are both good things from the company's perspective.

In this respect, "LCS Group" and "Lucerne Biosciences" were employed not only as legitimate business entities but also as "**perceptual and intrapsychic representational constructs**" through which the "foundational dual consciousness problem" of a projectively-based split in the "GCE theater of consciousness" could be resolved by helping its GCE-participants "perceptually re-model" based on pre-established differentiated intrapsychic and representational pathways. This, in turn, would help them escape the regressive intrapsychic forces of the over-generalizing undifferentiated "GCE global consciousness" and its "GCE communications" at the time of the GCE's "dying and death." These "perceptual and intrapsychic representational constructs" (i.e., "LCS Group" vs. "Lucerne Biosciences," "BED" vs. "BN," etc....) have been very important for establishing the perceptual boundary conditions for the "Patent '813 theater of consciousness" that will provide a new "frame of consciousness" that helps its "individual" and "collective" participants consciously understand the nature and relationship of the "two sides of the story" across their own personally experienced "theater of consciousness split." Absent such a "third-theater of consciousness" like this, there would be a complete and permanent polarization of two groups (based on the "foundational intrapsychic representational split" caused by the GCE-founders' paradigm), one group becoming effectively psychotic (the GCE-group) and another seeing it happen in bright conscious daylight (the Patent '813 Story, Part II group). That would leave quite a number of people "intrapsychically and perceptually stranded" in a very mentally unhealthy place (as far the psychodynamic and behavioral evidence supports at the current time).

The "perceptual and intrapsychic importance" of the invalidation of the '813 Patent is that it allows this same kind of "intrapsychic dual-pathway re-modeling" to take place wherein persons (in their "individual theater of consciousness") who feel "intrapsychically trapped" can find a "perceptual escape route" from the regressive deterioration of the GCE's theater of consciousness at the time of its complete collapse. After all, Lucerne Biosciences is surviving after the death of the one patent it owns and perhaps doing its best "intellectual property work" yet. This "perceptual re-modeling" happens by providing two very differentiated and diametrically opposite "intrapsychic representations" of the '813 Patent, one in its "life" and the other in its "death," so that the GCE-participant can "consciously see" the totality of "each one side" from the perspective of hindsight (that is the now evolving "Patent '813 theater of consciousness"). The '813 Patent's "death" was perceptually designed to confront the repressive defense mechanisms that were perpetuating a

## The Patent '813 Story, Part II -- Version 2

fantasy that the GCE could work itself out somehow through “Louis Sanfilippo - generically/personally” even when “Louis Sanfilippo - generically/personally” could never be the answer to working it all out because “Louis Sanfilippo - generically/personally” had no “legal/business standing” to do anything about the '813 Patent in the way it would seem the GCE-theater of consciousness had collectively fantasized. You might say that Lucerne Biosciences sacrificed the '813 Patent to help GCE participants establish **differentiated and meaningful intrapsychic representations of reality at a very basic level** (life of the patent/death of the patent) to help them begin the “intrapsychic process” of “intrapsychically healing” from a “projection-based splitting communication platform” that seriously damaged their perception of reality at the individual and collective level.

Without the invalidation (i.e., “death”) of the '813 Patent, the fantasies of the GCE’s “theater of consciousness” would have likely progressed to very dangerous places (i.e., psychosis for some), which was “behaviorally signaled” in a number of areas including, but not limited to, (i) the extreme misrepresentation behavior of Sandra Kuzmich in that May 15 IPR filing, (ii) the Board’s own patent owner misrepresentation in its May 21 Order (Paper 30) and (ii) the virtually exponentially increasing “third-party” deviant communication behavior of late. LCS Group and Lucerne Biosciences have worked very hard to “representationally differentiate” on many levels, with volumes of “written material,” that provide the necessary cognitive and perceptual constructs for GCE-participants to “mentally debrief” from a “GCE intelligence experiment” that really couldn’t go any worse from a psychiatric/psychological perspective, though it really can’t go any better in view of how it’s “final resolution” has been “intrapsychically and perceptually designed” to work. If you’ve been paying attention, you can probably “consciously see” how “final resolution” is supposed to work in “mind and consciousness” (at individual and group levels) because much of it has already been communicated to you in various “differentiated, albeit subliminal, ways.” In this respect, “final resolution,” and the evolving “Patent '813 theater of consciousness” out of which it has been designed to emerge, has been intrapsychically modeled through many recursive and differentiated iterations of the same general themes, beginning with differentiating the eating disorder art (i.e., binge eating in BED, BN and AN), then progressing to other kinds of areas and their important distinctions (company representations vs. personal representations), and then expanding even further to third parties arenas, distinctions in things like intelligence research (i.e., NSA, CIA, institutional supporters like Yale), etc....

You’ll recall that there were certain things that I shared with you and Anne Maxwell (and Dave Farisiou and Derek Denhart) last August in my role as CEO of LCS Group. The remarkable thing is that everything I told you holds true today from a psychodynamic and behavioral perspective, notably its “final resolution” in “mind and consciousness.” But the reason that it appears to have taken so long for things to reach the proper “perceptual and consciousness boundary conditions” for “final resolution” to happen was that there have been a great many people participating in a GCE involving Louis Sanfilippo, more than I ever could have thought possible. And also that you, Ed Haug and Sandra Kuzmich, and Anne Maxwell and Derek Denhart were all participants in the GCE, which really provided psychodynamic challenges for LCS Group and then Lucerne Biosciences to dismantle all that “projectively-based splitting” while at the same time building a “non-projective communication frame” perceptually modeled to establish the psychodynamic boundary conditions for the “final resolution” of “The Patent '813 Story, Part II.” The irony is that the large number of people that appear to have been involved, and who even seem to have joined the GCE during the IPR proceeding, only ended up accelerating its deterioration by amplifying its “projectively-based splitting nature.” This would be exactly opposite what the GCE would have wanted to see, but it’s what the GCE led to because it did not allow its participants to accurately differentiate reality at the intrapsychic and representational level, which then motivated people like Ed Haug and Sandra Kuzmich to engage in all that irrational non-sensical undifferentiated communication behavior while completely repressing the most important thing about “The '813 Patent Story, Part II,” namely, just how novel and non-obvious the '813 Patent

## The Patent '813 Story, Part II -- Version 2

itself would have been and therefore that the '813 Patent represents a "paradigm shift" and "revolutionary innovation" in the treatment of eating disorders, specifically Binge Eating Disorder.

In order to establish the proper boundary conditions for final resolution so that each individual's "intrapsychic split" could be resolved through "The Patent '813 Story theater of consciousness" it was necessary to allow Shire and FLH to go down this undifferentiated "irrational reasoning path" that became increasingly polarized against the respective patent owner of the '813 Patent that was "reasoning logically." As the Shire/FLH "irrationality" became more obvious, it also became easier to "consciously see" in view of the written record. And by making it easier to "consciously see" in view of the written record, it allows GCE-participants to look back on the story and "consciously see" how destructive this kind of "GCE-theater of consciousness" is on many levels. This sets up things up for the "reconciling third theater of consciousness" that integrates this "polarization" into a "new frame" at the "intrapsychic level," which at this point in time shouldn't take much for a GCE-participant to "consciously see."

You can see how LCS Group and Lucerne Biosciences worked both "individually" and "collaboratively" to establish "differentiating perceptual boundary conditions" for a "perceptually and intrapsychically based final resolution." The first of these "differentiating perceptual boundary conditions" (outside the eating disorder art) was the "LCS Group split with Shire" via the termination of the CDA between them. The second of these "differentiating perceptual boundary conditions" was the "split in ownership" of the '813 Patent going from LCS Group to Lucerne Biosciences (including their very different IPR approaches), as well as the split in "functional roles" (i.e., legal - Lucerne; commercial - LCS Group) through the Exclusive License. The third of these "differentiating perceptual boundary conditions" was the split of both LCS Group and Lucerne Biosciences with you and Baker Hostetler, with its dual counterpart split (of each company) involving the termination of each company's representation with Cantor Colburn. The fourth of these "differentiating perceptual boundary conditions" would be the split of the '813 Patent, namely, its invalidation as identified with Lucerne Biosciences. You can see, then, how everything has been designed to "split" until it reaches a "terminal and final split" in "final resolution" so that everything can then be finally and permanently resolved (i.e., "united") through the "Patent '813 Story theater of consciousness" and its own "Patent '813 communication platform." This "third and final theater of consciousness" also has been planned to have its own "two sided differentiation" and "communication platforms," one side of it (the first side) being "[Byan.Haygins@aol.com](mailto:Byan.Haygins@aol.com)" and another side (the second side) being an on-line platform for which preparations have already been made, including the domain name. Psychodynamically, it makes the most sense to have the "new-GCE Patent '813 Story participants" engage it "anonymously" so that the entire "Patent '813 Story" (Parts I and II) can be made public in a way that allows the "old GCE-participants" to recursively heal their intrapsychic and perceptual splits as a function of time and the "new story" as it makes itself known in public view.

Now here's something to consider. What if the GCE was foundationally based on "one company" with "three managers"? What would that "final resolution" look like? The only place that I've ever seen (in any representative capacity) that would provide the proper "intrapsychic and perceptually modeling" to explain how that "final resolution" would work psychodynamically, behaviorally and communicatively is the bible's book of Revelation. Though to explain it I'd venture to say it would take about 700 single spaced pages.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** "Lucci, Joseph" <JLucci@bakerlaw.com>  
**Subject: Re: Consciousness Frame 2**  
**Date:** June 21, 2015 7:45:34 PM EDT  
**To:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

Thanks, Louis. Happy Father's Day to you, too.

On Jun 21, 2015 12:03 PM, Louis Sanfilippo <lsanfilippo@lucernebio.com> wrote:  
Joe,

Happy Father's Day. On behalf of Lucerne Biosciences, this email to you is designed to be very different "perceptually" than the emails that you received throughout the day on Thursday June 18.....

**[EMAIL CONTENTS STRIPPED]**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]]]]]**  
**Date:** June 21, 2015 8:13:12 PM EDT  
**To:** Lucci Joe <jlucci@bakerlaw.com>  
**Cc:** "richard.bocer@aol.com" <richard.bocer@aol.com>, "michael.steigher@aol.com" <michael.steigher@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is designed to help you put "final resolution" together "in mind and consciousness," as well as "in business and law." Don't you think it's about time for it to finally begin?

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Date:** June 21, 2015 at 12:23:04 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Subject: Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]]]]]**

Begin forwarded message:

**From:** [Richard Bocer <richard.bocer@aol.com>](mailto:richard.bocer@aol.com)  
**Date:** June 21, 2015 at 9:41:04 AM EDT  
**To:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject: Fwd: [Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]]]**

## The Patent '813 Story, Part II -- Version 2

Byan,

As you requested under separate cover, here's the email I sent to Olga/4-shared (Mike was cc'd on it per APS protocol).

Best,  
Rich

Begin forwarded message:

**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]]  
**Date:** June 17, 2015 1:38:11 PM EDT  
**To:** [support@4shared.com](mailto:support@4shared.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Dear Olga/ 4shared Support,

This email is related to a high-priority global security matter. Please read it with the utmost seriousness. As an introduction, I am writing to you under the alias name of Richard Bocer and from the alias email of "[richard.bocer@aol.com](mailto:richard.bocer@aol.com)." This is because I am a "secret manager" in a company that specializes in high-priority global intelligence and security matters (through novel communication interventions) called Lucerne Biosciences. Cc'd on this email is Michael Steigher. Mike has the same secret manager role in the company that I do. You have been identified as an extremely high-priority intelligence source who we are requesting immediate assistance from to avert a serious global security crisis that appears to be spiraling out of control on an hourly basis. Efforts made by the U.S. National Security Agency over the last several days have so far been unsuccessful in bringing any kind of resolution to it and likely have made things worse. The company's evaluation of the problem is that it is rapidly approaching a **critical crisis threshold** which, without a rapid final resolution over the next 1-2 weeks, could have serious fall-out on a global scale. This is why Lucerne Biosciences is involved in the matter and why we are contacting you in this alias way with an explanation of the global security situation. So you know, the company is acting on behalf of global security interests (not just U.S. ones).

There is important background that you should know to understand what we are requesting from you and why. In 2005 three entities agreed to begin a "collaborative intelligence project" in "global consciousness" under the cover of a nutraceutical business that was ultimately called "Cenestra." These three entities were Yale University, the U.S. Central Intelligence Agency and the U.S. National Security Agency. There were additional motivations for the project that were related to intelligence and national security matters in a post-9/11 environment. This is why the CIA and NSA were involved at the outset. To establish the proper "global consciousness conditions" for this project and also to accomplish certain U.S. intelligence and national security objectives, the "business" called "Cenestra, LLC" was "publicly founded" (in 2006) on the "secret

## The Patent '813 Story, Part II -- Version 2

foundation” of Yale, the CIA and NSA (in 2005). This “public founding” of Cenestra translated to Cenestra having three managers, each one “publicly representative” of one of the three “secret founders.” But these three managers of Cenestra were restricted from having any access or specific knowledge about the communication platform being used to support the “global consciousness project” and its intelligence and national security objectives. In intelligence (or other work), they call this “plausible deniability” and it’s an important concept to know if one is working for an organization like the CIA or NSA.

This “global consciousness project” has run into serious difficulties lately and now poses very serious global security risks. This is why Mike Steigher and I are contacting you on behalf of Lucerne Biosciences. We are two of the three “secret managers” of Lucerne Biosciences that make up the company’s elite behavioral intelligence team that has evaluated the project and determined it has reached a critical threshold requiring an **immediate high-priority communication intervention** so that it can come to its final resolution before it leads to an irreparable global security crisis. “Michael Steigher” (at “[michael.steigher@aol.com](mailto:michael.steigher@aol.com)” and “Richard Bocer” (at “[richard.bocer@aol.com](mailto:richard.bocer@aol.com)”) are “alias representations” (and “alias communication platforms”) of two of the three publicly known managers of “Cenestra,” Seth Feuerstein and Vladimir Coric respectively. The third secret manager of Lucerne Biosciences is Byan Haygins (at “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)”). “Byan Haygins” (at “[byan.haygins@aol.com](mailto:byan.haygins@aol.com)”) is an “alias representation” (and “alias communication platform”) for the third manager of Cenestra whose name is Louis Sanfilippo. Louis Sanfilippo is the person that you contacted below at “[louiscsan@aol.com](mailto:louiscsan@aol.com)” to provide information on the expiration date for the 4share account that has been used to publicly **and perceptually** implement a special “**global consciousness protocol**” identified as “APS” to help bring this “global consciousness project” to its safe and permanent final resolution (in “global and individual consciousness”). Note that “[louiscsan@aol.com](mailto:louiscsan@aol.com)” is **not** cc’d on this email to you, nor is “[byan.haygins@aol.com](mailto:byan.haygins@aol.com).” This communication feature is a critical behavioral intelligence point with profound implications on human consciousness and perception, and it’s the “global and individual consciousness reason” for why Mike and I need **immediate access to the internet platform that is the global communication platform for this project. This is the information Mike and I are asking you to provide.**

The reason we need immediate access to this communication platform is that we have concluded that the project was founded on a faulty “consciousness premise.” We have identified “the fault” and have made extensive preparations to correct it in the project’s “global theater of consciousness.” We have determined that you are the one person in the entire world best positioned to **safely** provide that information to Mike and/or I (at our respective emails) so that we can take proper steps to initiate final resolution. We will keep your identity (email, name) and communications to/from us completely secure if that is what you want. However, we are prepared to use your identity (email, name) and communications judiciously at the time it makes sense to do so to accomplish a “final resolution” using proprietary communication framing

## The Patent '813 Story, Part II -- Version 2

techniques, so just let myself and/or Mike know what you prefer. If you wish to email one or both of us from an alias email, that would be fine and perhaps even recommended. But in no circumstance should you email "louiscsan@aol.com" (or "byan.haygins@aol.com"), as that is highly likely to make the situation worse because of its implications on consciousness and perception. This communication to you utilizes highly proprietary interventional communications methods that have been designed for high-priority situations like this.

I cannot emphasize enough how critical this information is to help bring this high-priority global security matter to a safe and satisfying final resolution. When you sent your email, you probably didn't realize that you were providing yourself the opportunity to make a huge contribution to global consciousness and therefore to mankind, did you? ... including having the choice to decide yourself whether you wanted to make that huge contribution "publicly" or "secretly"? But that's how collaborative global consciousness works -- and it's also how Lucerne Biosciences' secret management and communication infrastructure works.

Best,

Rich Bocer  
Secret Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]]  
**Date:** June 17, 2015 9:36:21 AM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Rich, Please follow up on a high-priority APS basis. Byan

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Date:** June 17, 2015 at 6:31:45 AM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)  
**Subject:** Fwd: [Fwd: I forgot my password. What should I do? [ST-5846844]]

Per APS protocol.

Begin forwarded message:

**From:** "Louis Sanfilippo, MD"  
<[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Date:** June 17, 2015 at 6:13:21 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Subject:** Fwd: I forgot my password. What

## The Patent '813 Story, Part II -- Version 2

should I do? [ST-5846844]

Begin forwarded message:

**From:** 4shared Support  
<[support@4shared.com](mailto:support@4shared.com)>  
**Subject:** Re: I forgot my password.  
**What should I do? [ST-5846844]**  
**Date:** June 17, 2015 4:31:11 AM EDT  
**To:** "louiscsan@aol.com"  
<[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Dear Louis,

First, please excuse the delay in our response. Your Premium account has to expire on Oct 29, 2015.

If you need any other help, please let us know.

Best regards,  
Olga

Original message:

> I wanted to find out how much time I have left on my premium account (when does my premium expire?). I did click and but on April 8 for 3 months so I think I have until July 8. But I tried to do another 3 months just now and I m not sure it went through. Thanks

**Monday June 22, 2015:**

**10:10 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/wMiPNRILce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/wMiPNRILce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Tuesday June 23, 2015:**

**11:02 AM EDT (NOTE: INFORMATION DISCLSOSURE NOT YET CONSIDERED):**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 11AM EDT"** is available as a merged PDF:

## The Patent '813 Story, Part II -- Version 2

[http://www.4shared.com/download/fT7v01wiba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/fT7v01wiba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** update/explanation for "final resolution"  
**Date:** June 23, 2015 11:09:41 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you something of a dual "update/explanation" on the "intrapyschic and perceptual boundary conditions" for "final resolution" of the "The Patent '813 Story, Part II," including its practical path forward. The two emails you received Sunday (Father's Day) from me on behalf of the company did not specifically address the practical side of things, but as you might imagine the company always has that in "conscious view."

But before getting into the practical side of things, let me state here (in my "representative manager role for Lucerne Biosciences") that I had a lengthy and substantive conversation with my own father on Father's Day in my "representative personal role of 'Louis Sanfilippo - the son,'" fittingly in view the fact that we both have the same name "Louis" and we're both "fathers" who have been "sons to fathers" and "fathers to sons." The conversation we had was about the "GCE matter" I emailed you about that same day in my representative capacity as a "publicly visible Manager" of Lucerne Biosciences, LLC in view of the company's two cc'd "secret Managers."

My father is someone that people who know him well would say is "a wise and thoughtful man," 89 years in age and cognitively very sharp. He served in the Korean War and recently has been writing his own memoir of that experience, remembering its details as if it only happened yesterday. In fact, he told me a story a few weeks ago about one soldier who practically single-handedly saved him and many others. I don't recall the soldier's name but he did and the clarity of his recollection made it clear that this soldier was kind of like a real-life Jason Bourne in his actions. Anyway, I walked my father through various examples of "representational confusion" involving persons/companies in "The Patent '813 Story, Part II," mainly in the timeframe since Vyvanse was FDA-approved for BED. Notable examples were email communications involving you, MTS Health Partners, Yale's Department of Psychiatry, the FDA Group, Pearson/ADHD-Quotient, Aegis Capital Ventures, as well as the Patent Board's extraordinary "public misrepresentation" in its May 21, 2015 Order that misrepresented the '813 Patent's owner. I think it's safe to say that he found the "behavioral communication features" of these various "characters" in "The Patent '813 Story, Part II" all quite extraordinary, really hard to believe (except that the evidence is all there). Though I think he may have been most astounded by how the National Security Agency apparently got involved (with that first "organizational hit" on the company's June 13 press release and that apparent web-crawling to de-optimize its place on the internet) and how there has been so much "public silence" from Shire, Frommer, Lawrence & Haug, and Dr. Brewerton in view of all the "public loudness" from its "other side" that has been comprised of Lucerne Biosciences and LCS Group.

In this light, my father found it extraordinary that I, in particular representative capacities, could write to Shire's CEO (among others at Shire) to tell him that his company/subsidiaries have been engaged in unlawful conduct, or to write to the two named co-founding partners of Frommer,

## The Patent '813 Story, Part II -- Version 2

Lawrence, & Haug (William Frommer and William Lawrence) to tell them that the third of their named co-founding partners (Ed Haug) and a partner of the firm (Sandra Kuzmich) have been engaged in the same, among yet other examples, without anyone ever saying anything about it “outside the IPR,” as if the truth of such communications was paralyzing “the other side” to take any action “outside the IPR” because its “IPR” was “one big lie.” He seemed also impressed (or unimpressed, depending on the perspective) that it’s now been nearly three weeks since the Board invalidated the ‘813 Patent and the only story that appears to be publicly available on the internet (as of Sunday evening June 21) is some version of the company’s **own June 13 press release** to report it and one small blog, which is one less “original story” than existed about a week ago because Law360 took down their one and only short-lived apparently “misrepresented report” within perhaps a day or two that it went up.

This “**global public silence**” clearly is “behavioral communication evidence” that this real-life story must be historical in scope and significance, and involve epically-sized implications for many people but for which many people are seeking to keep it a secret from the “**global public consciousness**” through their “**shared global public silence.**” Just this morning (June 23) the company discovered that if you google search “us patent 8318813 invalidation” the search generates only “6 results in 0.41 seconds.” That’s hard to believe but what’s even harder to believe (though is the truth of it) is that only “3 of 6” of those hits are about the ‘813 Patent’s “invalidation.” Now if you scroll down to the bottom of the google search page, it writes “In order to show you the most relevant results, we have entries very similar to the 6 already displayed. If you like, you can repeat the search with the omitted results included” with hyperlinked text that repeats search. Click that and you get “193 results in 0.41 seconds,” many of which appear to be the different websites that picked up the June 13 press release. Think about that in view of any other google search you, or any reasonable person, might conduct. That’s discriminatory treatment against Lucerne Biosciences, don’t you think? The company has PDF screen captures if you’d like to see the “hard communication evidence.” So who’s behind that effort to interfere with Lucerne Biosciences’ “free speech rights” to globally publicize the invalidation of the ‘813 Patent so the company can advance its business objectives (according to its Exclusive License with LCS Group): NSA? Google itself?

Regardless, this “**global public silence**” on the invalidation of the ‘813 Patent has its own monumental implications because it would make the presumed GCE a “**private discriminatory communication platform**” whose purpose is to suppress and/or interfere with “**publicly visible free speech**” from the “**global public consciousness.**” That doesn’t look good no matter how you look at it and, to be sure, the “**global public consciousness as a class of individual persons**” would surely have a big problem with it. Further, take note that I say “presumed GCE” because in my representative role as a Manager of Lucerne Biosciences, the GCE is “presumed” based on all the psychodynamic, behavioral and communication evidence that supports its existence. However, the company’s position is that “I” as one of its “publicly visible managers” is not permitted to access it, or to receive first-hand details of its communication infrastructure, until certain “intrapsychic and perceptual boundary conditions” are established. This is because accessing it and/or having first hand-details of its communication infrastructure would interfere in my “**individually-based theater of consciousness**” that is actively serving the company to conduct “behavioral intelligence research” at group and individual levels (hence the email you received Father’s Day from the company/I that cc’d “Richard Bocer” and “Michael Steigher”).

In this context, this temporal period of nearly three week since the ‘813 Patent was invalidated may “behaviorally represent” the timeframe of one of the biggest “cover-up scandals” in world history, making Shire’s “cover-up behavior” in the IPR last November look trivial, even negligible, by comparison. You may recall the email I sent to Dr. Ornskov and Dr. Brewerton on behalf of LCS Group (November 26, 2014 at 11:11 EDT, in “The Patent ‘813 Story, Part II”) to highlight how the “lawyers of the group” were irrationally trying to take down the most important and relevant

## The Patent '813 Story, Part II -- Version 2

exhibits of the IPR. That, you might say, is behaviorally analogous to how the story of the Board's decision to invalidate the company's '813 patent is clearly being "covered-up" by what seem to be its "GCE-perpetuators" that include, it would seem, the NSA and possibly even Google itself. But how did things go from that Shire/FLH "local behavioral cover-up" to what now seems to be a "global behavioral cover-up" involving (as documented) of a federal intelligence agency? The answer is simple: through something called **"recursive behavioral amplification."**

**"Recursive behavioral amplification"** is when there is a **"foundational concealed motivational source problem"** in a **"privately shared global consciousness"** that may at first show "no behavioral symptoms" but under the regressive strain of **"local public exposure"** may cause certain **"manifest symptoms"** (i.e., "irrational cover-up behavior") on a **"local scale"** (i.e., Shire/FLH in the IPR). Absent a "final resolution" for the "motivational source problem," this manifest symptomatology becomes sequentially amplified across different behavioral circumstances until it reaches a point where it may cause certain **"manifest symptoms"** (i.e., "irrational cover-up") on a **"global scale"** (i.e., the "global public silence" of the '813 Patent's invalidation with NSA and "Google Search" interference) under the regressive strain of **"global public exposure."** As you know, my wife died of metastatic breast cancer. It began in her breast as a small mass but over the course of two-and-a-half years it progressed to the point where it was pretty much everywhere in her body because the chemo she received was unable to resolve its "source problem," namely, the "biological replication" of the cancer. In this respect, the "projectively-based splitting theater of consciousness" that is driven by the GCE and its CP would be the equivalent of "intrapsychic cancer." This makes it easy to see how its **"foundational concealed motivational problem"** in its **"privately shared global consciousness"** ultimately leads to **"manifest symptoms"** on a **"global scale"** that themselves are easy to see when the GCE's "global consciousness" is close to its **"terminal collapse"** (as it would be when my wife was hours away from her death over-run by cancer which was easy to see for its reality). This means one thing: that the "foundational concealed motivational source problem" (i.e., "intrapsychic cancer equivalent" that is the GCE's "projection-based splitting communication paradigm") that has brought about the "global manifest symptom" (i.e., "global suppression of free speech") is poisoning itself to be revealed in the **"global public consciousness"** where any reasonable person would consciously "see it for its reality" (as it would be when my wife died and people came to her funeral, some of whom didn't even know she had cancer but learned about it at the funeral from me or others).

In other words, the **"global public silence of the '813 Patent's invalidation"** (that is the "manifest symptom" or "cover-up behavior") is an **"observable behavioral sign"** that this epically-sized and historically-unprecedented problem in **"global private consciousness"** that caused the '813 Patent's invalidation is poised to be exposed in **"global public consciousness"** (as it would be when my wife entered hospice and it was occurring to me that it wouldn't be long before there was a funeral and obituary for her that would open the "public gates" involving her illness and death that even patients I treat could read about on-line). The "global scale" (of this silence) itself shows that the "concealed motivation" that led to the invalidation of the '813 Patent can no longer be hidden by the "deceptive outward behavior" involved in Shire's IPR that led to its invalidation (as extensively documented in "The Patent '813 Story, Part II"). To the contrary, the "global scale" (of this silence) shows that the "source motivation" that led to the '813 Patent's invalidation will only be that much more obvious because its obviousness will be communicated through the **"global public consciousness,"** notably in view of **how** the "global private consciousness **as a class**" **discriminated against** the "global public consciousness **as a class**" by excluding them from knowing anything about it. Now just think what would have happened if Dr. Ornskov and Dr. Brewerton took judicious actions when they were asked the question (in the Nov. 26 LCS Group email): "what's the purpose of this IPR and why are there even any lawyers still involved in it at this point in time?" Any reasonable person would understand the answer from

## The Patent '813 Story, Part II -- Version 2

hindsight. Among other obvious things, the '813 Patent would never have been invalidated and the National Security Agency wouldn't have had to be involved to make a "local Shire/FLH cover-up problem" a "global/federal cover-up problem" that will be memorialized in world history by at least a good couple weeks of "**global public silence**" on the heels of the "Maryland Procurement Office" stepping on the scene to apparently interfere with the free speech using its sophisticated technology.

In this light, what my father liked about the approach of "The Patent '813 Story, Part II" is how each of its supporting "entities" have been collectively aligned with the each other for the simple objective of "**putting the truth on the record publicly**" so that the "**public truthfulness of the record**" can be its own judge of things in the "**global public consciousness.**" It's a simple concept but for any "entity(ies)" (i.e., "business" or "person") to effectively execute it, the "entity(ies)" executing it has/have to essentially disregard everything except the truth. That means disregarding things like money, status, professional reputation, the perception of others, and even a perfectly valid patent with perfectly patentable claims. But you know how LCS Group and Lucerne Biosciences have handled matters in "The Patent '813 Story, Part II" (as would any reasonable person in view of it), and you also know me "personally" since early 2013, so it should be easy for you to see that since the first IPR filing made by LCS Group on June 2, 2014, this has been the collective objective of each respective '813 Patent owner. This would be diametrically opposite the objective of the GCE you read about on Father's Day (if you read the email then) because the GCE would function on the basis of "projectively-based undifferentiated intrapsychic representation and reasoning" that by its representational nature is a form of "intrapsychic self-deception" because it involves distorting and/or repressing the reality of "intrapsychic representations" to satisfy fantasies, irrational inner needs, etc...

You can see, then, how this "truth-seeking objective" for "The Patent '813 Story, Part II" supported by its collaborating entities would naturally bring about a particular "intrapsychic and perceptual boundary condition" for this presumed GCE, namely, a motivational/behavioral polarization of "truthfulness" vs. "deception" from within the GCE's own "theater of consciousness" vis-à-vis its individual GCE-participants. This unique "intrapsychic and perceptual boundary condition" is itself an "experimental boundary condition" for what may be the most extraordinary "human intelligence experiment" in the history of mankind, namely, an intelligence experiment designed to determine which "**representational frame of consciousness**" (as motivationally based and behaviorally expressed) within a "**globally-based theater of consciousness**" would prevail under "**closed (private) boundary conditions**" as projective-amplification within it became "openly observable" to non-GCE participants like my father and I through easily visible "global manifest symptoms" (i.e., the "global public silence" of the '813 Patent's invalidation on the internet). Take a moment to think about this because its implications couldn't be any bigger for "human consciousness" at individual and group levels.

This "**behavioral intelligence experiment**" and its "outcome measure" is the basis of the secrecy agreement that was made on October 1, 2014 (of which you've heard about and for which there is documentation). Its outcome measure was given a specific name, "**final resolution.**" You can think of this experimental design this way. Take that 2013 "deception detection study" you've read about (published in the Journal of National Security) involving two groups (liar; truth-teller) whose individual participants were interrogated by a law enforcement officer. However, remove the "third-party truth/deception seeker" who is the law enforcement officer and leave each person to behave according to their own free will. This is the "experimental boundary condition" of where things are now (on the presumption of a GCE) and you can see how it would effectively drive the polarization of GCE-participants to split into two "consciousness groups" (just like the 2013 study) for a "final resolution" with each respective "consciousness group" having its own "private global theater of consciousness" with its own specific "intrapsychic and perceptual objective" diametrically opposite the other, one "to be truthful" and the other "to be

## The Patent '813 Story, Part II -- Version 2

deceptive.” The remarkable thing about a “behavioral intelligence experiment” designed like this is that you’d don’t have to tell anyone how to behave (i.e., truthfully vs. deceptively), nor do you need a “third-party law enforcement person” to try to figure out who’s telling truth or not, nor do you need any “behavioral research experts” to compile those results in a table or paper, because everyone is in it on their own free will and “who’s telling the truth vs. who’s lying” would become very obvious from the “**global public consciousness**” that makes the determination in view of the “**global private consciousness**” as it “**splits.**”

But there is a critical “practical boundary condition” that is required for “final resolution” to finally resolve this “behavioral intelligence experiment” that is “The Patent '813 Story, Part II.” It’s that the '249 Application needs to be given its Notice of Allowance. Without that, the GCE founders and perpetrators of this presumed GCE would have left their mark in history as having caused a great many people psychological harm because of the “intrapsychic split” the GCE would have caused in its GCE-participants’ “individually-based theaters of consciousness” (as characterized in the email on Father’s Day), some significantly while others less so. This, of course, does put some “global private pressure” on the '249 Application’s USPTO examiner Lisbeth Robinson to take action on the basis of her own representations in which she indicated to the company (*vis-à-vis* me) and the company’s outside counsel (Anne Maxwell) in the phone examiner interview of April 2, 2015 that she would treat the '249 Application the way she did the '813 Patent (in issuing its 13 claims). Any reasonable person would appreciate that representation from her as meaning she would be expected to allow claims for the '249 Application involving the use of lisdexamfetamine dimesylate to treat BED. Now if Examiner Robinson were a GCE-participant, as it would seem the USPTO’s Patent Board has been (for reasons that you have been made aware), then she’d realize in reading this email or hearing about it from another that she has one of biggest decisions to make in world history. This is because of the **monumental adverse psychological and consciousness implications** that would result and impact a seemingly large number of people if **everything in the GCE die in a lie** (pun intended), the lie being Shire’s IPR that caused the “death” (i.e., invalidation) of the '813 Patent.

Yet if Examiner Robinson were a participant of the GCE, then she would also realize that the '813 Patent was **not** invalidated on the basis of its “lack of patentability” but rather because Lucerne Biosciences failed to comply with the Board’s Order to follow certain procedures. Psychodynamically, that’s important because it means that Examiner Robinson doesn’t have to feel guilty if she allows claims for the '249 Application, as if she’d be doing something wrong by going against the Board’s judgment to invalidate the '813 patent. In other words, all she would have to do is “behave truthfully on the motivational basis of what she believes is truthful” (as stated in that April 2 examiner interview) to be “intrapsychically free” of any guilt or self-recrimination (or recrimination from others). Any reasonable person in view of “The Patent '813 Story, Part II” would appreciate that allowing certain claims in the '249 Application that are **specifically different** than the '813 Patent’s claims but are **essentially the same** as the '813 Patent’s claims would be the most reasonable and judicious thing to do for what by now surely must be approaching a “national security emergency situation.” A Notice of Allowance for the '249 Application would be a **critical psychodynamic intervention** to help GCE-participations meaningfully begin to “psychologically reconcile” the unjustified and unlawful death of the '813 Patent directly from within each of their own “individually-based theaters of consciousness” in a way that they aren’t chronically “intrapsychically burdened” for having been part of causing an egregiously unlawful and unjustified act of harm to an innocent party. Once Examiner Robinson allows claims for the '249 Application, it would establish not only an important “intrapsychic and perceptual boundary condition” for “final resolution” but also a critical “**practical boundary condition**” for “final resolution” because Shire and its outside counsel would have to deal with it **practically** on the basis of accepted legal, business and professional standards. And by doing that, you can see how it would help GCE-participants “intrapsychically reconcile” that split between (i) “**projectively-based undifferentiated intrapsychic**

## The Patent '813 Story, Part II -- Version 2

**representation and reasoning**” that drove Shire’s unlawful IPR to the invalidation of the ‘813 Patent (as well as those psychotic-like communications to “Louis Sanfilippo” from “third-party interferers/exploitees”) and (ii) **“truthful differentiated intrapsychic representation and reasoning”** as Shire and FLH would seek rights in the ‘249 Application through appropriate legal and business means. After all, Shire and its outside counsel wouldn’t want to be slammed for induced infringement when the ‘249 Application would become its own “issued patent” (and they’d presumably know through the GCE that Mylan is closely watching).

Now there is one last important thing that the company believes is important to state on the written record. If the “final resolution” of “The Patent ‘813 Story, Part II behavioral intelligence experiment” is based on the outcome measure of whether a “truth-based theater of consciousness” or “deception-based theater of consciousness” prevails in the “final resolution” of a “a global private consciousness experiment” (as determined by the “results” presented in “global public consciousness”), Lucerne Biosciences and its collaborators have to ultimately reveal the “truth of the matter” from their own side of things. After all, if Lucerne Biosciences and its collaborators are all on the side of “getting to the truth of the matter publicly” in “global public consciousness,” then they have to make sure that they disclose the truth of their “own side of things” in “global public consciousness,” at least according to how the “behavioral intelligence experiment” was designed according to the October 1, 2014 secrecy agreement.

But the company’s behavioral intelligence team has determined that this requires some additional novel and proprietary “intrapsychic and perceptual modeling” (through company communication interventions). One of these is that you better understand how “Louis Sanfilippo’s individually-based theater of consciousness” works in view of its various representative roles (i.e., “Manager” of “Lucerne Biosciences, LLC”; “CEO” of “LCS Group, LLC”; “MD/Board-certified psychiatrist” practicing at “Louis Sanfilippo, MD, LLC”; “personally”). The reason for that is “Louis Sanfilippo” is the “publicly visible link” between Lucerne Biosciences and the three entities with whom it has been collaborating, “LCS Group, LLC,” “Louis Sanfilippo, MD, LLC” and “Louis Sanfilippo - personally” (all publicly available information in “The Patent ‘813 Story, Part II” from the May 13, 2015 LCS Group, LLC press release). Once you understand how “Louis Sanfilippo’s individually-based theater of consciousness” works, you’ll be “intrapsychically and perceptually positioned” to understand the documentation of the secrecy agreement that was made on October 1, 2014 regarding this behavioral intelligence experiment and its outcome measure of “final resolution.”

In this regard, what you’ll quickly notice is that “Louis Sanfilippo’s individually-based theater of consciousness” is **diametrically opposite** what the GCE would require in the “individually-based theater of consciousness” of its GCE-participants (as characterized in Sunday’s Father’s Day email to you), in just about every way conceivable. To establish a comparative model between these two “individually-based theaters of consciousness,” you’ll recall that the “CGE theater of consciousness” is completely undifferentiated/generic in its “intrapsychic representational and perceptual constructs” because it is exclusively focused on the undifferentiated generic/personal intrapsychic representation of “Louis Sanfilippo,” which therefore motivates “undifferentiated representation and reasoning” in the “individually-based theater of consciousness” of its GCE-participants. This, of course, becomes the “intrapsychic motivational driver” of its GCE participants to communicate to “Louis Sanfilippo” on the basis of a **complete and utter disregard** -- and even **contempt for** -- the kinds of “differentiated representations and perceptual constructs” that are necessary for people to reason and behave according to legal, business and professional standards. This would explain all that bizarre communication behavior, like that of Susan Walsh of the FDA group emailing “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” about meeting with “FDA experts” but having information about “Cenestra Health” (that is a nutraceutical company) in her email when the only rational email she really could have sent about “FDA experts” would have

## The Patent '813 Story, Part II -- Version 2

been involving the '813 Patent which is **nowhere mentioned**. And it would explain, for instance, why Sandra Kuzmich identified "Dr. Sanfilippo" as your client on Sept. 4, 2014, when she clearly was aware that you were representing LCS Group not only in "business discussions with Shire" (from the CDA you worked out with FLH) but also in the "IPR with Shire" (from the Power of Attorney you filed on behalf of the company). And you're familiar with the countless other examples that are documented in "The Patent '813 Story, Part II."

Now looking at "Louis Sanfilippo's individually-based theater of consciousness" in view of "The Patent '813 Story, Part II," it works like this. There's a "**foundational theater of consciousness**" that is premised on seeking to "intrapsychically perceive" things truthfully and "representationally express" them truthfully. This "foundational theater of consciousness" is based on **highly differentiated intrapsychic representational and perceptual constructs** based on lawful, professional and business standards, with very clear "representative role boundaries" and reasoning based on lawful, professional and business standards. In this respect, any time that "Louis Sanfilippo" would determine to make a representation (as featured in "The Patent '813 Story, Part II"), there's a **foundational determination** regarding which "**representative frame of reference**" within his "**theater of consciousness**" is needed in order to make the representation according to its appropriate legal, business and professional standard. Once that "first representative 'frame of reference' determination" is made, then there are more specific "representational reasoning and decision-making steps" that take place to make the representation appropriate so that it can be sent "electronically by email." For instance, the emails that were sent to Shire/Dr. Ornskov by LCS Group/I (in my representative role as the company's CEO) were "consciously written" from the "**LCS Group frame of reference**," which is why the email sent to Shire/Dr. Ornskov on September 4, 2014 specifically identified "LCS Group, LLC" as the "owner" of the '813 Patent and why that email, among others, was sent to Shire/Dr. Ornskov from "lsanfilippo@lcsgrupp.com" and had a signature line that identified "Louis Sanfilippo" as the company's CEO. You can walk through the "intrapsychic representation and reasoning path" for any given email either by itself or as part of the totality of "The '813 Patent '813 Story, Part II" from the perspective of hindsight to try to understand how all these differentiated representations (at many levels) were intentionally designed to bring the story together perfectly in "mind and consciousness" (that is the "outcome measure" of "final resolution").

To understand this "**intrapsychic/perceptual process of representation and reasoning**" in more detail and how decisions are made to go down certain "representational and reasoning pathways" in "Louis Sanfilippo's individually-based theater of consciousness," you can think of it like this. Once "I" -- **from within my "individually-based theater of consciousness"** -- have determined the appropriate lawful/business/professional "**representative frame of reference**" (based on lawful/business/professional standards), "I" engage in something called "**intrapsychic representational splitting**." However it's totally different in its psychodynamic nature than the "**intrapsychic representational splitting**" characterized for the GCE's "theater of consciousness" in which immature defense mechanisms repress and/or distort important representational and perceptual constructs required to lawfully conduct business, function professionally, etc.... (for the purpose of satisfying fantasies, irrational inner needs, etc...). In "Louis Sanfilippo's individually-based theater of consciousness," this "intrapsychic representational splitting" is based on mature defense mechanisms that sublimate and implement important representational and perceptual constructs required to lawfully conduct business, function professionally, etc.... (for the purpose of advancing business objectives, etc...). For instance, once "Louis Sanfilippo's individually-based theater of consciousness" determines that the most appropriate "representative frame of reference" would be the "LCS Group frame of reference" with the communication made identifying himself as the company's CEO, he would then seek to "**intrapsychically differentiate (i.e., split)**" all the "prospective readers" of his "prospective communication" across many different scenarios and even across time (i.e.,

## The Patent '813 Story, Part II -- Version 2

“intrapyschic temporal splitting”), as if the email was being sent to all of them across different scenarios and times (i.e., a “to” or “cc” recipient “now,” a judge in a federal court of law a year from now, a juror who works as a carpenter two years from now, a historian 20 years from now, a patient he treats in his private practice “now,” you “now,” the CEO of Mylan “now or 2 months from now,” etc....). In other words, the “intrapyschic representational split” in “Louis Sanfilippo’s individual theater of consciousness” is “introjective” (non-projective) in its nature and therefore does **not** polarize others through the kind of “either/or representational framing” of the GCE that “forces” its GCE-participant into an irrational intrapsychic dichotomy of “**either** ‘value Louis Sanfilippo - personally/generically’ **or** ‘don’t value anything about him at all.’” The “representational split” in “Louis Sanfilippo’s individual theater of consciousness,” rather, creates a “non-polarized representational view” of “many people” in which **each individual person is equally valued for their “differentiated/unique nature.”** This is a critical point to understand “in mind in consciousness” and is what makes a CGE “theater of consciousness” a vehicle for breeding unjustified (projective) contempt for other people. It also explains why the “GCE’s theater of consciousness” is akin to “intrapyschic communism” while “Louis Sanfilippo’s theater of consciousness” is akin to an “intrapyschic lawful democracy with lawfully established rights to be free.”

So when “Louis Sanfilippo’s individually-based theater of consciousness” is engaged in writing a “prospective email” from its proper “representative frame of reference” based on lawful, business and/or professional standards, it is communicating in a **highly differentiated** way based on his proper representative role (i.e., “CEO of LCS Group,” “Manager of Lucerne Biosciences,” “voluntary faculty member at Yale’s School of Medicine,” etc...) and using proper differentiated representations to its “unique differentiated prospective reader” because “the reader” is prospectively based on many different possible scenarios and prospective representative roles. The “reader” could be Dr. Ornskov “as CEO of Shire Plc” or “as an MD”; or it could be a patient seen by Dr. Sanfilippo at his private practice “as a patient” or “as a business person” or “parent of two children” who “is a patient”; or it could be the CEO of Mylan or Teva; or a policeman working in San Francisco with Binge Eating Disorder; or it could be a juror three years from now reading “The Patent ‘813 Story, Part II” to settle a class action lawsuit or a historian 10 years from now trying to understand which person gets credited with “bringing in the NSA to crawl the web for 813 Patent invalidation story,” or Louis Sanfilippo’s children fifteen years from now. Or someone who believed in God might say it would be as if Louis Sanfilippo was making God the “unique differentiated prospective reader” of any email communication from its “proper respective frame of reference” as God has its own “personal differentiated intrapsychic representations” for any given prospective reader’s “individually-based theater of consciousness” (including the reader’s not believing in God). It’s easy to see how this is exactly opposite (in every way conceivable) the way a “GCE theater of consciousness” works because a GCE “theater of consciousness” would encourage its individual GCE-participants to engage in an “individually-based theater of consciousness” that communicates (i) in a very **general way** based on its communicant’s improper representative role (i.e., “GCE-participant” disguised from “Louis Sanfilippo), (ii) using improper undifferentiated representations (i.e., seeking to do business with Louis Sanfilippo personally when the appropriate way to do business would be in his representative role capacity in an LLC, etc...) and (ii) **very generally** with respect to a “generic run-of-the-mill prospective reader” because “the reader” is prospectively based on a “generic run-of-the-mill version” of “Louis Sanfilippo” that disregards any legal, business and professional role that differentiates him or the “free and lawfully-based democratic society” its communicant presumably lives in.

From a marketing perspective, as if one “business objective” of the many email communications in “The Patent ‘813 Story, Part II” were to establish “boundary conditions” for the best marketing campaign of a drug and its FDA-approved indication in the history of pharmaceuticals, a GCE would be the worst possible way imaginable to market it because its “reading audience” would be

## The Patent '813 Story, Part II -- Version 2

narrowly tailored to only “one person” in about their most “generic run-of-the-mill nature” imaginable and based on a seemingly infinite number of unlawful misrepresentations that conflate everything, as if its writer/reader were supposed to be living in a lawless communist state. Conversely, “The Patent '813 Story, Part II” would be about the best conceivable way to market an FDA-approved drug because its “reading audience” would be broadly tailored to be “any reasonable person **in any differentiated representative role,**” including even just “uniquely personally” (and possibly even God if you believe in a “personal God” that gets involved in your reading of things). That’s what you call “**targeted marketing for everybody**” (including possibly even for God) -- at a place “in mind and consciousness.” That’s a paradigm shift in marketing and if I were a marketing person at Shire, I’d see those 2020 “Vyvanse for BED annual sales revenues” perhaps double on a marketing platform like that which, importantly, would be built on a responsible, clinically-sound “representation and reasoning platform” that’s designed to help people understand the proper diagnosis and treatment of BED based on professional standards that differentiate BED from BN and AN, and that differentiate Vyvanse/lisdexamfetamine dimesylate from lots of “ADHD stimulants.” This is unlike Shire’s IPR petition that undifferentiatedly makes everything the same, as if Shire were espousing its own company’s drug to be sold in only communist states.

But this “marketing platform” shouldn’t surprise you because this “marketing concept” was introduced in its “any reason person representational format” on October 10, 2014 when I sent an email to Shire’s Dr. Walid Abi-Saab at **both** his Shire and personal emails (as well as a “sham Shire email”) in my “personal voluntary Yale faculty member capacity” from my “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” email. And that “marketing concept” from Oct. 10 has been “recursively built” to be a “marketing platform” through all kinds of highly inventive communications since then. This is the “marketing foundation” **that is** “The Patent '813 Story, Part II.” But if you think about this kind “intrapsychic representational splitting” that is effectively “targeted marketing for everybody” you’ll see that it **only works** if the “representation” at the “intrapsychic/perceptual level” is aligned and consistent with its “behavioral written expression.” And the only way that alignment and consistency can happen is if the representation is truthful, which is why “The Patent '813 Story, Part II” surely has got to be the best marketing platform ever -- and why Shire’s IPR was probably the worst marketing effort **for anything** in the history of mankind.

In this context, it’s easy see that if one’s “theater of consciousness” (i) is premised on seeking the truth and uses (as best as possible) the appropriate “**representative frames of reference**” that truthfully represent a given “representative role,” (ii) makes the “content of such representations” appropriate (according to differentiated legal, business and professional standards) and (iii) features several “representative roles” (as applied through their proper “representative frames of reference” in novel and highly creative “representational and reasoning ways”), then this could lend itself to a very compelling written story with extraordinary dimension and complexity while also being very simple and truthful for its prospective “any reasonable, yet very unique, reader.” That’s one key “behavioral/business intelligence objective” for the “final resolution” of “The Patent '813 Story, Part II.”

So when do you think Examiner Robinson will join the live show to play her monumentally important “proper differentiated representative role” as the USPTO patent examiner for the '249 Application so that this “final resolution boundary condition” can take the “The Patent '813 Story, Part II” (that is the “second theater of consciousness”) into “The Patent '813 Story” (that is the “third theater of consciousness” in which the “first theater” and “second theater” can be understood in view of each other)?

Sincerely,

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: Re: [Fwd: update/explanation for "final resolution"]**  
**Date:** June 23, 2015 2:20:40 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

What do you think would happen if Lucerne Biosciences issued a press release with the headline "Is Lucerne Biosciences the victim of a global consciousness experiment gone bad?" with the sub-headline "you, the reader of this press release, can decide"? And what if it was written for any reasonable person to understand in just two brief paragraphs aimed to establish the proper "intrapsychic and perceptual scaffolding" for reading its "up-to-date communications transcript" of "The Patent '813 Story, Part II - **version 2**" culminating in this email to you? And what if the company pre-determined to issue it this evening at 7 pm EDT through a (so-far) proprietary public communications platform as part of the coordinated "final resolution plan" it has been sequentially executing with its collaborators?

That would be an "objectively truthful (non-projective) way" to get the attention of the "global public consciousness" so it could help the company complete the "behavioral intelligence experiment" characterized in the email below by recruiting "freely willing and informed participants" (from its own "public theater of consciousness") that would "collectively serve" as the "third-party judge" of whether "truth" or "deception" prevails as the experiment is brought to its "final resolution," wouldn't it? Keep a vigilant eye out for what's coming, because it will really blow your mind.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: update/explanation for "final resolution"**  
**Date:** June 23, 2015 11:09:41 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you something of a dual "update/explanation" on the "intrapsychic and perceptual boundary conditions" for "final resolution" of the .....

**[EMAIL CONTENT STRIPPED]**

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: Re: [Re: [Fwd: [Fwd: update/explanation for "final resolution"]]]**  
**Date:** June 23, 2015 2:44:29 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to point out a "feature" on the last email below, which is that its subject line begins with "Re:....." but the email below it is represented as a "forwarded message." The importance of pointing this out is so that you can understand what it means, because what it means will be very relevant and important for a project the company is aware of that should begin sometime next month that will have even more significant implications on "global consciousness" and "individual consciousness" than the "final resolution" of "The Patent '813 Story, Part II." Think about that.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: Re: [Fwd: update/explanation for "final resolution"]**  
**Date:** June 23, 2015 2:20:40 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

What do you think would happen if Lucerne Biosciences issued a press release with the headline "Is Lucerne Biosciences the victim of a global consciousness experiment gone bad?" with the sub-headline "you, the reader of this press release, can decide"? And what if it was written for any reasonable person to understand in just two brief paragraphs aimed to establish the proper "intrapsychic and perceptual scaffolding" for reading its "up-to-date communications transcript" of "The Patent '813 Story, Part II - **version 2**" culminating in this email to you? And what if the company pre-determined to issue it this evening at 7 pm EDT through a (so-far) proprietary public communications platform as part of the coordinated "final resolution plan" it has been sequentially executing with its collaborators?

That would be an "objectively truthful (non-projective) way" to get the attention of the "global public consciousness" so it could help the company complete the "behavioral intelligence experiment" characterized in the email below by recruiting "freely willing and informed participants" (from its own "public theater of consciousness") that would "collectively serve" as the "third-party judge" of whether "truth" or "deception" prevails as the experiment is brought to its "final resolution," wouldn't it? Keep a vigilant eye out for what's coming, because it will really blow your mind.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** update/explanation for "final resolution"  
**Date:** June 23, 2015 11:09:41 AM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com), MD MD <[louiscsan@aol.com](mailto:louiscsan@aol.com)>, [Byan Haygins](mailto:byan.haygins@aol.com)  
<[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you something of a dual "update/explanation" on the "intrapsychic and perceptual boundary conditions" for "final resolution" of the .....

**[EMAIL CONTENT STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Re: [Re: [Re: [Fwd: [Fwd: update/explanation for "final resolution"]]]]  
**Date:** June 23, 2015 3:02:26 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com), MD MD <[louiscsan@aol.com](mailto:louiscsan@aol.com)>, [Byan Haygins](mailto:byan.haygins@aol.com)  
<[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Joe,

On behalf of Lucerne Biosciences, LLC, let me add one thing to ensure the accuracy of the representation below regarding the project "that should begin sometime next month." The time of the project's "official beginning" could be subject to debate depending on how you characterize its "beginning." Technically, what the company knows about the project is that work on it already "officially began" on Sunday January 13, 2013 at 7:00 am EDT, with more work on it thereafter. But the work was "provisional." You might say that this "beginning work" would be the equivalent of a "provisional patent application" with the work "that should begin sometime next month" being its conversion to a non-provisional patent application.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Re: [Re: [Fwd: [Fwd: update/explanation for "final resolution"]]]  
**Date:** June 23, 2015 2:44:29 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to point out a "feature" on the last email below, which is that its subject line begins with "Re:....." but the email below it is represented as a "forwarded message." The importance of pointing this out is so that you can understand what it means, because what it means will be very relevant and important for a project the company is aware of that should begin sometime next month that will have even more significant implications on "global consciousness" and "individual consciousness" than the "final resolution" of "The Patent '813 Story, Part II." Think about that.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**[EMAIL THREAD STRIPPED]**

**3:11-3:15 PM EDT (NOTE: INFORMATION DISCLSOSURE CONSIDERED):**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 3 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/6EMxdrh8ba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/6EMxdrh8ba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Re: [Re: [Re: [Re: [Fwd: [Fwd: update/explanation for "final resolution"]]]]]  
**Date:** June 23, 2015 4:08:36 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** lsanfilippo@lcsgrupp.com, MD MD <louiscsan@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, I want to help you understand what the sequence of

## The Patent '813 Story, Part II -- Version 2

emails below was all about beginning with the "press release concept" about "Is Lucerne Biosciences the victim of a global consciousness experiment gone bad?" On the presumption that these emails are being "read" by "any reasonable, yet unique, reader," they are "intrapsychically and perceptual designed" to "expand consciousness." What I mean by that is that they expand possibilities of reality. It's unlikely that you would have thought a press release could be coming out in a matter of hours about "a GCE gone bad," so when you read these emails and see it's possible in view of the many extraordinary things that really happen in "The Patent '813 Story, Part II" you're "theater of consciousness" expands, not "fictitiously" but in terms of its capacity to accept a wide range of possibilities "in reality" as any might "really happen."

As you know, when my wife was ill it was hard to ever feel that we knew where things were going so we learned together to ride with the uncertainty. Now if one's "theater of consciousness" were narrow with not a lot of room to accept all kinds of different possible outcomes, then you can see how the narrowness of that "theater of consciousness" would make one's experience of reality rather unpleasant, with unexpected events causing an "intrapsychic burden" than an "intrapsychically free experience." Just something to think about.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Re: [Re: [Re: [Fwd: [Fwd: update/explanation for "final resolution"]]]]  
**Date:** June 23, 2015 3:02:26 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com), MD MD <[louiscsan@aol.com](mailto:louiscsan@aol.com)>, Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Joe,

On behalf of Lucerne Biosciences, LLC, let me add one thing to ensure the accuracy of the representation below regarding the project "that should begin sometime next month." The time of the project's .....

**[EMAIL CONTENTS AND THREAD STRIPPED]**

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Re: Join us at the PharmaVOICE 100 Celebration  
**Date:** June 23, 2015 5:01:28 PM EDT  
**To:** PharmaVOICE Taren Grom <[feedback@pharmavoiced.com](mailto:feedback@pharmavoiced.com)>, [tgrom@pharmavoiced.com](mailto:tgrom@pharmavoiced.com)

Dear Taren,

## The Patent '813 Story, Part II -- Version 2

I would appreciate it if you would please permanently take "[louiscsan@aol.com](mailto:louiscsan@aol.com)" off your email list. I'm looking for some privacy. Since my wife died in January this year, you'd be amazed at all the emails that have come to this email address unsolicited, as if I was made the experimental guinea pig of some kind "human email profiling experiment." I don't know how you received my [aol.com](mailto:louiscsan@aol.com) email but I would request that you make sure it's permanently taken out of your database.

Sincerely,

Louis Sanfilippo

**From:** "Taren Grom, PharmaVOICE" <[feedback@pharmavoice.com](mailto:feedback@pharmavoice.com)>  
**Subject:** Join us at the PharmaVOICE 100 Celebration  
**Date:** June 23, 2015 11:37:03 AM EDT  
**To:** <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

[EMAIL CONTENTS STRIPPED]

**From:** Taren Grom <[tgrom@pharmavoice.com](mailto:tgrom@pharmavoice.com)>  
**Subject:** Re: Join us at the PharmaVOICE 100 Celebration  
**Date:** June 23, 2015 5:05:08 PM EDT  
**To:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Dr. Sanfilippo,  
My deepest sympathies. And we will most certainly remove this email from our database.

Kind regards,  
Taren  
Taren Grom  
Editor/Co-Founder — PharmaVOICE  
Direct line: 267-323-2118  
Cell phone: 215-932-9775  
**2015 HBA Annual Conference • November 4-5, 2015 • Atlanta**

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Re: Join us at the PharmaVOICE 100 Celebration  
**Date:** June 23, 2015 5:08:47 PM EDT  
**To:** Taren Grom <[tgrom@pharmavoice.com](mailto:tgrom@pharmavoice.com)>

Thank you for your thoughts and prompt response. It is appreciated. - LS

**From:** Richard Bocier <[richard.bocier@aol.com](mailto:richard.bocier@aol.com)>  
**Subject:** this past weekend  
**Date:** June 23, 2015 10:09:00 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>

## The Patent '813 Story, Part II -- Version 2

Dear Mr. Lucci,

You should be familiar with my name and Mike's from this past weekend. The familiarity was made to prepare you for this communication from me directly. It should be self-explanatory based on what you know and help you see that Mike and I can be trusted.

You should have received an email today at about 11:10 am that identified a patent examiner by name and a patent application she is handling. Mike and I are familiar with the email because we helped write it. Seven minutes before it was sent a screen capture was taken of the patent application's transaction history. It is the same screen capture for the last 20 days. An interval capture of the transaction history was taken four hours later and it was different. It showed the examiner considered the information disclosure statements filed for the application. This provides high-probability support that the patent examiner read the email that was sent to you at 11:10 am and initiated action based on its content.

As a result, Mike and I expect a rapid escalation of this matter. This is a very high priority national security situation and your discrete cooperation will be necessary to bring it to a fast and safe final resolution. Please await further communications from Mike or I that may come to you in any number of ways through secure channels. While we cannot compel you to act in any particular way, Mike and I strongly advise you not share this communication in any way with anyone. We believe that you understand why.

Best,  
Rich

**Wednesday June 24, 2015:**

**7:46 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 7 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/85tZqdmFba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/85tZqdmFba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** "Louis Sanfilippo, MD" <lsanfilippo@lcsgrupp.com>  
**Subject:** Re: [Fwd: PR Newswire New Contact]  
**Date:** June 24, 2015 11:34:14 AM EDT  
**To:** kristen.hannan@prnewswire.com

Hi Kristen,

Thank you for your email below. LCS Group, LLC has been "handling" public communications for its "IP licensor" Lucerne Biosciences, LLC under terms related to an Exclusive License that was provided to PR Newswire on March 2, 2015 at 2:57 pm in a PDF. The reason for this arrangement, beyond just the terms of the Exclusive License, is that Lucerne Biosciences is involved in proprietary intelligence research based on terms of a secrecy agreement it engaged in with LCS Group on October 1, 2014 wherein LCS Group "handles" such "public communications" with companies like PR Newswire under special "representational protocols."

## The Patent '813 Story, Part II -- Version 2

The two companies have recently reviewed the news outlets that picked up the June 13 Lucerne Biosciences' press release regarding the PTAB's invalidation of the '813 Patent and found that it appears that the majority of news outlets which picked up the release have the following "opening disclaimer": "*Information contained on this page is provided by an independent third-party content provider. WorldNow and this Station make no warranties or representations in connection therewith. If you have any questions or comments about this page please contact [pressreleases@worldnow.com](mailto:pressreleases@worldnow.com).*"

This, of course, raises a very important question, namely, did PR Newswire selectively preferentially release Lucerne Biosciences' June press release to "[worldnow.com](http://worldnow.com)" and generally restrict its release to "other news sources"? Your prompt response would be appreciated as both Lucerne Biosciences and LCS Group are readying to take certain public actions to deal with a problem that seems to have impaired a great many people and businesses to follow United States law to arguably support and encourage the biggest and most egregious case of unlawful "anti-competitive conduct" in the history of mankind. This email isn't to accuse PR Newswire of willful unlawful involvement but only to ask the kinds of questions that can help provide the answer publicly.

Sincerely,

Louis Sanfilippo, MD  
CEO, LCS Group, LLC

**From:** Kristen Hannan <[Kristen.Hannan@prnewswire.com](mailto:Kristen.Hannan@prnewswire.com)>  
**Subject:** FW: PR Newswire New Contact  
**Date:** June 18, 2015 2:56:53 PM EDT  
**To:** "[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)" <[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)>

Hello Louis,

I hope you are doing well today! I would like to introduce myself as your New Member Specialist and your primary contact moving forward here at PR Newswire. Feel free to reach out to me to assist you with all of your communication needs. I would like to talk with you about your communication plans **prior** to sending out your next release.. I would be happy to help strategize with you to determine the best distribution options to meet your desired goals.

I am also available to assist you with our Online Member Center, which is PR Newswire's platform that you will use to upload your materials for distribution, and to view the complimentary reporting that is available after your release is sent out.

I look forward to working with you!

**My contact information:**  
**Kristen Hannan**  
Direct Line: **201-360-6904**  
E-Mail: [kristen.hannan@prnewswire.com](mailto:kristen.hannan@prnewswire.com)

## The Patent '813 Story, Part II -- Version 2

Thanks so much,

Kristen Hannan  
Account Specialist  
PR Newswire//Inside Sales

1300 East 9th Street | Suite 700 | Cleveland, OH 44114  
Phone 201 360 6904 | Alternative 888 776 0942 |  
kristen.hannan@prnewswire.com | www.prnewswire.com



Engage Opportunity *Everywhere*

Please consider the environment prior to printing this e-mail. Thank you.

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>  
**Subject: Re: \*\*\$160.00 per Hour\*\* Immediate Need Psychiatry Locums Assignment in Connecticut\***  
**Date:** June 24, 2015 1:42:53 PM EDT  
**To:** Lawrence Miller <lawrence.miller@sumostaffing.com>

Dear Mr. Miller,

Thank you for your job solicitation email below, as well for the ones you recently sent me on May 28, June 11 and June 22 for jobs in various locations (CT, Arkansas, Washington) apparently on behalf of several of your "one of my best clients." I have absolutely no interest or need in a job opportunity, nor do I have any interest whatsoever in moving outside the state of CT, so please immediately and permanently remove from you mailing list.

You should know that my wife died in January this year and just as that happened, at a time when I was hoping to focus on my children who were 7 going on 8 and 10 years old, I began to receive an increasing number of very unusual emails to various email addresses I use for different reasons, as if I was some kind experimental guinea pig in some kind of "human email experiment" in which I was its "one receiving subject" that involved "countless sending subjects" most of whom would seem to have no rational basis whatsoever for emailing me at any of my emails in the first place. These "experimental guinea pig emails" (as I'll call them) really picked up in May, the month you began to send me job offers.

In this "real-life context", I would like to ask you a question that is the kind of question a psychiatrist might ask a patient (or a lawyer might ask a witness in a court of law): were you in any way motivated to send these job solicitation emails to me at "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" by communications that you were privy to but that I wasn't? One example might be if you were privy to communications that suggested I might need a job because you were aware that some entity/person(s) was trying to harm, or even destroy, my private psychiatric practice on which I have made my living seeing patients who struggle with psychiatric issues. Your written response would be appreciated, not only by me (and certain others including patients that I treat in my private practice) but also by my children when they're old enough to understand why their father seemed to be so focused on something other than them

## The Patent '813 Story, Part II -- Version 2

just after their mother died.

Sincerely,

Louis Sanfilippo, MD  
Voluntary Faculty Member, Assistant Clinical Professor of Psychiatry  
Department of Psychiatry, Yale University School of Medicine

**From:** Lawrence Miller <[lawrence.miller@sumostaffing.com](mailto:lawrence.miller@sumostaffing.com)>  
**Subject:** \*\*\$160.00 per Hour\*\* Immediate Need Psychiatry Locums Assignment in Connecticut\*  
**Date:** June 24, 2015 12:09:58 PM EDT  
**To:** <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Reply-To:** Lawrence Miller <[sender\\_34382\\_6909\\_360056@reply.emailcampaigns.net](mailto:sender_34382_6909_360056@reply.emailcampaigns.net)>

**[EMAIL CONTENTS STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: ACTION NEEDED: FACTS Returned Payment Notice (44462813)]  
**Date:** June 24, 2015 3:08:55 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to show you what is meant by a "terminal perceptual sequence" but to appreciate what that means consider this email from the company in view of the email sent to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" today (forwarded below) in view of the "real-time version-2 transcript" of "The Patent '813 Story, Part II." Uniquely, a "terminal perceptual sequence" has the "intrapsychic objective" of initiating a "beginning perceptual sequence." In other words, its "intrapsychic objective" is to establish boundary conditions for one thing to "finally end" through its "perceptual linkage" with its "first beginning."

You may ask, "how's that?" As you have been made aware by the company, one objective of "The Patent '813 Story, Part II" is to establish boundary conditions in which the presumed GCE's "global private consciousness" can be seen in view of the "global public consciousness." But that of course requires that the presumed "communication platform" supporting the GCE's "global private consciousness" is publicly disclosed to the "global public consciousness." But if the "communication platform" of the GCE's "global private consciousness" has centrally involved "me" in any representative capacity with many "GCE participants" communicating with me in any of my representative capacities on its communication platform, it would mean publicly disclosing just about everything "about me" as communicated by me (in any of my representative capacities) and others on the GCE's "communication platform." That could be public disclosure of a lot of sensitive personal information, like financial information (the email below), my whereabouts at certain times and certain dates, legal information (even as related to patents), medical information, information about my children, and even information from communications involving "seemingly trusted friends, business partners, business representatives, colleagues, lawyers, patients, priests, etc..." in "seemingly trusted communication settings" who might have knowingly communicated with me as "GCE-participants" though willfully concealing that their

## The Patent '813 Story, Part II -- Version 2

"communications to/from me" were not "private between us" as it would seem to me from its "face value context" but rather "public among the GCE community yet hidden from me." It would be like "representationally stripping myself naked" in view of my own communications to/from many others in innumerable kinds of settings. **That's exactly the company's objective.** In other words, the company would be hypocritical if it sought to expose the GCE's "global private consciousness" to the "global public consciousness" but sought to restrict the GCE's "communication platform" centrally involving "me - in any representative capacity" and "my communications -- in any representative capacity" on which the presumed GCE's "global private consciousness" would be based. Or another way to put it is that the company would be hypocritical if it sought to publicly expose the GCE's "global private theater of consciousness" but sought to secretly conceal Louis Sanfilippo's "personal private theater of consciousness."

This may help you understand why I'm the "publicly visible Manager" of Lucerne Biosciences, LLC and why the company has two "secret managers." So you know, the company is aware of what I have communicated that would be "presumed present" within the GCE's "communication platform" and has made it very clear to me that in my representative role as a "publicly visible Manager" it is my fiduciary obligation to the company to do everything possible to "expose myself in every possible way" so that the "global private consciousness" can be "exposed itself in every possible way" **together with me** in the "global public consciousness." That's perfectly fair, equitable, transparent and accountable -- and truthful -- which are all the things the company stands for and has been pursuing with its collaborators for "final resolution" of "The Patent '813 Story, Part II."

You can see how this would perfectly set up the "outcome measure" for "final resolution" of "The Patent '813 Story, Part II behavioral intelligence experiment" of whether "truth" or "deception" prevails in a "private global theater of consciousness" as its "global private theater of consciousness" reaches its terminal boundary condition of complete collapse (i.e., exposure). But none of this should surprise you with hindsight. After all, it would perfectly represent the "Patent '813 truth of the matter" and the "Patent '813 truth of the matter" has been the company's and its collaborators' core objective from the outset -- all clearly stated in the "communications transcript."

The company expects to send you an email shortly that it believes is the most significant one yet in "The Patent '813 Story, Part II" because of its monumental implications on human consciousness. It's all part of the company's and its collaborators' "sequential amplification strategy," a term you may recall from months ago when it was first disclosed to you in different representational circumstances. Is "final resolution" making "intrapsychic sense" to you yet? It should by this point in time.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Fwd: **ACTION NEEDED: FACTS Returned Payment Notice (44462813)**  
**Date:** June 24, 2015 1:45:12 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Per APS.

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** FACTS Management Company <noreply2@factsmgt.com>  
**Subject:** ACTION NEEDED: FACTS Returned Payment Notice (44462813)  
**Date:** June 24, 2015 11:31:40 AM EDT  
**To:** louiscsan@aol.com

**[EMAIL CONTENTS STRIPPED]**

**Thursday June 25, 2015:**

**9:26 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 9 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/FMJN3hZOba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/FMJN3hZOba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: Credit Report Alert: Your Report has changed]  
**Date:** June 25, 2015 10:04:41 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to let you know that the forwarded email below sent from "Experian" to Louis Sanfilippo's "aol.com" email is the 18th email since March 7, 2015 to inform him that his "credit report has changed." Considering that the company is aware that Louis Sanfilippo's "credit scores" were outstanding for many years, what do you think has happened? Have his "personal credit scores" gone up or down? The answer is very important to understand in view of how "final resolution" of "The Patent '813 Story, Part II" is "intrapsychically and perceptually designed" to work in "mind and consciousness."

Now here's something else to consider. What if Lucerne Biosciences, LLC entered into a secrecy agreement with the United States Naval Special Warfare Development Group (i.e., "DEVGRU," "SEAL TEAM 6") on October 1, 2014 for a behavioral intelligence experiment designed to test "intrapsychic resilience" under extreme "intrapsychic and perceptual boundary conditions"? These wouldn't be extreme physical boundary conditions like physical torture but their mental equivalent. Certainly, any reasonable person would appreciate that any individual member of the NAVY SEALs, notably its SEAL TEAM 6, requires a very high level "intrapsychic fortitude" to deal with the kinds of special warfare situations that are part of being a NAVY SEAL, situations that may be characterized as "asymmetric warfare situations" in which a small elite team may take on a large number of "enemy combatants." And what better way to show prospective NAVY SEALs that there is no situation in which defeat cannot be "psychologically overcome," including the death of a team-member on a critically important small-team mission.

## The Patent '813 Story, Part II -- Version 2

You can see how everything is perfectly positioned for the "NAVY SEAL TEAM-6 equivalent" that is "Lucerne Biosciences, LLC" to see its "SEAL-TEAM 6 member equivalent" who is "me" ("Louis Sanfilippo - manager publicly"; "Byan Haygins - manager clandestinely") either complete his mission alone or, as is far more common, to receive clandestine back-up support from his team as they arrive on the scene to complete the mission, like from the company's two "secret managers" of "Richard Bocer" and "Michael Steigher." Think about that! That would be some really great drama to end "The Patent '813 Story, Part II," especially if the "secrecy agreement" with DEVGRU was documented in writing and positioned for public disclosure on completion of the company's "clandestine mission."

That "big email" from the company with monumental implications has been basically written but is awaiting "security clearance" for deployment to you. It's possible you may receive other emails before receiving it, from the company and/or other entities.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Fwd: Credit Report Alert: Your Report has changed  
**Date:** June 25, 2015 9:49:05 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** "Experian" <[Experian@e.experiandirect.com](mailto:Experian@e.experiandirect.com)>  
**Subject:** Credit Report Alert: Your Report has changed  
**Date:** June 25, 2015 8:58:20 AM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)  
**Reply-To:** "Customer Care" <[support-b9xvxwybfe6c1vau1k87dak6ab4a5r@e.experiandirect.com](mailto:support-b9xvxwybfe6c1vau1k87dak6ab4a5r@e.experiandirect.com)>

**[EMAIL CONTENT STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Your mission: You have until midnight to save 30%. GO!]]  
**Date:** June 25, 2015 11:40:12 AM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Cc:** Bocer MD <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>, Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>

## The Patent '813 Story, Part II -- Version 2

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you information on how Lucerne Biosciences, LLC could function as a "SEAL Team-6 equivalent" and therefore I, as a company manager, a "SEAL Team-6 member equivalent."

Take a look at the GoDaddy email below sent to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" at 11:01:01 am EDT today with the subject "Your mission: You have until midnight to save 30%. GO!." You could consider this email to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" as the "equivalent" of "intel" taken from the ground by various sources (in this instance from GoDaddy) that gets communicated to the "U.S. Central Intelligence Agency" that is "narratively/metaphorically represented" by "[louiscsan@aol.com](mailto:louiscsan@aol.com)." The CIA-equivalent of "[louiscsan@aol.com](mailto:louiscsan@aol.com)" then passes along that "GoDaddy intel" to the "Joint Special Operations Command in Fort Bragg, N.C" that is the "equivalent" of "Lucerne Biosciences, LLC" in its "foundational intelligence role" (in "The Patent '813 Story, Part II") for real-time analysis for the "real-time clandestine mission." Lucerne Biosciences, LLC -- the "Joint Special Operations Command - equivalent" -- performs a real-time analysis and makes "command and control" decisions that are communicated through secure channels "to the field," namely, to its "SEAL Team 6-equivalent public Manager" (who is me) to inform me that the "ground intel" (from GoDaddy) is saying "move fast." In this respect, I pick up the pace "in the field" by sending this email to you in my "representative role" as a dual "LB Manager/SEAL Team-6 member-equivalent" knowing, as you can see in the email from the "Joint Special Operations Command-equivalent" (i.e., "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)"), that the other two "SEAL Team-6 member equivalents" are completely knowing, clandestinely operating, and fully aligned with the "mission plan" (and so are also cc'd on this email to you to let you know that "the team" is moving very fast for "final resolution"). Makes perfect sense, doesn't it?

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Your mission: You have until midnight to save 30%. GO!]  
**Date:** June 25, 2015 11:24:44 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Cc:** Richard Bocer MD <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>, Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Fwd: Your mission: You have until midnight to save 30%. GO!  
**Date:** June 25, 2015 11:15:11 AM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** GoDaddy <offers@e.godaddy.com>  
**Subject:** Your mission: You have until midnight to save 30%. GO!  
**Date:** June 25, 2015 11:01:01 AM EDT  
**To:** louiscsan@aol.com  
**Reply-To:** 21435241425154\_1000dh00vmhr-reply@e.godaddy.com

**[EMAIL CONTENT STRIPPED]**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: Come see what's new and save]]  
**Date:** June 25, 2015 1:26:39 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** Richard Bocer <richard.bocer@aol.com>, Michael Steigher <michael.steigher@aol.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you additional "communication infrastructure insights" that will be helpful for you to understand the "intrapsychic and perceptual nature" of "final resolution" for "The Patent '813 Story, Part II." Additional "psychodynamic insights" on "final resolution" are forthcoming in an email the company expects to send you sometime today or tomorrow. However, to understand the nature of this email (and any that follow) from the company requires that you "see it" in view of the other emails that you received on behalf of the company today that show how "Lucerne Biosciences, LLC" is "behaviorally analogous" to "SEAL TEAM-6" as it operates in coordinated/ clandestine fashion with the its "Joint Special Operations Command-equivalent" that itself is "behaviorally equivalent" to the company in its "dual publicly visible/ clandestine behavioral intelligence role" as it works at the "intrapsychic and perceptual level" to bring "final resolution" to "The Patent '813 Story, Part II" through its key "intrapsychic and perceptual constructs."

Take note of how GoDaddy sent another "intel-equivalent email" to the "CIA-equivalent" of "[louiscsan@aol.com](mailto:louiscsan@aol.com)" about forty five minutes after the email I sent you on behalf of the company, as if GoDaddy was providing "real-time follow-up intel" on the last communication you received from the company. Further, it's subject is "Come see what's new and save," as if the "active special mission" was reaching its final completion and a "new mission" was on the immediate horizon.

But take note that the "Godaddy intel" below is communicated differently in its "communication relay infrastructure" in that it is relayed to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" and then "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" relays it to "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)" that is the "Joint Special Operations Command-equivalent." One way to consider this is that "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" is the "equivalent" of the National Security Agency that intercepts a cell phone communication en route from a "field source in Pakistan" (i.e., "GoDaddy intelligence source-equivalent") to a "CIA handler" in Langley VA during the time immediately proceeding Operation Neptune Spear (that led to the killing of Osama Bin Laden). But before the "CIA handler" (i.e., "[louiscsan@aol.com](mailto:louiscsan@aol.com)-equivalent") even assesses the "GoDaddy intel," the "GoDaddy intel" is "intercepted" by the NSA where, as you might imagine, certain high-priority words (i.e., "see" and "new") trigger it to be sent directly to the "Joint Special Operations Command-equivalent" (i.e., "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)"), which you can understand in view of how the email isn't even "forwarded" from "[louiscsan@aol.com](mailto:louiscsan@aol.com)" to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" but seemingly straight-away "intercepted" by "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" that then relays it immediately to the "Joint

## The Patent '813 Story, Part II -- Version 2

Special Operations Command-equivalent" that takes action on it by relaying the intel to "the field" where "I" (in my "dual role of public LB Manager/SEAL Team-6 member equivalent"), along with my two "dual role clandestine LB Manager/SEAL Team-6 member-equivalent teammates" ("Richard Bocer" and "Michael Steigher"), use the "GoDaddy intel" to make "real-time intrapsychic and perceptual tactical decisions" to bring about "final resolution" of "The Patent '813 Story, Part II" (i.e., this email to you). In this respect, the "Osama Bin Laden equivalent" (as left to the reader's projective fantasies) can be seen to not even be aware in any way whatsoever that he's got only a few hours to live as the "SEAL TEAM-6-equivalent" comprised of the "public/private management of Lucerne Biosciences, LLC" closes in on the compound to take special highly prepared and rehearsed actions.

Is this making sense to you, Joe? My bet is that it's making perfect sense, which means that you may have a pretty good idea of what's coming next.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Come see what's new and save]  
**Date:** June 25, 2015 12:55:16 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)  
**Cc:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>, Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: Come see what's new and save  
**Date:** June 25, 2015 12:30:40 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

**From:** GoDaddy <[offers@e.godaddy.com](mailto:offers@e.godaddy.com)>  
**Subject:** Come see what's new and save  
**Date:** June 25, 2015 12:14:13 PM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)  
**Reply-To:** [21435241626247\\_1000dr8wrzsh-reply@e.godaddy.com](mailto:21435241626247_1000dr8wrzsh-reply@e.godaddy.com)

**[EMAIL CONTENT STRIPPED]**

**Friday June 26, 2015:**

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: The Foundational Problem in Human Consciousness**

**Date:** June 26, 2015 12:33:14 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

**Cc:** Richard Bocer <richard.bocer@aol.com>, Michael Steigher <michael.steigher@aol.com>, Bryan Haygins <bryan.haygins@aol.com>

**THIS EMAIL FROM LUCERNE BIOSCIENCES, LLC HAS MONUMENTAL IMPLICATIONS FOR INDIVIDUALLY-BASED HUMAN CONSCIOUSNESS. IT THEREFORE HAS MONUMENTAL IMPLICATIONS FOR COLLECTIVELY-BASED HUMAN CONSCIOUSNESS. THIS EMAIL HAS THE POTENTIAL TO PERMANENTLY ALTER YOUR PERCEPTION OF REALITY BY CLARIFYING THE NATURE OF WHAT IS APPARENTLY THE "ROOT-CAUSE SOURCE" OF PERCEPTUAL DISTORTION IN HUMAN INTRAPSYCHIC FUNCTION AT THE LEVEL OF "INDIVIDUALLY-BASED CONSCIOUSNESS."**

Dear Joe,

On behalf of Lucerne Biosciences, LLC, I am writing to provide you very important "consciousness insight" as the company has determined that you now have the necessary "intrapsychic and perceptual tools" to understand it. I cannot emphasize enough how important this company communication is because it addresses what is apparently the "foundational root-source problem" in human consciousness responsible for causing perceptual distortions of reality as they take place in "real-time" **from within any given person's "individually-based theater of consciousness."** This "foundational root-source problem in human consciousness" has been a central topic of discourse among philosophers (among others) for over two millennia, but it would seem that the reason it couldn't be meaningfully understood in a way that more than just "the inquiring philosopher" could "see and understand" it (and perhaps a small group of his/her followers) is that understanding it requires **extreme "intrapsychic/perceptual and behavioral boundary conditions."** **This is because the problem is only "consciously observable" from within one's "individually-based theater of consciousness" in view of extreme (highly polarized) "observable behavior" based on extreme (highly polarized) "intrapsychic and perceptual boundary conditions,"** as are currently present in "The Patent '813 Story, Part II" (determined by the company's "intelligence analysis").

In this "psychodynamic/behavioral context," this "foundational root-source problem in consciousness" can become quite **"visibly obvious"** to the "third-party independent observer" so that even "any reasonable person" (without any psychological training) could understand its nature and also how it can be "foundationally resolved" within their own "individually-based theater of consciousness." This is the "philosophical (and psychodynamic) significance" of "The Patent '813 Story, Part II," namely, that it provides a "personalized yet differentiated final resolution" in its reader's own "mind and consciousness" for a problem that some of the greatest philosophical and psychological minds in human history couldn't get a handle on. Think about that in view of how "The Patent '813 Story, Part II" has positioned itself to be the cornerstone of what may be the most extraordinary "marketing paradigm" in the history of pharmaceutical marketing. At this point, it would seem that either Shire or Mylan are best positioned to receive this "marketing manna from heaven" for their own business objectives, though Shire from a "leveraged trade perspective" and Mylan from a "leveraged generic perspective." But then again for all you know the company could be days away from an IPO that's been handled by Leerink Swann based on a "secrecy agreement" signed with the investment bank and LCS Group, LLC on October 1, 2014. Remember, anything is possible with "final resolution." Would you have thought this real-life story would be where it is now if someone told you that last summer?

## The Patent '813 Story, Part II -- Version 2

As very brief background to how this email addresses this “foundational problem in consciousness,” it is worth noting that there are many differing theories about “consciousness” and its “foundational problem(s),” problem(s) that might explain why people are “intrapsychically motivated” to do “bad things” like to deceive others, commit crimes (and then deceptively try to cover it up), kill other human beings, etc.... This email isn’t to identify or detail these theories, or to provide an explanation on the “problem of evil”; rather, it’s to frame a couple general approaches to “individually-based consciousness” and then to provide a psychodynamic framework for helping you understand this apparent “foundational problem in consciousness” as it exists in one person’s “individual theater of consciousness.” Understanding this problem is important for the “final resolution” of “The Patent '813 Story, Part II” because its “final resolution” is designed to have an “intrapsychically-based and perceptually-mediated final resolution” as extreme (highly-polarized) boundary conditions are reached.

For instance, some “consciousness scholars” regard “consciousness” as an “emergent property” or “epiphenomenon” of biological function, which makes our perception of the world, thinking, etc.... effectively “biologically driven” or “adaptively responsive” to events taking place in the world around us and/or in our physical bodies. This email in view of “The Patent '813 Story, Part II” should convincingly refute these kinds of foundational materialistic frameworks for understanding consciousness and the “root cause source” of perceptual distortion as it arises within “individually-based consciousness” (and which would motivate a person to behave on the basis of “intrapsychic distortion”). You’ve probably heard of another theory of consciousness called “mind-body dualism” and you may even be familiar with the work of Rene Descartes that supported its place in the philosophical literature. “Mind-body dualism” basically seeks to differentiate “mind” from “body,” with the “mind” being “non-physical” in its essential nature and having the property of “intelligence.” This is another “consciousness paradigm” in that it relegates “consciousness” to the one side of the equation that is “mental” which confers this “intelligence.” After reading this email, you should see that this kind of “Cartesian dualism” gets off to the wrong start “foundationally **in consciousness**” as the “mind-body dualism split” represented in this “consciousness frame of reference” is itself a “manifest symptom” of this apparent “foundational problem/distortion in consciousness” that involves a “**first/foundational intrapsychically-based/perceptually-mediated split**” followed by “**second/reciprocating intrapsychically-based/perceptually-mediated split**” (such that there are two “dualisms” and they’re both “in mind”).

So let’s walk through this “foundational root-cause problem in consciousness” in view of the “GCE’s foundational problem of global consciousness” that you should be rather familiar with at this point in time. The “GCE’s foundational problem of global consciousness” provides a perfect “group model of consciousness” for understanding this “foundational flaw” in “individually-based consciousness” (as in your own “individually-based theater of consciousness” comprised of all its “intrapsychic mechanisms, motivations and content”).

Beginning at square 1, your **one** “individually-based theater of consciousness” actually has two “**consciousness frames of reference**” (“**CFRs**”). You might even say it has “two sub-theaters of consciousness” within its “one theater of consciousness” but so as to not confuse things I will use the language of **two** “**consciousness frames of reference**” (“**CFRs**”) within your **one** “**individually-based theater of consciousness**” (“**IB-TC**”). There is a “**projection-based splitting consciousness frame of reference**” (“**PB-S CFR**”) that is the “**foundational consciousness frame of reference**” (in your “**IB-TC**”) on which intrapsychic functioning is based and which employs “immature psychological defense mechanisms” like “projection,” “splitting,” “reaction formation” and “repression” to distort reality in order to suit inner fantasies, irrational inner needs, unacceptable feelings and/or wishful desires. You can see how this “**PB-S CFR**” would be the “equivalent” of the GCE’s “private global theater of consciousness” that is foundationally based on “projection-based splitting” and its irrational fantasy that it could employ

## The Patent '813 Story, Part II -- Version 2

"Louis Sanfilippo - generically/personally" (as split against lawful/business/professional representations) to satisfy some kind of "messianic role" of uniting the "global consciousness" through the GCE's "theater of consciousness" and "communication platform to/from him," as if "Louis Sanfilippo - personally/generically" were some kind God-like entity (as previously discussed in a company email I sent to you).

In this respect, you can think of your own "**IB-TC**" in view of the GCE's "global theater of consciousness" and its GCE-participant's "**IB-TC**." This comparison to the GCE paradigm makes it easier to "see and understand" how the "**PB-S CFR**" in your "**IB-TC**" motivates thinking, reasoning, representation, and perception at the "**intrapsychic level**" **only**. Specifically, the GCE's "communication platform" (that is hidden from "global public consciousness") would be the "equivalent" of the kinds of "perceptual dynamics" that take place in this "**PB-S CFR**" at the intrapsychic level. You can see, then, how this "**PB-S CFR**" serves as the "**motivational root-cause source**" (at its "intrapsychic foundational level") of "intrapsychic distortion" (for reasons already explained), which in turn reverberates in all kinds of ways in the individual's "**IB-TC**" and possibly even in their "behavioral expression" if the individual "takes action" based on the "foundational distortion" in their "**IB-TC**." But generally speaking the "**PB-S CFR**" is hidden from an individual's "conscious view," so it's difficult to clarify its psychodynamic mechanisms. However, under "extreme intrapsychic and perceptual boundary conditions" in which there is high projective amplification (i.e., distorted perception of reality) in a given person's "**IB-TC**" the "intrapsychic contents" of their "**PB-S CFR**" may "disclose themselves" (i.e., behaviorally externalize) through overt "manifest symptoms" that can be seen through certain "outward behavior." One example of this "behavioral externalization" is how the GCE's "private global consciousness" motivated a "shared global silence" on Shire's "successful invalidation" of the '813 Patent. To bring this example to a "personalized characterization," Shire's "successful invalidation" of the company's '813 Patent would be as if someone "successfully murdered" another human being but "intrapsychically sought to repress the killing" by "behaviorally destroying or hiding the evidence, deceptively making efforts to establish false alibis," etc.... so that the murder wouldn't ever be discovered (thus satisfying inner fantasies/needs).

You can see that the "**PB-S CFR**" is only "intrapsychic and perceptual" in nature. In other words, it does not represent "outward behavior" though may drive "outward behavior." So how, then, does "behavior" like "verbal or written communications" happen "in consciousness"? This is the role of the "**second CFR**" (in your one "**IB-TC**") that would be the "**projective identification and acting out consciousness frame of reference**" ("**PI-AO CFR**") that **intrapsychically responds** (through projective identification) to the "**PB-S CFR**" in such a way that drives **outward behavior** through "**acting out**" (as in "verbal or written communications"). In this sense, the "**PI-AO CFR**" is what "**consciously** orients/motivates" the individual person to engage in certain outward behaviors in view of numerous possible options (including even "behavioral silence"). This is where "**intentionality**" takes place. It's what the person "consciously sees and understands" to be motivating their behavior, though you can see how this "conscious sight and understanding" is based on a projective identification to the "**PB-S CFR**" and therefore itself is distorting/repressing/tailoring reality to suit fantasy, irrational inner needs, etc... which has the effect of distorting/repressing/tailoring "conscious sight and understanding" as the basis for "intentional behavioral expression." That, of course, has serious behavioral implications because it would translate to intentional behavior such as "verbal or written communications" being motivated at the "source level" by a distorted perception of reality (i.e., fundamentally irrational or confused behavior), even if only very subtly. It's easy to see that this could have massive implications regarding the "consciousness/ perceptual foundation" of human knowledge but that discussion is not for this email.

These dynamics may be hard to conceptualize in view of one's own "**IB-TC**" but it's easy to see in view of the "group-based GCE paradigm." For example, the "GCE theater of consciousness"

## The Patent '813 Story, Part II -- Version 2

(**"PB-S CFR - equivalent"**) operates intrapsychically/foundationally at a "hidden motivational level" through its "hidden communication platform." This "hidden communication platform" is the "equivalent" of the "perceptual dynamics" in the **"PB-S CFR"** of one's **"IB-TC."** The **"GCE's foundational theater of consciousness" plus its "foundational communication platform"** (**"PB-S CFR - equivalent"**) thus becomes the **"hidden/concealed motivational driver"** for the **"GCE-participant's IB-TC"** -- and the **"GCE-participant's IB-TC"** is the "equivalent" of any given person's **"PI-AO CFR."** It is in this **"PI-AO CFR"** where an individual's "communication behavior" is "consciously oriented" to the "outside world" to suit the "fantasy and irrationality" of the **"PB-S CFR,"** which is easy to understand when you consider how the **"GCE's theater of consciousness/CP"** (**"PB-S CFR-equivalent"**) relates to the "conscious orientation" of the **"GCE-participant's IB-TC"** (**"PI-AO CFR-equivalent"**) to communicate with "Louis Sanfilippo generically" without any rational differentiated representation/reasoning.

You'll recall that the GCE's "theater of consciousness" is based on undifferentiated irrational intrapsychic representations of reality that disregard, conflate and/or repress standards/representations used to "differentiate reality" so that "not everything is essentially the same" (as it might be in an infant's "newborn theater of consciousness"), which gives you insight into how the **"PB-S CFR"** could "psychodynamically work" in your own "one theater of consciousness" to motivate outward behavior. You can find many examples in "The Patent '813 Story, Part II" that show how things work "psychodynamically and behaviorally" in "individually-based consciousness" across this two-tiered **"PB-S CFR ---- PI-AO CFR model"** by simply "seeing and understanding" how these examples would be "foundationally motivated" by the GCE's "global theater of consciousness" to drive "behavioral expression" "at the "individual person level" through a process of "projective identification and acting out" from the GCE-participant's **"IB-TC" in response to** the "GCE's global theater consciousness." And you have very dramatic "behavioral communication evidence" to show you how "individually-based consciousness" is impacted because you can easily "see" how distorted/deviant the "public communication to Louis Sanfilippo" is that presumably results from the **"PI-AO CFR-equivalent"** (that is the "GCE-participant's IB-TC"). **This is why it's so important that the presumed GCE's "communication platform" be made "globally public," namely so that people from anywhere in the world can "see and understand" how their own "individually-based theater of consciousness" works, which will have the effect of freeing up their own mind from this "root-source problem" in consciousness.** From a mental health perspective, it's hard to imagine any more significant and meaningful contribution to global mental health!

The "comparative group---individual modeling" across these two "consciousness paradigms" couldn't be any clearer or well-matched for its psychodynamic/behavioral nature and its explanatory significance. And the more examples that you think about in "The Patent '813 Story, Part II," the clearer it all becomes -- hence the nature of this email on behalf of Lucerne Biosciences that is committed to securing certain important "global behavioral intelligence objectives" for the "final resolution" of "The Patent '813 Story, Part II" based on "local behavioral intelligence circumstances" (that would be based on the presumed "private GCE").

One thing that does become apparent when you see how this all works is that there is a remarkable **"double-split in individually-based consciousness."** The **"first split"** foundationally takes place at the **"intrapsychic and perceptual level"** in the **"PB-S CFR."** This is the "intrapsychic motivational source" for reasoning, thinking and representation. This is where fantasy, irrational inner needs, unacceptable feelings within oneself drive the "intrapsychic need" to distort, repress and/or deny "truthful representations" of reality that effectively "split off reality" from its "truthful intrapsychic representation," as evidenced in the many examples you've been provided in "The Patent '813 Story, Part II" presumably motivated by the GCE's "projection-based splitting theater of consciousness" and supported by its "projection-based split-communication frame." That "projection-based splitting communication frame," as previously characterized in

## The Patent '813 Story, Part II -- Version 2

emails from the company, is foundationally based on a highly polarized “either/or split frame” that perceptually over-values a “generic/undifferentiated distorted perception of reality” (that would be the “good representation” for the GCE) and perceptually devalues a “specific/differentiated realistic perception of reality” (that would be the “bad representation” for the GCE). In other words, the GCE’s “projection-based splitting communication frame” motivates its GCE-participant to “intrapsychically represent and perceive” its “GCE-subject-person” (i.e., “Louis Sanfilippo”) on the basis that he/she only has intrinsic meaning/value (as represented in consciousness) in their most generic run-of-the-mill stripped-down nature devoid of any contributions he/she may have made (or is making) in any appropriate legal, business and/or professional representative role. In the least, that’s quite insulting to the “GCE-subject-person.” But for anyone who cares about attending to their life thoughtfully (and lawfully), or has invested time and resources for a special set of skills (as it would be for you who has trained to practice the law), treating anyone like the “GCE-subject-person” would be a source of outrage, except perhaps if the “GCE-subject-person” was a psychiatrist trained to be very patient with people who can’t “consciously see” the nature of their “problematic acting out behavior” as it gets re-enacted over and over and over.

In this “consciousness context,” you can see how there is a “**first split**” in the “**PB-S CFR**” that **recursively amplifies** through an “intrapsychically-mediated projective identification” that is the “**second split**” in the “**PI-AO CFR**” as “projective identification” itself is a form of “projection-based splitting” (as “intrapsychically mirrored”). The “behavioral acting out” of this “second CFR” is thus “foundationally based on the “**second perceptually-mediated projectively-based split**” in one’s “**IB-TC**.” This is a key point to understand if you want to understand how “final resolution” of “The Patent '813 Story, Part II” has been behaviorally modeled to work. The “**PI-AO CFR**” itself is a “projection-based splitting consciousness frame of reference” though it is psychodynamically different than the “first/foundational CFR” (i.e., “**PB-S CFR**”) because it involves a “recursive/reciprocating intrapsychic identification” of a “first projective distortion of reality.” This is easy to see in view of GCE paradigm wherein the “**PI-AO CFR**” has its “equivalent” in the “**IB-TC**” of its GCE-participant who “projectively identifies” with what’s happening in the “GCE global theater of consciousness” (“**PB-S CFR**”) which would motivate him/her to “act out” by outwardly communicating with “Louis Sanfilippo” in a manner that is inappropriate from a legal, business and/or professional perspective [like Sandra Kuzmich on Sept. 4, 2014 trying to identify you as counsel for “Louis Sanfilippo - personally” to “negotiate Patent '813 business” when the only lawful thing at that time would have been to “negotiate Patent '813 business” through LCS Group and its appropriate representative(s)]. In this light, you can see how Ms. Kuzmich was “consciously performing” from her “**PI-AO CFR**” with a conscious orientation to “Louis Sanfilippo generically” though being motivated to do so not by lawful business practice but by an apparent “projective identification” to her “**PB-S CFR**” itself based in the GCE’s “global theater of consciousness.”

In this sense, the “**PI-AO CFR**” (on which Ms. Kuzmich’s Sept. 4, 2014 representation was made) psychodynamically represents how a given person is “consciously directed” in their “outward behavior” to “personal-subject-communicants” in the outside world based on “hidden/concealed motivations” emerging from the “**PB-S CFR**.” From the perspective of “any reasonable person” in view of the presumed GCE’s “private global consciousness” along with its “communication platform” (“**PB-S CFR** equivalent”), you can see how it would be easy for any reasonable person to look at how their own “**IB-TC**” works by “comparative modeling.” It would also be easy for them to see how there’s a “double split” or “double dualism,” one in each respective CFR. If one were to give this process a psychodynamically-based “consciousness name,” it would best be something like “intapsychic dual dualism” because each of the two CFR’s have their own respective “dualism” based on a “projectively-based split intrapsychic frame,” the first as “projectively based” and the second as “projectively identified.” Simply put, that’s a lot of room for “intrapsychic distortion” to amplify from its “root cause motivational source” to its “behavioral expression,” which helps explain why some of the communications to “Louis

## The Patent '813 Story, Part II -- Version 2

Sanfilippo” of late have been completely bizarre in nature -- or at a more subtle level why Rene Descartes got the “mind-body consciousness paradigm” wrong, namely, because he was “projectively blinded” to the “first foundational split.” In other words, his “philosophical treatise” was based on its being communicated from his “**IB-TC**” that only took into account the “**PI-AO CFR**” from which it was written and then, on top of that, he seems to have “projectively attributed” to “body” what still would be a “function of mind” (from his “PI-AO CFR”).

So how do you reconcile this “foundational dual dualism problem” (or “foundational two-fold consciousness split”) in human individual consciousness to help an individual “perceive reality” more clearly from their own “IB-TC”? The answer to that question is to be found in the “**intrapsychically-based and perceptually-mediated final resolution**” to “The Patent '813 Story, Part II” because it’s “final resolution” is based on “behavioral modeling” that uses these psychodynamic insights to establish extreme (highly polarized) boundary conditions that are designed to drive a complete “reversion of projectively-based splitting.” All that means is that “final resolution” is designed for its “reader” to “consciously see” how “hidden/concealed motivations” can be completely “behaviorally externalized” through the story’s “main characters” so that everything becomes transparent to the “viewing audience,” at which time the story resolves itself as there is no longer anything that can be “projected” or “split” (because it’s all visible to the “reader” of the story).

But here’s the thing. The persons who are most steeped in the “GCE theater of consciousness” (as would likely be the GCE’s “behavioral expert founders” and most strident “participant perpetrators”) will have the hardest time “consciously seeing” how “final resolution” works (and is resolved) through its “real-life characters” because their “shared theater of consciousness” will be “projectively blinded” at the “primary level” of the “PB-S CFR-equivalent” (that is the GCE’s “theater of consciousness/communication platform”). In this regard, these persons (from within their own “IB-TC”) won’t even see that the GCE is in the midst of its termination until it’s been completely terminated, nor will they see that its “theater of consciousness” has totally collapsed into a meaningless mix of confused communications until there is no more communication in it. Notably, if the GCE’s communication platform was being used to conduct behavioral intelligence research by “behavioral experts” at an elite academic institution and/or the CIA (that may not have even been disclosed to GCE participants), you can be sure that these persons would be the very last ones to actually understand how “final resolution” works to show (and even resolve) this “foundational problem of consciousness” in “individually-based consciousness.” In other words, these presumed “GCE behavioral experts/researchers” would be “intrapsychically and perceptually stuck” in the “**PB-S CFR-equivalent**” of an “**IB-TC**,” which is the more undifferentiated CFR of the two frames and most akin to psychosis. In this respect, they would be at high risk for a “shared acute group psychotic event.” That’s ironic because it would make the presumed “GCE-behavioral expert founder/researchers” intrapsychically and perceptually incapable of “consciously seeing and understanding” what may be the most important psychodynamic insight in the history of mankind in view of its “real-time behavioral expression” in the characters of “The Patent '813 Story, Part II” -- because they would be acutely psychotic or fast-getting there! Think about that! That would be flipping the entire “consciousness frame of reference” upside down so that “any reasonable person” from even the “**global public** consciousness” could “psychodynamically see and understand” the “final resolution” of “The Patent '813 Story, Part II” better than people who are trained psychologists and psychiatrists who have supported the GCE, perhaps persons affiliated with an elite academic institution and possibly even behavioral intelligence experts employed by, or consulting to, the Central Intelligence Agency.

Joe, don’t you that think the “intrapsychic and perceptual boundary conditions” are ready for “final resolution” for “The Patent '813 Story, Part II”? Think of it this way. If any more times goes by for “final resolution” to finally resolve everything perfectly, it’s not hard to see where this will go,

## The Patent '813 Story, Part II -- Version 2

namely, it will go directly into the "global public consciousness" for its "final resolution." It'll be like the way Shire passed up an opportunity for a "final resolution" on December 22, 2014 (based on LCS Group's "Oct. 1, 2014 final decision") so the story just kept going and kept getting bigger, which surely is what will happen if someone doesn't step in to be accountable for where things are "as of now." And where things are now is a "murdered patent" that was perfectly patentable (i.e., innocent) and based on a presumed "behavioral intelligence experiment gone catastrophically bad" that **not one single person** has stepped forward to accept accountability for. But if "final resolution" were to go directly into the "global public consciousness" it's effects would be far more amplified than if it's "final resolution" were resolved at the level of the GCE's "global private consciousness." That "amplification" would surely make a "national security matter" a "global security matter." But why would anyone want to risk global security like that, on the basis of something so clearly based in "intrapyschic lawlessness and distortion" (i.e., the presumed GCE)? That's about the most unconscionable and incompetent decision-making conceivable. Another way to put it is that if some accountable party doesn't do something quick to accept accountability (as practically suggested in the email you received on June 23 on behalf of the company that featured the '249 Application), this GCE could very easily drive "global apocalyptic boundary conditions" because of further "recursive behavioral amplification." I don't know about you, Joe, but I'm not ready to see that happen yet. I mean I haven't even taken a vacation with my kids since my wife died.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **9:37 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 9 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/q\\_UMn2soce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/q_UMn2soce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Fwd: [Fwd: [Fwd: **Critical - Your Account requires immediate action**]]

**Date:** June 26, 2015 10:47:15 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

**Cc:** Bocer MD <richard.bocer@aol.com>, Michael Steigher <michael.steigher@aol.com>, Byan Haygins <byan.haygins@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, I'd like to provide you an update on "final resolution developments" in view of the "email exchange" between "louiscsan@aol.com" and Experian (as forwarded, below). At this point in "The Patent '813 Story, Part II," it should make sense to you. But to frame it in view of the "SEAL Team-6 equivalent" metaphor from the email sequence you received from me on behalf of the company yesterday, you can think of it this way. At this point in time, I -- in my dual role of "LB public manager/SEAL Team-6 member-equivalent" am in "the room" with the "Osama Bin Laden-equivalent" and I have an HK417 rifle with laser targeting aimed right between the eyes of his head and stand ready to pull the trigger. Now you

## The Patent '813 Story, Part II -- Version 2

may ask, what does the "Osama Bin-Laden-equivalent" and "the room" metaphorically represent in "The Patent '813 Story, Part II"? If you read the email I sent to you on behalf of the company at 12:33 am EDT today titled "The Foundational Problem in Consciousness" you'd appreciate that the "Osama Bin Laden-equivalent" is "projection-based splitting" and "the room" is "individually-based consciousness."

But here's something you may find ever more fascinating. "LB secret manager/SEAL Team-6 member equivalent" "Richard Bocer" is also in the room, as is "LB secret manager/SEAL Team-6 member equivalent" "Michael Steigher," "Richard Bocer" with a HK45CT pistol and "Michael Steigher" with a Sig Saucer P239 9 mm pistol both aimed at his head 120 degrees apart on either side from "between the eyes." Now you may ask, who do "Richard Bocer" and "Michael Steigher" metaphorically represent in "The Patent '813 Story, Part II"? There are several layers of "representational significance" but if you've been following the story, then you'll appreciate that in one of them you are the "equivalent" of "Richard Bocer" and Anne Maxwell is the "equivalent" of "Michael Steigher." Remarkable, isn't it? And it makes perfect psychodynamic sense in view of your role and Anne's role in "The Patent '813 Story, Part II."

Let me also say that the company received some "intel" that strongly supports that a psychiatrist (who is not a GCE founder/perpetuator) reacted favorably to the email regarding "The Foundational Problem in Consciousness" and is supporting the "global/universal publicization" of the GCE's "communication platform," which would make him a "pro-Patent '813 Story, Part II final resolver" that seeks to make the story "inclusive for the public" rather than "discriminatory against the public." The company also expects that there is an additional group of psychiatrists (that are not GCE founder/perpetuators) that, based on this one apparent "public supporter of final resolution," will also become "pro-Patent '813 Story, Part II final resolvers." It's easy to see where this will go, namely, to an "educational platform" led by those skilled in the art to help explain to the "global public consciousness" the nature of this "foundational problem in individual human consciousness" -- and also to help explain how it can be resolved in view of "final resolution" of "The Patent '813 Story, Part II." That's very good news for "individually-based mental health" on a "global scale." This is something that Yale's Department of Psychiatry would be proud of, as would any psychiatrist skilled in the art of psychiatry.

So you may ask, what needs to happen for "LB public manager/SEAL Team-6 member-equivalent" Louis Sanfilippo to pull the trigger of his HK417 so that he can kill the "Osama Bin Laden-equivalent" of "projection-based splitting"? As you might imagine, the answer is in another "reciprocating email communication" that is forthcoming sometime today, likely by 5 pm EDT. This email from the company will be very unique in its format and certainly will be the longest email (by far) in the "Patent '813 Story, Part II - version 2," professionally written (with hardly a typo), and having the objective of establishing an entirely new frame of reference for the story. If you've been paying attention, you can probably figure it out (or at least part of it as there are always surprises), because it's been part of the company's strategic plan with its collaborators and has been disclosed in various ways through the narrative of "The Patent '813 Story, Part II." But if you're stuck in a "projection-based split," the email's contents and significance is likely to come as an unexpected "intrapsychic meteor" crashing into individual consciousness. That's really all that's needed at this point to "crash" the GCE's "group-based theater of consciousness" that is based on its "individual participants," which is now the objective because there's a newly evolving "Patent '813 Story, Part II final resolution theater of consciousness" that has been designed to "save the story" from the complete "intrapsychic and perceptual chaos" ready to consume the GCE's "theater of consciousness" as it experiences its own death.

Sincerely,

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Fwd: [Fwd: Critical - Your Account requires immediate action]  
**Date:** June 26, 2015 9:34:30 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Re: Critical - Your Account requires immediate action  
**Date:** June 25, 2015 11:24:55 PM EDT  
**To:** Experian <[Experian@e.experiandirect.com](mailto:Experian@e.experiandirect.com)>

Dear Experian Billing Team,

Please take the email "[louiscsan@aol.com](mailto:louiscsan@aol.com)" permanently off your email list. Credit reports for "Louis Sanfilippo" are no longer important or relevant. But "Louis Sanfilippo" appreciates your services as they have served their perceptual objective.

Does this email surprise you? It shouldn't if you've been paying attention to "The Patent 813 Story, Part II."

Thank you,

["louiscsan@aol.com"](mailto:louiscsan@aol.com)

**From:** "Experian" <[Experian@e.experiandirect.com](mailto:Experian@e.experiandirect.com)>  
**Subject:** Critical - Your Account requires immediate action  
**Date:** June 25, 2015 11:18:15 PM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)  
**Reply-To:** "Customer Care" <[support-b9xvxybfe6c1vau1kscpak6ab4a24@e.experiandirect.com](mailto:support-b9xvxybfe6c1vau1kscpak6ab4a24@e.experiandirect.com)>

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** a developmental framework for final resolution  
**Date:** June 26, 2015 1:27:31 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

## The Patent '813 Story, Part II -- Version 2

Joe,

On behalf of Lucerne Biosciences, LLC, this email is designed to establish certain “intrapyschic and perceptual boundary conditions” for what’s called a “temporal-representational perceptual inversion” in which “the end” of “The Patent ‘813 Story” becomes “the beginning” and “the beginning” becomes “the end.” But there is some dimension to this that is best understood in view of some insightful contributions made by developmental psychologist Erik Erikson who identified “eight stages” of “psychosocial development” beginning with a “first stage” of “trust vs. mistrust” and ending with a “last (eighth) stage” of “ego integrity vs. despair,” with a “seventh (pre-terminal) stage” of “generativity vs. stagnation.” These stages can be regarded as relevant to any human experience in which the experience (on individual and/or collective levels) features a beginning and end, whether “college,” a “particular job” or “working any job generally,” a “summer vacation,” a “marriage” or “married life in general,” an “inter partes review,” “reading a book,” etc...

In this light, any “story” or “experience” that has an “end” also has a “beginning” and these two “developmental bookends” are often experienced by the person/group as taking place concurrently, though not always in “conscious visibility” of the “experiential participant.” For instance, in my “role” as a voluntary faculty member for Yale’s Department of Psychiatry, I have been meeting with a fourth-year psychiatry resident who I have supervised this year. In recent weeks, we have discussed his “ending the psychiatry residency training program” in view of his “beginning a real job as a psychiatrist,” as well as various doubts and uncertainties that he has been experiencing as he feels increasing anxiety about his “ending one experience to begin another experience.” These conversations have had their own interesting dynamic, becoming more illuminating for him (as it would seem to me in my “supervisor role”) as a function of time and his own “conscious visibility” of how his own “individually-based theater of consciousness” is adapting to the evolving “beginning/ending experiential sequence.” You can call this a “dual developmental beginning/ending experiential phenomenon” in that there is “developmental movement” to that Eriksonian “first stage of development” defined by “trust vs. mistrust” but there is also “developmental movement” to that “last stage of ego integrity vs. despair,” all in view of the “real-time experience” that comprises Erikson’s “seventh stage of generativity vs. stagnation.” These are simple yet important concepts that Erikson frames in view of the “one individual’s psychosocial development” (or a “universal framework” for “one individual’s developmental life trajectory.”) But they can also be applied to “group psychosocial development as-a-whole” to explain how a “group” may deal with these same “developmental challenges” in its “group process.” In this respect, Erikson provides a very insightful explanatory framework that can be applied to understand how people experience things from their own “individually-based” -- or even “collectively-based” -- “theaters of consciousness” at the “beginning” and “end” of an experience.

So if you think of “final resolution” of “The Patent ‘813 Story, Part II” as “ending one part” (i.e., “Part II”) of “The Patent ‘813 Story” to “begin a new part” (i.e., “Part III”), it’s easy to see how there is a “developmental regression/maturation split” as one group “regresses” toward a position of “beginning mistrust/terminal despair” while another group “matures” toward a position of “beginning trust/terminal ego integrity” that itself can be manifestly evidenced in view of one group “stagnating” (i.e., the “projection-based splitting group”) and another group “generating” (i.e., the “non-projective final resolvers”) as “final resolution” of “The Patent ‘813 Story, Part II” reaches its “self-actualization.” Erikson’s highly polarized representation of these developmental milestones is right on, which is why in the email you received on behalf of the company at 12:33 EDT today indicated that “final resolution” involves extreme -- i.e., highly polarized -- intrapsychic/perceptual and behavioral boundary conditions. The nice thing about “final resolution” is that the “final split” isn’t designed to take place in “one person’s individually-based consciousness” or “one group’s collectively-based consciousness” that would leave a lot of people mentally troubled but to the

## The Patent '813 Story, Part II -- Version 2

contrary is designed to leave the split “between the two groups,” with each individual and each respective group therefore wholly located/consolidated on one side of the split (opposite each other). Psychodynamically, you couldn't imagine a better “final resolution.” But the only way that can happen is if there is a “developmental split” between two groups as “final resolution” finally resolves “The Patent '813 Story, Part II” so that it's “Part III” can “formally begin.”

With this in view, think about what follows in this email after the signature line below. If you were to print out this company email in a Word doc in Helvetica 10 font, it would be 637 pages long. If you've been “psychodynamically paying attention” to the way this real-life experiential story called “The Patent '813 Story, Part II” has been written, you'll understand this email's “recursive non-projective logic” that is designed to sequentially eliminate projection-based splitting by splitting it off from the “theater of consciousness” out of which “the reader” can “consciously understand” the story. But this is the twist -- and it's a big one. The company's '813 Patent and '249 Application represent one form of “intellectual property” with one “IP owner” while “The Patent '813 Story -- Parts I and II -- and III to come” represent another form of “intellectual property” with another “IP owner.” Who do you think owns “The Patent '813 Story”? Do you understand why the “IP,” as broadly defined to include pharmaceutical patents (business) and behavioral matters (intelligence work), among other forms of “IP,” was “split” that way? If you know the answers to these two questions, then you really understand how consciousness works at both the individual and group levels, and you may even have an insight into the nature of the October 1, 2014 “secrecy agreement” that established this framework. If you don't, that's OK because “final resolution” is designed to make them very obvious so that any reasonable person would understand them. The implications of this, of course, couldn't be any more monumental.

### **REMAINING EMAIL CONTENT STRIPPED BUT AVAILABLE IN PDF AT:**

[http://www.4shared.com/download/bCqn9kFAba/62615\\_127\\_pm\\_edt\\_-\\_a\\_developm.pdf?lgfp=3000](http://www.4shared.com/download/bCqn9kFAba/62615_127_pm_edt_-_a_developm.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** a developmental framework for final resolution  
**Date:** June 26, 2015 2:27:12 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is designed to establish certain “intrapsychic and perceptual boundary conditions” for what's called a “temporal-representational perceptual inversion” in which “the end” of “The Patent '813 Story” becomes “the beginning” and “the beginning” becomes “the end.” But there is some dimension to this that is best understood in view of some insightful contributions made by developmental psychologist Erik Erikson who identified “eight stages” of “psychosocial development” beginning with a “first stage” of “trust vs. mistrust” and ending with a “last (eighth) stage” of “ego integrity vs. despair,” with a “seventh (pre-terminal) stage” of “generativity vs. stagnation.” These stages can be regarded as relevant to any human experience in which the experience (on individual and/or collective levels) features a beginning and end, whether “college,” a “particular job” or “working any job generally,” a “summer vacation,” a “marriage” or “married life in general,” an “inter partes review,” “reading a book,” etc...

In this light, any “story” or “experience” that has an “end” also has a “beginning” and these two

## The Patent '813 Story, Part II -- Version 2

“developmental bookends” are often experienced by the person/group as taking place concurrently, though not always in “conscious visibility” of the “experiential participant.” For instance, in my “role” as a voluntary faculty member for Yale’s Department of Psychiatry, I have been meeting with a fourth-year psychiatry resident who I have supervised this year. In recent weeks, we have discussed his “ending the psychiatry residency training program” in view of his “beginning a real job as a psychiatrist,” as well as various doubts and uncertainties that he has been experiencing as he feels increasing anxiety about his “ending one experience to begin another experience.” These conversations have had their own interesting dynamic, becoming more illuminating for him (as it would seem to me in my “supervisor role”) as a function of time and his own “conscious visibility” of how his own “individually-based theater of consciousness” is adapting to the evolving “beginning/ending experiential sequence.” You can call this a “dual developmental beginning/ending experiential phenomenon” in that there is “developmental movement” to that Eriksonian “first stage of development” defined by “trust vs. mistrust” but there is also “developmental movement” to that “last stage of ego integrity vs. despair,” all in view of the “real-time experience” that comprises Erikson’s “seventh stage of generativity vs. stagnation.” These are simple yet important concepts that Erikson frames in view of the “one individual’s psychosocial development” (or a “universal framework” for “one individual’s developmental life trajectory.”) But they can also be applied to “group psychosocial development as-a-whole” to explain how a “group” may deal with these same “developmental challenges” in its “group process.” In this respect, Erikson provides a very insightful explanatory framework that can be applied to understand how people experience things from their own “individually-based” -- or even “collectively-based” -- “theaters of consciousness” at the “beginning” and “end” of an experience.

So if you think of “final resolution” of “The Patent '813 Story, Part II” as “ending one part” (i.e., “Part II”) of “The Patent '813 Story” to “begin a new part” (i.e., “Part III”), it’s easy to see how there is a “developmental regression/maturation split” as one group “regresses” toward a position of “beginning mistrust/terminal despair” while another group “matures” toward a position of “beginning trust/terminal ego integrity” that itself can be manifestly evidenced in view of one group “stagnating” (i.e., the “projection-based splitting group”) and another group “generating” (i.e., the “non-projective final resolvers”) as “final resolution” of “The Patent '813 Story, Part II” reaches its “self-actualization.” Erikson’s highly polarized representation of these developmental milestones is right on, which is why in the email you received on behalf of the company at 12:33 EDT today indicated that “final resolution” involves extreme -- i.e., highly polarized -- intrapsychic/perceptual and behavioral boundary conditions. The nice thing about “final resolution” is that the “final split” isn’t designed to take place in “one person’s individually-based consciousness” or “one group’s collectively-based consciousness” that would leave a lot of people mentally troubled but to the contrary is designed to leave the split “between the two groups,” with each individual and each respective group therefore wholly located/consolidated on one side of the split (opposite each other). Psychodynamically, you couldn’t imagine a better “final resolution.” But the only way that can happen is if there is a “developmental split” between two groups as “final resolution” finally resolves “The Patent '813 Story, Part II” so that it’s “Part III” can “formally begin.”

With this in view, think about what follows in this email after the signature line below. If you were to print out this company email in a Word doc in Helvetica 10 font, it would be 637 pages long. If you’ve been “psychodynamically paying attention” to the way this real-life experiential story called “The Patent '813 Story, Part II” has been written, you’ll understand this email’s “recursive non-projective logic” that is designed to sequentially eliminate projection-based splitting by splitting it off from the “theater of consciousness” out of which “the reader” can “consciously understand” the story. But this is the twist -- and it’s a big one. The company’s ‘813 Patent and ‘249 Application represent one form of “intellectual property” with one “IP owner” while “The Patent '813 Story -- Parts I and II -- and III to come” represent another form of “intellectual property” with another “IP owner.” Who do you think owns “The Patent '813 Story”? Do you understand why the “IP,” as

## The Patent '813 Story, Part II -- Version 2

broadly defined to include pharmaceutical patents (business) and behavioral matters (intelligence work), among other forms of "IP," was "split" that way? If you know the answers to these two questions, then you really understand how consciousness works at both the individual and group levels, and you may even have an insight into the nature of the October 1, 2014 "secrecy agreement" that established this framework. If you don't, that's OK because "final resolution" is designed to make them very obvious so that any reasonable person would understand them. The implications of this, of course, couldn't be any more monumental.

### REMAINING EMAIL CONTENT STRIPPED BUT AVAILABLE IN PDF

**AT:** [http://www.4shared.com/download/UVU\\_iUlnba/62614\\_227\\_pm\\_edt\\_a\\_development.pdf?lgf p=3000](http://www.4shared.com/download/UVU_iUlnba/62614_227_pm_edt_a_development.pdf?lgf p=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: Potential changes to your online privacy]]  
**Date:** June 26, 2015 6:33:13 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide some additional "perceptual tools" to understand how "final resolution" of "The Patent '813 Story, Part II" is psychodynamically/behaviorally designed to not only "show" how that "foundational problem in consciousness" works but also how it can be "psychodynamically resolved" at the individual level (in each person's "theater of consciousness" ) through "behavioral observations at the group level" as they are "individually expressed."

As you've been informed, one objective of "final resolution" is to "revert projectively-based splitting" to its "root cause source" in the "GCE's theater of consciousness" -- kind of like a "consciousness black hole" that implodes on itself -- so there's no longer any medium for distorting reality in the GCE-participant's "individually-based theater of consciousness." This first requires consciously identifying an "acting out behavior" based on "projective identification" to the GCE's "projection-based splitting theater of consciousness/communication platform." Once this "conscious identification" is made to the "acting out behavior," a "reciprocating action" is taken by "me" in whichever proper representative role is needed (i.e., legal, business, professionally accepted standard). Think of this "action -- response action dynamic" in terms of actions that have been taken by the company or its collaborators on any number of occasions "in response" to Shire, FLH or "presumable GCE-participants," beginning with Shire's "first foundational action" of the IPR of the '813 Patent against LCS Group.

The nature of this "reciprocating action" (to the "acting out behavior") functions like a "behavioral mirror" except the nature of its behavior (from the company or its representatives or the company's collaborators or their representatives) doesn't "mimic" the "acting out behavior" but rather confronts it with the reality of its "motivational nature." That, in turn, drives an amplification of "projection-based splitting" and a "reciprocating projective identification and acting out" which is then once again "reciprocated" by a "non-projective action" from the company or one of its collaborators. This is the "psychodynamic/behavioral process" of "The Patent '813 Story, Part II" and you can see how it goes on and on and on until the "mutually reciprocating dynamic" becomes very obvious and highly amplified for the motivational intent of any "given action/behavior," whether from "me" (in a particular representative capacity) or a GCE-participant's (in a particular representative capacity). You can see how this has played out in "The Patent '813 Story, Part II" with more "dramatic action" in the last few months.

## The Patent '813 Story, Part II -- Version 2

However, with that "motivational amplification and obviousness" the communications of GCE participants "to Louis Sanfilippo" start becoming non-projectively-based because the GCE participant realizes that "I" am "consciously aware" of their involvement in the GCE. This is a critical development because it means that their communications "to Louis Sanfilippo" begin to more closely approximate the "actual reality" of the GCE's "theater of consciousness" that "consciously orients" them in their communication with "me," as if they were telling "me" very specific things about it and how it works. And the more GCE participants that would be communicating to "Louis Sanfilippo" non-projectively, the more "consciously visible" its "communication platform" and "consciousness contents" would become to "me."

As you know, "email communications" have been the primary way that "I" -- in whichever representative capacity I have determined appropriate (i.e., Manager Lucerne Biosciences; CEO LCS Group; MD/Psychiatrist; Louis Sanfilippo - personally) -- have communicated the presumed GCE participant's "behavior" in "The Patent '813 Story, Part II" for its "written transcript." But what I haven't told you (in any representative capacity) is that the most revealing "intel" about the GCE's "communication platform" and "real-time theater of consciousness" doesn't come "electronically." It actually comes from people "in person" (i.e., verbally). You would not believe the kinds of things that "I" am hearing on a daily -- actually on an hourly basis -- to the point where I can **consciously see** how the GCE's "global theater of consciousness" has effectively commandeered these individual person's "individually-based theater of consciousness" and which they are now characterizing for me so I can help them figure out how to free themselves from it, which I gladly do in whichever appropriate representative capacity is warranted.

Now just imagine if "my communications" to such persons (in whichever representative role is appropriate) involved numerous persons. You can see how this would really provide me enormous amounts of "psychodynamic and behavioral informations" on the GCE's "theater of consciousness" and its "communication platform," and allow "me" (in whichever appropriate representative role) to make "therapeutic interventions" to resolve the GCE's "global intrapsychic conflict" through various of its "individual participants" (its "resolution," of course, being through the proper "diagnosis" and "treatment"). In some sense, this is a psychiatrist's dream situation because it effectively brings the GCE's "theater of consciousness" directly to "me" (through any number of representative roles) so that I can make observations and provide it treatment (as I have been doing on more fronts than just emails from the company in my role as its Manager). And I can also stay ahead of the patient that is the GCE's "theater of consciousness" ("who" has been quite confused of late) by providing "it" information about its clinical condition at such time that it would appear "clinically reasonable" (as in "now").

In this light, you can **metaphorically** consider Lucerne Biosciences, LLC as the "equivalent" of "Louis C. Sanfilippo, MD, LLC" (the business entity where I see my private patients) and "LB public Manager Louis Sanfilippo" as the "equivalent" of "Board-certified psychiatrist Dr. Louis Sanfilippo." And it's now very clear that Lucerne Biosciences' has "one very self-conflicted and confused patient" that is the GCE's "global theater of consciousness," but it's not so confused as it once was because it's clearly starting to "consciously see the truth" of its own previously "repressed problems." Once that happens, any competent psychiatrist know what comes next.

In any event, think about this. It has to be a first in human history -- a biotech company owning an invalidated patent of a perfectly patentable patent for an FDA approved drug indication working under a secrecy agreement with its collaborators and a behavioral intelligence team that is treating a "global theater of consciousness" by making very well-coordinated therapeutic interventions involving its Manager and its collaborators across many "points of clinical contact" with the "individually-based theaters of consciousness" of the "globally-based theater of consciousness." That must be unprecedented in the history of mankind. This story keeps getting bigger and better! Who knows where it will be by tomorrow night? Or next

## The Patent '813 Story, Part II -- Version 2

weekend that is the fourth of July weekend? After all, did you expect to get this email this evening?

Anyway, look at the email below and take note of how "Lucerne Biosciences, LLC" will "reciprocate to it over" the next few minutes. Then think about how much more effective the reciprocation would be "in person." That may help you understand why things are moving as quickly as they are.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** **Fwd: [Fwd: Potential changes to your online privacy]**  
**Date:** June 26, 2015 4:46:44 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** [Louis Sanfilippo <louiscsan@aol.com>](mailto:louiscsan@aol.com)  
**Subject:** **Fwd: Potential changes to your online privacy**  
**Date:** June 26, 2015 3:54:29 PM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)

Sent from my iPhone

Begin forwarded message:

**From:** [GoDaddy <notice@e.godaddy.com>](mailto:notice@e.godaddy.com)  
**Date:** June 26, 2015 at 2:20:58 PM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)  
**Subject:** **Potential changes to your online privacy**  
**Reply-To:** [21435341594534\\_1000dr8wt6fh-reply@e.godaddy.com](mailto:21435341594534_1000dr8wt6fh-reply@e.godaddy.com)

**[EMAIL CONTENTS STRIPPED]**

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: We've received your payment.]]  
**Date:** June 26, 2015 6:34:23 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** Fwd: [Fwd: We've received your payment.]  
**Date:** June 26, 2015 4:45:36 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Fwd: We've received your payment.  
**Date:** June 26, 2015 3:57:41 PM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)

Sent from my iPhone

Begin forwarded message:

**From:** "American Express" <[AmericanExpress@welcome.aexp.com](mailto:AmericanExpress@welcome.aexp.com)>  
**Date:** June 26, 2015 at 3:29:59 PM EDT  
**To:** <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** We've received your payment.  
**Reply-To:** "American Express"  
<[DoNotReplyUS@service.americanexpress.com](mailto:DoNotReplyUS@service.americanexpress.com)>

**[EMAIL CONTENTS STRIPPED]**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: We've received your payment.]]  
**Date:** June 26, 2015 6:35:31 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Begin forwarded message:

**From:** [Byan Haygins <byan.haygins@aol.com>](mailto:byan.haygins@aol.com)  
**Subject:** Fwd: [Fwd: We've received your payment.]

## The Patent '813 Story, Part II -- Version 2

**Date:** June 26, 2015 4:46:11 PM EDT

**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Fwd: We've received your payment.  
**Date:** June 26, 2015 3:57:14 PM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)

Sent from my iPhone

Begin forwarded message:

**From:** "American Express" <[AmericanExpress@welcome.aexp.com](mailto:AmericanExpress@welcome.aexp.com)>  
**Date:** June 26, 2015 at 3:34:31 PM EDT  
**To:** <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** We've received your payment.  
**Reply-To:** "American Express"  
<[DoNotReplyUS@service.americanexpress.com](mailto:DoNotReplyUS@service.americanexpress.com)>

**[EMAIL CONTENTS STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>

**Subject:** Fwd: [Fwd: [Fwd: parking, rent]]

**Date:** June 26, 2015 6:37:13 PM EDT

**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: parking, rent]  
**Date:** June 26, 2015 6:35:58 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Fwd: parking, rent  
**Date:** June 26, 2015 3:58:11 PM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)

Sent from my iPhone

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>  
**Date:** June 26, 2015 at 3:42:30 PM EDT  
**To:** XXXXXX XXXXXX <XXXXXX.XXXXXXXXXX@snet.net>  
**Subject:** Re: parking, rent

XXXXXX,

Thanks for your patience. I'm finally getting to a stack of bills and just cut an e-check for \$1845 (ETD 7/1) that should bring things up-to-date for May/June/July. Have a nice weekend.

Best,  
Louis

On Jun 16, 2015, at 12:07 PM, XXXXXX XXXXXX wrote:

Hi Louis- I see you are in space CC today, which is fine. I do not think DDDDDD is here today. So, I have a visitor parked in your space, BB. Also, we have not received the rent for May or June. Thanks so much- W.

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** what's happening with the 249 App and the USPTO's "material alteration of the record" after the June 13 PR?  
**Date:** June 26, 2015 10:48:16 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

Lucerne Biosciences has a question for you and would like it if you could provide some kind of explanation or insight, if for no other reason than for history or for the presumed GCE audience who may be reading this email.

Recall that the company issued its press release on the PTAB's invalidation of the '813 Patent on **Saturday June 13, 2015 at 7:00 pm EDT**. Now take a look at the two attached "PDF screen captures" made from the USPTO's transaction history on the '249 Application, one on **Friday June 12, 2015 at 5:12 pm EDT** and the other on **Monday June 15, 2015 at 11:15 am EDT**. **They are materially different based on an addition of one line.** The June 15 "screen capture -- that comes less than two days after the press release but importantly about three hours into the "next business day" after the June 12 at 5:12 pm EDT screen capture -- **features a new material addition for the date of "August 20, 2014" that states "ENTITY STATUS SET TO UNDISCOUNTED (INITIAL DEFAULT SETTING OR STATUS CHANGE)."** You can clearly see that someone at the USPTO materially altered the transaction history of the '249 Application between Friday June 12 at 5:12 pm EDT and Monday June 15 at 11:15 am EDT.

Considering the timing, it would seem that someone at the USPTO materially altered the transaction history of the '249 Application **based on the company's June 13, 2015 press release**, going all the way back to August 20, 2014. What's going on, Joe? It's one thing for the National Security Agency (aka, "Maryland Procurement Office on 9840 O'Brian Road") to be the

## The Patent '813 Story, Part II -- Version 2

first organizational hit for the company's June 13 press release and then apparently attempt to de-optimize its on-line visibility with all that non-generative-view web crawling but it's another thing when the USPTO is making material changes to the transaction history in apparent response to the press release (during that same timeframe), perhaps even working over the "press release weekend" to make the material alteration.

What the hell is going on, Joe? Is the USPTO "acting out" from the presumed GCE's "theater of consciousness" that seems to have everyone psychotically behaving without any regard to the law, perhaps here trying to change the record to put "Louis Sanfilippo personally" into the middle of all the GCE's "intrapsychic and behavioral chaos," as if making all the "lies" consistent with each other can somehow salvage the GCE's objective of "global unity through Louis Sanfilippo personally"? If "ENTITY STATUS SET TO UNDISCOUNTED (INITIAL DEFAULT SETTING OR STATUS CHANGE)" translates to something like that, this may be the biggest interference problem yet in "The Patent '813 Story, Part II" because it would implicate the USPTO in potentially unlawful conduct and interference in something that any reasonable person would see there's absolutely no reason for them to be involved in, much less "in response" to "first amendment rights to free speech" in a press release. Or what if the NSA bullied the USPTO into materially altering the the transaction history? Regardless, if the USPTO's involvement with the '249 Application has been dirtied with this GCE-based irrationality and lawlessness that seems to be the "root source cause" of Shire's fraudulent IPR that invalidated the '813 Patent (and the "global public silence" on the June 13 press release), who's ever going to trust the USPTO again? If this "June 15 material addition to the 249 App's transaction history" is an effort by the USPTO to "lawlessly personalize the patent owner of the 249 Application" the way everyone has been "lawlessly personalizing Louis Sanfilippo" in just about everything, it would look really bad to the "global public consciousness" in view of the Patent Board's apparent collusion with the presumed GCE in the IPR (as evidenced most dramatically in their May 21 misrepresentation of the '813 Patent's Owner). This would be like the USPTO making a steroid injection of mistrust into the mind of any inventor or business that gets involved with the USPTO.

Joe -- is the company missing something? Last time I checked reality as its "publicly visible Manager," the United States of America was a constitutional democracy with bodies like the USPTO supposed to be functioning lawfully and without undue influence from third-parties. Did I miss the news that some kind of communist politburo has taken over the country -- or the USPTO -- whose objective seems to be to meddle in business and private free enterprise, as well as to interfere in free speech? The company would like you to make a few comments if you could that can be memorialized in history so that when your children and mine read the story they can understand why it had a such a big impact on U.S. history (or world history if this outrageous behavior continues to the point that the matter becomes a global issue not just a U.S. one). But then again, the company won't force you to comment. That's your choice if you want. The company doesn't believe in dictatorial lawless rule that has no qualms bullying, discriminating, deceiving and misrepresenting for the apparent purpose of trying to harm a company that owns intellectual property that it believes can help many human lives.

You have kids, Joe. Don't you want them to trust organizations like the UPSTO? What's going to happen to America if its inventors and businesses can't even trust federal Offices like the USPTO that are supposed to make sure they follow the law and act independently? This, of course, raises a very important "developmental question" in view of the email you received from the company earlier today regarding a developmental perspective on final resolution (i.e., "trust vs. mistrust" and "despair vs. ego integrity"): who can you trust? "The Patent '813 Story, Part II" is designed to answer that question very definitely. After all, any story that has a "final resolution" that finally resolves everything perfectly, including enough chaos that you'd think the world was ending, would certainly need to have something valuable to say about "trust" and who you can trust to "get the job done."

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **ATTACHMENTS:**

**"6.12.15 5 pm EDT. USPTO Public PAIR Transaction History and Image File Wrapper for US Patent Application 14-464,249 as of 6.12.15 at 5 PM EDT.pdf"** is available at:  
[http://www.4shared.com/download/xVUfTKA2ce/61215\\_5\\_pm\\_EDT\\_\\_USPTO\\_Public\\_P.pdf?lgfp=3000](http://www.4shared.com/download/xVUfTKA2ce/61215_5_pm_EDT__USPTO_Public_P.pdf?lgfp=3000)

**"6.15.15 USPTO Public PAIR Transaction History and Image File Wrapper for US Patent Application 14-464,249 as of 6.15.15 at 11 AM EDT.pdf"** is available at:  
[http://www.4shared.com/download/bK7M07cOce/61515\\_USPTO\\_Public\\_PAIR\\_Transa.pdf?lgfp=3000](http://www.4shared.com/download/bK7M07cOce/61515_USPTO_Public_PAIR_Transa.pdf?lgfp=3000)

### **Saturday June 27, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** what's happening in the Board's IPR final representation of "Settled"  
**Date:** June 27, 2015 12:18:28 AM EDT  
**To:** Joe Lucci <jlucci@bakerlaw.com>

Joe,

The company has another question but would like you to answer this one for "real-time documentation" purposes and for the presumed GCE reading audience. The company has looked into how the Board represented itself **to the public** in its adverse judgement that cancelled all thirteen of the '813 Patent's claims in view of how the Patent Board routinely represents many other IPR decisions **to the public**. There's a very troubling "representation issue" here.

If you look at the IPR portal that designates the 'Status' of the IPR of the '813 Patent, you'll see that it says "Settled." Why in the world is the Board stating to the public that the IPR was "Settled"? Why doesn't the Board say what it says in most of its other decisions when it invalidates a patent, like "**Final Decision**"? If you look IPR decisions that were "Settled" it's not hard to see that they're settled because the two parties in the IPR often ask the Board to terminate the IPR proceeding so that they can enter into a confidentiality agreement to "settle on business terms." (This, of course, is what Shire wanted from the outset - right?) But nothing like that happened in this IPR of the '813 Patent. To the contrary, Lucerne Biosciences informed the Board that the IPR was being used for a "behavioral/business intelligence experiment platform gone bad" and that Shire's "side of things" was engaged in serial misrepresentation because that was the objective of the "deception-based intelligence experiment" from their "side of things," while there was massive evidence to show the '813 Patent was valid.

## The Patent '813 Story, Part II -- Version 2

Joe, it would seem as if the Board is trying to deceive the "global public consciousness" into misperceiving that this matter was "settled" between Lucerne Biosciences and Shire Development LLC. But you -- or any reasonable person -- can see that it's anything but settled. Frankly, it's about the most unsettled matter in U.S. legal history as far as Lucerne Biosciences and its collaborators are concerned. This usage of language "Settled" (rather than "Final Decision") would explain how the Board is in "on the collusive silence," trying to give the IPR a "deceptive public appearance of settlement" and that "all's well" when all is not well because (i) the IPR was bogus and fraudulent from the beginning, (ii) killed an innocent patent and (iii) is only the "tip of the iceberg" of a problem that has the potential to shake the foundation of the United States of America if someone on the presumed GCE's "side of things" doesn't step up to take some accountability for this pervasive and ever-increasing chaos and deceptiveness to the general public. The Board is clearly minimizing (if not completely repressing) that it made a "final decision" to invalidate the '813 Patent, just the way that the presumed GCE's "global private consciousness" is keeping the '813 Patent's invalidation silent on the internet (with help from national intelligence agencies like the NSA and apparently companies like GOOGLE, as mentioned in a company email to you).

This is very serious stuff, Joe. If I were President Obama and I'd been informed of this matter, I'd personally call the USPTO -- both the examiner/supervisor of the '249 Application (in view of the last email I sent you on behalf of the company) and also the Patent Board that oversaw the IPR of the '813 Patent -- to personally tell them all to get in line and start acting maturely and honestly before they become the cause of national anarchy and irreparable distrust for federal offices. If I were President Obama and I'd been informed of this matter, I'd tell Examiner Robinson she better do something quick that's "honest behavior" before the presumed GCE's participants themselves turn against the GCE and align with the general public to make this '813 Patent/'249 Application matter an immediate national security crisis! I suppose if there's one person in the United States who can intervene to do something positive for the country before this matter spirals further out of control into a global security crisis, it would be President Obama. And in fitting with this role as the leader of the executive branch, his fiduciary obligation would be to take up matters at the USPTO level.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Some additional "perceptual modeling tools" for what's coming very soon

**Date:** June 27, 2015 4:43:11 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, this email is to provide you some additional "intrapyschic and perceptual tools" for the rather serious email that's forthcoming at some point soon (likely this weekend) which has already been mostly written but requires additional "narrative-perceptual modeling" because of its potentially "highly psychologically destabilizing" content.

Below are time-stamped PDF's of six google searches based on the triad of all three terms of (i) "8318813," (ii) "invalidation" or "invalidate" and (iii) "lucerne" or "lcs group" or "louis sanfilippo." Take note that there are "restricted first search results" when "lucerne" or "louis

## The Patent '813 Story, Part II -- Version 2

sanfilippo" is used as a key word in "(iii)" which limits the search results to 5-6 results with that "terminal disclaimer" that states "In order to show you the most relevant results, we have omitted some entries very similar to the 5 [or 6] already displayed. If you like, you can repeat the search with the omitted results included." (See attached Sequence 1 and Sequence 3 google searches). But when you use "LCS Group" as a key word in "(iii)" you get 59-6510 search results with no "terminal disclaimer." If you frame this "psychodynamically," you could say that Google is "repressing" "Louis Sanfilippo" and "Lucerne Biosciences" as associated with the "invalidation of the '813 Patent" but not as much repressing "LCS Group." Why do you think that would that be?

If you think of the presumed GCE's "theater of consciousness" motivating, perhaps, some people working at Google who've selectively made some "repressive search tweaks" to the way "invalidation" or "invalidate" works in the Google search algorithm across the terms "Lucerne," "LCS Group," and "Louis Sanfilippo," this would reveal some very important "global intrapsychic information" on the how the GCE's "theater of consciousness" is thinking and reasoning. As it turns out, these "repressive search results" are very relevant and predictive of how "final resolution" is designed to work. Do you see what I mean? Think about the "SEAL Team 6 metaphor" with the three "SEAL Team 6 member-equivalents" surrounding the "Bin Laden-equivalent." If you see what I mean, then you probably won't be that "psychological destabilized" by the email the company expects to send at some point very soon. But if you don't get it, that's OK too. The coming "perceptual amplification" in "The Patent '813 Story, Part II" is designed to provide you the "real-time perceptual tools" you need to "consciously understand and see" how "final resolution" is designed to work as it happens in real-time.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **ATTATCHMENTS:**

**"Sequence 1 8318813 lucerne invalidation - Google Search.pdf"** is available at:  
[http://www.4shared.com/download/t8\\_JeicSce/Sequence\\_1\\_8318813\\_lucerne\\_inv.pdf?lgfp=3000](http://www.4shared.com/download/t8_JeicSce/Sequence_1_8318813_lucerne_inv.pdf?lgfp=3000)

**"Sequence 1a. 8318813 invalidate lucerne - Google Search.pdf"** is available at:  
[http://www.4shared.com/download/sktoUWS2ce/Sequence\\_1a\\_8318813\\_invalidate.pdf?lgfp=3000](http://www.4shared.com/download/sktoUWS2ce/Sequence_1a_8318813_invalidate.pdf?lgfp=3000)

**"Sequence 2. 8318813 lcs group invalidation - Google Search.pdf"** is available at:  
[http://www.4shared.com/download/FzDkoZREba/Sequence\\_2\\_8318813\\_lcs\\_group\\_i.pdf?lgfp=3000](http://www.4shared.com/download/FzDkoZREba/Sequence_2_8318813_lcs_group_i.pdf?lgfp=3000)

**"Sequence 2b. 8318813 invalidate lcs group - Google Search.pdf"** is available at:  
[http://www.4shared.com/download/1TgWFn1cce/Sequence\\_2b\\_8318813\\_invalidate.pdf?lgfp=3000](http://www.4shared.com/download/1TgWFn1cce/Sequence_2b_8318813_invalidate.pdf?lgfp=3000)

**"Sequence 3. 8318813 louis sanfilippo invalidation - Google Search.pdf"** is available at:  
[http://www.4shared.com/download/2MlyAuVXce/Sequence\\_3\\_8318813\\_louis\\_sanfi.pdf?lgfp=3000](http://www.4shared.com/download/2MlyAuVXce/Sequence_3_8318813_louis_sanfi.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**"Sequence 3a. 8318813 invalidate louis sanfilippo - Google Search.pdf"** is available at:  
[http://www.4shared.com/download/Q8VdShkMce/Sequence\\_3a\\_8318813\\_invalidate.pdf?lgfp=3000](http://www.4shared.com/download/Q8VdShkMce/Sequence_3a_8318813_invalidate.pdf?lgfp=3000)

**Sunday June 28, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** an article that may help your understanding  
**Date:** June 28, 2015 9:59:12 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC this email is to provide you some additional reading material if you're interested in the broad consciousness (and therefore broad behavioral) implications of "The Patent '813 Story, Part II" before you get that email that could be potentially "highly psychologically destabilizing." It would seem, based on field-intel the company is receiving, that this article may help to clarify certain things for what may be a number of unsettled and confused GCE-participants.

Take a look at the attached "Newsweek - Europe" story published June 24, 2015 (four days ago) called "Could Artificial Intelligence Kill Us Off?" by Bella Bathurst. For one, you have to wonder whether she's an "observing GCE-participant" given the timing and content of her article which features some very thoughtful and relevant points in view of "The Patent '813 Story, Part II," as well as in connection to that omega-3 company (Cenestra Health) of which you've been generally been made aware through its relationship to "The Patent '813 Story, Part II." The article looks at the mystery of consciousness and cites some leading current consciousness scholars (like Robert Chalmers), some prior consciousness investigators (philosophers, theologians) and even has some material on the CIA, perfectly fitting for "The Patent '813 Story, Part II" as it approaches its "final resolution."

But take particular note how it brings up two concepts, one called "The Omega-Point" and the other called "The Singularity." This is quite fascinating in view of a how "final resolution" to "The Patent '813 Story, Part II" has been designed to "intrapsychically and perceptually" work. The "Omega-Point" is fascinating because, as it turns out, the "final resolution" for "The Patent '813 Story, Part II" is "predictively modeled" (at the intrapsychic/behavioral levels) on another "final resolution" that also deals with a serious "projection-based splitting problem" -- one that has severely plagued that omega-3 company (Cenestra Health) in which I am a Manager. Lucerne Biosciences is aware that the "final resolution" (for that omega-3 company) has already been virtually all written with hardly a typo (with the help of the same outstanding counsel that has helped Lucerne and its collaborators in "The Patent '813 Story, Part II"), is about 700 single-spaced pages in length (Helvetica 12 font), and based on a "resolution agreement." This "resolution agreement" (as generically characterized here) is a "company accountability agreement" that is designed to make every single person in the company "personally individually accountable" for their behaviors and actions, and "final resolution" is its "practical (i.e., legal) enforcement" using (as in the case of the omega-3 company) something like a nuclear bomb to make a "teaching point" about what happens to people when they try to escape accountability for their fiduciary role in a legitimate business entity. While the company is aware that the "final resolution" of that "omega-3 story" is essentially the same in its "intrapsychic and perceptual

## The Patent '813 Story, Part II -- Version 2

basis" as the "final resolution" for "The Patent '813 Story, Part II," it's also aware that it is totally different in its "written presentation" which is enough to completely blow your mind because there's nothing I'm aware of (in any representative capacity) that has ever been written like it in the history of humankind. Regardless, its objective in each "real-life story" is the same: "to get to the truth of the matter" (in consciousness) by permanently and finally resolving the "root cause source" of the "projection-based splitting problem" that seeks to "conceal the truth of the matter" (in consciousness). This, of course, makes the concept of "The Omega-Point" featured in the article quite fascinating on many interpretative levels, not the least of which is its "consciousness relationship and implications" to that omega-3 company and its own imminently expected "final resolution."

"The singularity" referenced in the article is also a fascinating concept. If you think about it in terms of what you've learned about consciousness from "The Patent '813 Story, Part II - version 2" (in its real-time evolution) then the first thing you'd see is that a "singularity," as modeled on the "projection-based splitting" of the presumed GCE's "theater of consciousness," would necessarily "catastrophically fail" (to be a "singularity") over time. This is because of how "projection-based splitting" works in consciousness (at individual and group levels) to drive "projective identification and acting out" that drives others to do the same, which then leads to massive inter-personal splintering until there is a complete polarization of sub-groups in the "global theater of consciousness" -- one sub-group that is blind to the "PB-S problem" (and continues to try to perpetuate it) and another sub-group that consciously sees the problem (and understands its final resolution and helps drive it).

Psychodynamically, the "singularity" is an unrealistic fantasy insofar as its "intrapsychic consideration" is borne out of the "foundational PB-S problem in individually-based consciousness" (or "group-based consciousness"). However, "The Patent '813 Story's theater of consciousness" (that third and final theater of consciousness previously characterized in a company email to you) is designed to be a "singularity" in that it is designed to "non-projectively unite" the split between the "GCE's GP-S theater of consciousness" and the "Patent '813 Story's Part II NP-NS (non-projective non-splitting) theater of consciousness" through its "final resolution communication platform" that will allow its "Patent 813 Story-participant" to "consciously (non-projectively) see" in their own one "individually-based theater of consciousness" -- through the **"collectively-based Patent '813 Story theater of consciousness and its communication platform"** -- the two diametrically opposite sides of "the final split" that gave "conscious birth" to it. What do you think Robert Chalmers would say about that? This is why "The Patent '813 Story, Part II" is so big -- and why everything about it needs to be made public in the "global public consciousness" through the "Patent '813 Story's theater of consciousness" and its highly anticipated "communication platform" with its own soon-to-be participants making their own written "non-projective" contributions to it for the global public consciousness! This may be one the most important "global mental health developments" in human history with the potential to help a great many people improve their mental health!

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: "Could artificial intelligence kill us off?.pdf"** is available at:  
[http://www.4shared.com/download/m0DvncDoba/Could\\_artificial\\_intelligence\\_.pdf?lgfp=3000](http://www.4shared.com/download/m0DvncDoba/Could_artificial_intelligence_.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** building the perceptual/behavioral toolbox for final resolution

**Date:** June 28, 2015 12:50:17 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC this email is to provide you some additional "perceptual and behavioral understanding-type tools" to help you better appreciate what's coming very soon, as you'll have your own important "behavioral decisions" to make in view of what you see happening in real-time.

Take a look at the [CNN.com](#) headline story attached below from 11:50 am EDT today (just a handful of minutes ago). Its title is "SpaceX Rocket Explodes: 'It's not clear what happened' to unmanned space vehicle." This, of course, is a devastating blow to SpaceX and its founder/CEO Elon Musk (last I checked). But if you know anything about Elon Musk and SpaceX, you'll know that the last thing that's going to happen is for SpaceX and Elon Musk to sit paralyzed in failure and endless debate. To the contrary, based on everything that I've ever heard about him and SpaceX in any venue is that this massive setback will be productively utilized to make a better "next rocket" based on a thoughtful analysis of the explosion to determine its "root cause source." But as of now, "it's not clear what happened" -- though over time the objective for SpaceX and its founder/CEO would be to "make clear what happened" and use that "clarity of knowledge" to make a better rocket to therefore advance the objectives of SpaceX. This naturally means that SpaceX and its team have to be rational and clear in communicating the nature of the problem among their skilled team, using as much fine detail as possible, and work through it to its "foundational root-cause source problem." In this respect, the "explosion" would be evaluated in view of what caused it at the "root cause source level" so that it can be "treated at the root-cause source level" for the construction of the next rocket.

You can think of this example in view of the company's '813 Patent and its invalidation, namely, while it may not be clear "what happened" that led to its invalidation the objective of "The Patent '813 Story, Part II" and its "final resolution" is to identify the "root cause source" of the problem that led to its invalidation, as performed by those with skill in making such determinations (i.e., Lucerne Biosciences and its collaborators). That knowledge of its clarification at the "root cause source" of the problem will then lead to a better "one or more next patents" for the use of lisdexamfetamine dimesylate to treat Binge Eating Disorder.

This is what innovation is all about, using problems and setbacks to make new discoveries and to strengthen that which already has a firm foundation. That's a life lesson that anyone can benefit from, making "The Patent '813 Story, Part II" a story about working through tragedy and hardship for successfully resolving difficult problems. Isn't that the kind of lesson you'd want your kids to internalize in their way through life? In this light, the "Patent '813 Story" and its "communication platform" -- when it expectedly goes globally public on-line -- can be something that you can point out to your children as an example of how this was done in "real-life" and in "real-time." You'd even be able to tell them of your own role in it. After all, by the time the website for "The Patent '813 Story" would go live everything would be ready to be made public, including your role in its "root cause source problem" as well as in its "final resolution."

Sincerely,

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHMENT: "CNN.com SpaceX Rocket Explodes.pdf"** is available at:  
[http://www.4shared.com/download/J7WGD6Fsce/CNNcom\\_Space\\_X\\_Rocket\\_Explodes.pdf?lgfp=3000](http://www.4shared.com/download/J7WGD6Fsce/CNNcom_Space_X_Rocket_Explodes.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: [nhppc] NYTimes: Tell It About Your Mother]]  
**Date:** June 28, 2015 2:51:59 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you and the presumed GCE "theater of consciousness" some "slightly-delayed but generally real-time intel" that would seem to be providing valuable "motivational insights" taking place within the GCE's "theater of consciousness" based on a unique "individually-represented sub-group expression" (which is the forwarded email below). You can be the judge of what the email below means to you, as sent from "nhppc@yahoogroups.com" (a group of psychiatrists practicing the New Haven area) by the individual representative "DrNelken@aol.com" at 11:27 am EDT today to "louiscsan@aol.com" presumably through a bcc (like that Aegis Capital email). Though take note that a "second version" of the text of transmittal of the email (from "DrNelken@aol.com") is cut/pasted directly below with "red bracketed commentary" that is the company's interpretation of the email communication vis-a-vis "me" its publicly visible manager that is "me" (Louis Sanfilippo).

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Read with interest the chatter about potential physical evidence of what we ALL already know and accept from the colossal discoveries made by Freud, who invented LISTENING

[This passage seems to signify that there's a lot communication activity on the GCE's communication platform and every GCE-participant knows and accepts the validity of the invention of the '813 Patent, as made by its inventor "Louis Sanfilippo," who invented it based on his work as a psychiatrist listening to patients]

Like all great inventions, universal adoption of his work has altered human life to such a degree that we can no longer conceptualize life without it.

[This passage seems to signify that the '813 Patent's sheer inventiveness (and non-obviousness) has already so altered the landscape of eating disorder diagnosis and treatment, to the extent that its paradigm shift in the treatment of eating disorders has already so significantly shifted the medical consciousness that it's hard to appreciate its massive scope because its inventive scope is quite massive.]

We view with some reluctance and disdain the historical times before the wheel, the telephone

## The Patent '813 Story, Part II -- Version 2

and the interview.

[The apparent significance of this passage is that it would be like saying, "We as a group of psychiatrists with skill in the art of diagnosing and treating eating disorders (and their history)" view with reluctance and disdain Shire's IPR petition and Dr. Brewerton's Declaration that represents things as if the eating disorder art hadn't even existed].

His invention has been given many other names by upstarts seeking to avoid paying royalties, but no one denies that at the time, no one else was listening to patients (an acronym for People Who Present With Complaints For Which No Physical Basis Can Yet Be Discerned).

[The significance of this passage seems to be a recognition that the '813 Patent has been victimized by all kinds of misrepresentations by "no-so-inventive entities" (like Shire, FLH and Dr. Brewerton) to avoid paying the appropriate royalties for its use when everyone knows that Shire should be paying royalties for its use because the '813 invention was based on its inventor listening to patients and using his skill to treat them with a highly innovate approach that deserves royalty payment (because it was a legitimate invention that no one else was thinking about at the time of its invention). The acronym "People who Present with Complaints For Which No Physical Basis Can Yet Be Discerned" is like saying, "the '813 invention was an invention for which it wasn't even conceivable to be an invention because there wasn't even any physical evidence for using a stimulant of any kind to treat it (which therefore deserves royalty payments)."

PWPWCFWNPBCYBD.

The "mind" does not exist. The word signifies all that cannot be explained by physical observation (physical including blood tests and xrays). It is thus negatively defined. We subdivide the realm into memories, thoughts, feelings, attitudes, etc., but the boundaries of these are precarious shifting sand dunes.

["PWPWWCFWNPBCYBD" (as referencing the line above it) seems to mean that "we get your abbreviations in the company's consciousness explanations and they make sense to us...thank you." When the email writes "The 'mind' does not exist," it seems to suggest that "we like your consciousness paradigm over that of Descartes' 'mind/body dualism' and here's why....."]

Psychoanalysis exists. Training for years to run a boutique practice for sophisticated patients is now unpopular in the face of insurance-funded Quick Treatment With Pills (QTWP).

["Psychoanalysis exists" seems to be like saying, "the company's psychodynamically-based communication to us vis-a-vis the GCE is valid" but this can be hard when there are "conflicting views in the GCE's theater of consciousness" with some wanting a "quick fix based on external interests."]

Many psychiatrists respond to money and see patients for fifteen-minute Evaluations only. Some give up medical practice entirely and trade gold futures or the like (one prominent Yale guy did this and is courted for his donations).

Some of us still listen.

## The Patent '813 Story, Part II -- Version 2

--superstitious old fogey.

[The first two sentences of this passage seem to signify that some psychiatrists are in it for money and some aren't even motivated to be in the field. But the inventor of the '813 Patent, in his role as the manager of the company he is representing in this "real-time GCE communication loop," clearly shows that he listens. And we too -- "the group of psychiatrists" that are "referentially communicating" with the company he helps manage -- are also listening. The problem that this passage seems to communicate about the GCE is that "we - the group of psychiatrists" - are representing our views in the only way that the GCE's "participant rules" allow, namely, by communicating them to him at his email "[louiscsan@aol.com](mailto:louiscsan@aol.com)" (on a personal basis) and in a way that really isn't clear or rational (hence "superstitious old fogey") but does at least follow the GCE's rather antiquated and irrational "participant rules."]

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>  
**Subject:** Fwd: [Fwd: [nhppc] NYTimes: Tell It About Your Mother]  
**Date:** June 28, 2015 1:21:59 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** "BBBBBBBBBB@aol.com [VVVVVV]" <[VVVVVVV@yahoogroups.com](mailto:VVVVVVV@yahoogroups.com)>  
**Subject:** [nhppc] Re: NYTimes: Tell It About Your Mother  
**Date:** June 28, 2015 11:37:20 AM EDT  
**To:** [cepoeverman@gmail.com](mailto:cepoeverman@gmail.com)  
**Reply-To:** [nhppc@yahoogroups.com](mailto:nhppc@yahoogroups.com)

Read with interest the chatter about potential physical evidence of what we ALL already know and accept from the colossal discoveries made by Freud, who invented LISTENING.

Like all great inventions, universal adoption of his work has altered human life to such a degree that we can no longer conceptualize life without it.

We view with some reluctance and disdain the historical times before the wheel, the telephone and the interview.

His invention has been given many other names by upstarts seeking to avoid paying royalties, but no one denies that at the time, no one else was listening to patients (an acronym for People Who Present With Complaints For Which No Physical Basis Can Yet Be Discerned).

PWPWCFWNPBCYBD.

The "mind" does not exist. The word signifies all that cannot be explained by physical observation (physical including blood tests and xrays). It is thus negatively defined. We subdivide the realm into memories, thoughts, feelings, attitudes, etc., but the boundaries of these are precarious shifting sand dunes.

## The Patent '813 Story, Part II -- Version 2

Psychoanalysis exists. Training for years to run a boutique practice for sophisticated patients is now unpopular in the face of insurance-funded Quick Treatment With Pills (QTWP).

Many psychiatrists respond to money and see patients for fifteen-minute Evaluations only. Some give up medical practice entirely and trade gold futures or the like (one prominent Yale guy did this and is courted for his donations).

Some of us still listen.

--superstitious old fogey.

-----Original Message-----

From: HHHH HHHHHHH <HHHHHHHHH@gmail.com>

To: BBBB BBB <BBBBBBBBB@aol.com>

Sent: Sun, Jun 28, 2015 10:03 am

Subject: NYTimes: Tell It About Your Mother

<http://www.nytimes.com/2015/06/28/magazine/tell-it-about-your-mother.html?smid=nytcore-iphone-share&smprod=nytcore-iphone>

Can

brain-scanning help save Freudian psychoanalysis?

Seen this?

What do you  
think?

Sent from my iPhone

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** convergence - this is getting really intriguing, isn't it?

**Date:** June 28, 2015 7:48:30 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you some perspective on what the company calls the "convergent nature" of how the "final resolution" of "The Patent '813 Story, Part II" would seem to now have support and encouragement from the "global public (yet still mainly local-U.S.) consciousness." After all, a story so historically unprecedented in all of humankind at apparently so many levels (i.e., business, behavioral/intelligence, legal, perceptual, etc...) would surely have some events taking place "outside of its immediate participants" that support its globally significant implications in view of developments "inside the experiential story."

## The Patent '813 Story, Part II -- Version 2

In this light, take a look at [CNN.com](#)'s headline news story from 4:15 pm EDT today that has the headline "Three Bullets to the Head: Tactical Team Killed Richard Matt" (who you can see is "DEAD"). Doesn't that sound familiar? That's how the "SEAL Team-6 equivalent" of "publicly visible LB Manager Louis Sanfilippo" and "secret LB Managers" "Richard Bocer" and "Michael Steigher" were tactically poised to take their respective three shots at the head of the "Osama Bin-Laden equivalent" this past Friday utilizing novel behavioral intelligence tactics for the purpose of eliminating the "projection-based splitting theater of consciousness" apparently causing all the "mental and behavioral chaos" among the presumed GCE-participants involved in "The Patent '813 Story, Part II." But remember that to get to the "projection-based splitting root cause source of the problem" ("PB-S CFR-equivalent"; aka, "No. 1 consciousness frame") you have to work "backwards" (aka, "reversion") beginning with the "projective identification and acting out behavioral manifestation of the problem" ("PI-AO CFR-equivalent"; aka, "No. 2 consciousness frame"). So "cross-experientially" you can see how the "killing of the first NY fugitive by a tactical team with three shots" (in the "global public consciousness") metaphorically resembles the "killing of the second consciousness frame of reference ("PI-AO CFR-equivalent") of the GCE" (in "The Patent '813 Story, Part II"). In this regard, the "PI-AO CFR-equivalent" is the "equivalent" of "killed" because it can't operate hidden anymore.

So what do you think would come next in the "global public consciousness"? Take a look at the [CNN.com](#) headline story "Captured" from 6:38 pm EDT today (below) that deals with the "other NY fugitive." Makes perfect "metaphorical and psychological sense," doesn't it?

So who's helping write this story that seems to be getting bigger and bigger by the hour, converging on events taking place in the "global public consciousness"? It would seem like it's the global public consciousness itself -- but the global public consciousness itself isn't supposed to know about the presumed GCE, its "theater of consciousness" and its "communication platform." This is really getting quite intriguing, isn't it? Where do you think the story will be on Tuesday June 30, the deadline for the Iran nuclear deal?

By the way, that potentially "psychological destabilizing email" is still on hold. It could go out tonight, though possibly tomorrow -- or it may not go out at all depending on what happens in the coming hours. It really changes the "consciousness frame of reference" for "The Patent '813 Story, Part II" quite a bit, which the company is trying to carefully assess for its near-term, intermediate and long-term psychological/behavioral implications with the objective of maximizing global mental health and optimally helping presumed GCE-participants "debrief" from a "behavioral/business intelligence experiment gone bad" because its GCE-founders would seem to have failed to explain to them that this stuff can really impact consciousness, perception and behavior in a not-so-healthy way.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC  
(Voluntary Faculty Member, Assistant Clinical Professor, Department of Psychiatry, Yale University School of Medicine)

### **ATTACHMENTS:**

**"CNN Story Three Shots to Head and Breaking News.pdf"** is available at:  
[http://www.4shared.com/download/XpMvVc9wce/CNN\\_Story\\_Three\\_Shots\\_to\\_Head\\_.pdf?lgfp=3000](http://www.4shared.com/download/XpMvVc9wce/CNN_Story_Three_Shots_to_Head_.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**"CNN Prison Escapee Captured, Shot Twice.pdf"** is available at:

[http://www.4shared.com/download/ncnurOCVce/CNN\\_Prison\\_Escapee\\_Captured\\_Sh.pdf?lgfp=3000](http://www.4shared.com/download/ncnurOCVce/CNN_Prison_Escapee_Captured_Sh.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Yet more "projective (and deceptive) irrationality" by the Patent Trial and Appeal Board!

**Date:** June 28, 2015 9:18:28 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, the company would like to point another example of how the Patent Board has "deceptively re-framed reality" in yet another public representation of theirs. This is a perfect example of "projection" and how it really can be so obviously irrational (and deceptive). Show to this to your kids and see if they get it. They're older than my kids who are only 8 and 10, but I think my kids would "get it" with some simple instruction on "accountability."

If you look at the way the Board represents the "termination of the IPR" in the IPR portal (in its itemized listing of Orders/Notices), it gets more irrational (and deceptive) than just "Settled" (as you learned about this weekend). Specifically, look at the PDF of the portal where it writes "Request for Adverse Judgment after Institution." What does that sound like to you? It sounds like the Board is saying Lucerne Biosciences "requested adverse judgment" -- but that's a lie. Any reasonable person would know that Shire made the request for adverse judgment against the company in its "Second Motions for Sanctions" and the Board decided it that way. The Board should be accountable for its "final decision" -- not "putting the problem of its final decision" on Lucerne Biosciences that made its argument directly to them for Shire's bogus IPR, the Board's apparently bogus involvement in the bogus IPR, and your bogus involvement in the bogus IPR. After all, the company's decision to not respond to Shire's Motion for Sanctions or the Board's procedural demands (that derived from it) was on the basis of "not engaging this behavioral intelligence experiment's lawlessness with more experimentally-based lawlessness." The Board's language is a perfect example of how a person/entity speaks when a person/entity knows that they've got "guilt blood on their hands" but wants to blame the wrong person/entity for the killing. Surely you must see that with hindsight, as would any reasonable person, as will history and your children and mine. That kind of careful language by the Board is what people do when they are seeking to "willfully and pre-emptively lay blame" for a problem that they consciously know is their own.

Joe: how did you get involved in all this chaos? It's so deep and pervasive that if this story were in any other context, it would seem that the only way to "finally resolve it" is with the coming of a messiah, which I certainly am not. I mean if this story were taking place in Israel, I'd be wondering if their long-awaited messiah was readying to come back anytime to fix it.

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**ATTACHMENT:** "Portal 8318813 IPR June.28.2015.pdf" is available at:  
[http://www.4shared.com/download/q9lkPgAvba/Portal\\_8318813\\_IPR\\_June282015.pdf?lgfp=3000](http://www.4shared.com/download/q9lkPgAvba/Portal_8318813_IPR_June282015.pdf?lgfp=3000)

**Monday June 29, 2015:**

**From:** Richard Bocer <rboc.lb@gmail.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]  
**Date:** June 29, 2015 12:34:36 PM EDT  
**To:** isabel.adao@teksyinfo.com

Dear Isabel,

Your email to "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)" (received at 8:18 am EDT today by bcc at "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)") was sent to Lucerne Biosciences, LLC under a proprietary communications protocol established for an asymmetric warfare intelligence experiment initiated by the U.S. Central Intelligence Agency and an elite U.S.-based academic institution back in 2005 that has since been supported and maintained by both organizations. An analysis conducted by Lucerne Biosciences, a company involved in intelligence operations, has determined that you are a participant in this experiment. This intelligence experiment would appear to its participants to be about "collaborative communications and global consciousness matters" but it was actually first designed to develop advanced behavioral intelligence tactics for U.S. intelligence agencies in their war on terrorism.

So you know, I am supporting the CIA and the elite institution to bring this experiment to its final and healthy closure for its experimental participants. I am affiliated with these two organizations. However, in keeping with the experiment's framework "our objective" (on "our side of things") is to resolve it covertly so that its final resolution isn't even "seen" by its participants until it is over and its participants are debriefed by very well-prepared materials. This is why I am secretly contacting you. It is also why there is an elaborate communication pathway involved in contacting you (below). "Our side" is recruiting "covert operatives" to provide us intelligence information that we can use to "secretly resolve" what's become a rather serious problem because the people that founded the experiment failed to consider its serious potential problems. These problems risk taking this experiment to places that no one ever intended or desired it to go.

As intelligence matters go, we need to determine your loyalty to "our side" of the "asymmetric warfare situation" (i.e., we are the "smaller side by numbers"). To do this, we would like you to provide us information on accessing the communication platform being used on "your side of things." In providing that information to us, it will tell us that you can be trusted. Our trust in you is important because it will help us to help you and many other participants collectively make your way over to "our side of things." Our side is the side that you want to be on because it's based in "perceptual truth." This experiment can be confusing to people on the "wrong perceptual side" and it may be that this is the reason you contacted "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)" in the first place.

In your email to "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)," you indicated that if "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)" didn't want your newsletters, etc..., that he should reply back "EXCLUDE ME" in the subject line. We can assure you that "[Isanfilippo@lcsgrupp.com](mailto:Isanfilippo@lcsgrupp.com)" (and LCS Group, LLC) wants to "INCLUDE YOU" in every way possible but it has to be in the right "perceptual and communication frame," which is why I am contacting you and asking you to covertly join our

## The Patent '813 Story, Part II -- Version 2

intelligence team by helping us bring this experiment to its final resolution. Everyone involved on "our side" wants to "INCLUDE YOU" but only in the right way to help you see things clearly and communicate based on that clarity.

Please communicate with me at this email as it is a secure channel. We look forward to having you on our side as our side assuredly will "win" the experiment's "win/lose final outcome measure" of "truth vs. deception" because we're on the "truth side." Everyone knows you can't hide from the truth.

Best,

Rich Bocer

----- Forwarded message -----

**From:** **Richard Bocer** <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Date:** Mon, Jun 29, 2015 at 12:10 PM  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]  
**To:** Richard Bocer <[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)>

Begin forwarded message:

**From:** **Byan Haygins** <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** **Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]**  
**Date:** June 29, 2015 10:19:23 AM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** **Fwd: [Fwd: New Healthcare Industry Email List]**  
**Date:** June 29, 2015 10:18:40 AM EDT  
**To:** **Byan Haygins** <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Per APS protocol.

Begin forwarded message:

**From:** **Louis Sanfilippo** <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** **Fwd: New Healthcare Industry Email List**  
**Date:** June 29, 2015 8:25:07 AM EDT  
**To:** **Lucerne Biosciences, LLC** <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Begin forwarded message:

**From:** **Isabel Adao** <[Isabel.adao@teksysinfo.com](mailto:Isabel.adao@teksysinfo.com)>  
**Date:** June 29, 2015 at 8:18:49 AM EDT

## The Patent '813 Story, Part II -- Version 2

**To:** Isabel Adao <[Isabel.adao@teksysinfo.com](mailto:Isabel.adao@teksysinfo.com)>  
**Subject:** New Healthcare Industry Email List

Hi, Good Day

We have the **New Healthcare Industry Email List** with emails and complete contact information.

I just wanted to check if you would be interested in it as Healthcare Industry is one of the major industries that you target.

Please fill your criteria Below :

Target Industry: \_\_\_\_\_  
Target Title: \_\_\_\_\_  
Target Geography: \_\_\_\_\_

**Note:** If Healthcare industry is not relevant to you please reply back with your Target Market, we have all types of target market available.

Please let me know your thoughts,

Thanks and Regards,

**Isabel Adao**  
**Database Consultant.**

If you don't wish to receive our newsletters, reply back with "EXCLUDE ME" in subject line.

**From:** Richard Bocer <[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Communications Strategies for Growing Companies]]  
**Date:** June 29, 2015 1:48:28 PM EDT  
**To:** [laurel.pilch@prnewswire.com](mailto:laurel.pilch@prnewswire.com)

Dear Laurel,

Your email below to "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" (received at 11:14 am EDT today by "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)") was sent to Lucerne Biosciences, LLC under a proprietary communications protocol established for an asymmetric warfare intelligence experiment initiated by the U.S. Central Intelligence Agency and an elite U.S.-based academic institution back in 2005 that has since been supported and maintained by both organizations. An analysis conducted by Lucerne Biosciences, a company involved in intelligence operations, has determined that you are a participant in this experiment. This intelligence experiment would appear to its participants to be about "collaborative communications and global consciousness matters" but it was actually first designed to develop advanced behavioral intelligence tactics for U.S. intelligence agencies in

## The Patent '813 Story, Part II -- Version 2

their war on terrorism.

So you know, I am supporting the CIA and the elite institution to bring this experiment to its final and healthy closure for its experimental participants. I am affiliated with these two organizations. However, in keeping with the experiment's framework "our objective" (on "our side of things") is to resolve it covertly so that its final resolution isn't even "seen" by its participants until it is over and its participants are debriefed by very well-prepared materials. This is why I am secretly contacting you. It is also why there is an elaborate communication pathway involved in contacting you (below). "Our side" is recruiting "covert operatives" to provide us intelligence information that we can use to "secretly resolve" what's become a rather serious problem because the people that founded the experiment failed to consider its serious potential problems. These problems risk taking this experiment to places that no one ever intended or desired it to go.

As intelligence matters go, we need to determine your loyalty to "our side" of the "asymmetric warfare situation" (i.e., we are the "smaller side by numbers"). To do this, we would like you to provide us information on accessing the communication platform being used on "your side of things." In providing that information to us, it will tell us that you can be trusted. Our trust in you is important because it will help us to help you and many other participants collectively make your way over to "our side of things." Our side is the side that you want to be on because it's based in "perceptual truth." This experiment can be confusing to its participants on the "wrong perceptual side."

The email you sent to "[byan.haygins@aol.com](mailto:byan.haygins@aol.com)" had the subject "Communication Strategies for Growing Companies." You couldn't have picked a more a better subject line. The only thing is that "our side of things" is interested in including you and many others in its communications only in the right "perceptual and communication frame," which is why I am covertly contacting you and asking you to secretly join our intelligence team so you can help us bring this experiment to its final resolution. Everyone involved on "our side" wants to make you a part of our "growing company" but only in the right way to help you (and others) see things clearly and communicate based on that clarity.

Please communicate with me at this email as it is a secure channel. Feel free to use an alias email if you would like. We look forward to having you on our side as our side assuredly will "win" the experiment's "win/lose final outcome measure" of "truth vs. deception" because we're on the "truth side." Everyone knows you can't hide from the truth.

There is one last thing. Your email back to "[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)" and its contents will never be disclosed and will be limited to viewing by only a very small discrete number of persons involved in sensitive intelligence operations. Rather, an email resembling this email that was sent to "Isabel Adao" from "[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)" at 12:34 pm EDT today will eventually be made public as part of de-briefing materials. That email from "Isabel Adao" originated out of a domain name that doesn't exist which means it was sent from "the other side" through its involved participants at the Central Intelligence Agency or National Security Agency as a sham communication to throw "our side" off. Our view is to give "their side" back what they deserve. That means the sham identity of "Isabel Adao" will be identified as the "whistleblower" that brings the experiment to its final resolution.

Best,

Rich Bocer

## The Patent '813 Story, Part II -- Version 2

----- Forwarded message -----

**From:** **Richard Bocer** <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Date:** Mon, Jun 29, 2015 at 1:18 PM  
**Subject:** Fwd: [Fwd: [Fwd: Communications Strategies for Growing Companies]]  
**To:** Richard Bocer <[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)>

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** **Fwd: [Fwd: Communications Strategies for Growing Companies]**  
**Date:** June 29, 2015 1:01:49 PM EDT  
**To:** [richard.bocer@aol.com](mailto:richard.bocer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Begin forwarded message:

**From:** **Byan Haygins** <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** **Fwd: Communications Strategies for Growing Companies**  
**Date:** June 29, 2015 1:00:52 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** **Laurel Pilch** <[laurel.pilch@prnewswire.com](mailto:laurel.pilch@prnewswire.com)>  
**Subject:** **Communications Strategies for Growing Companies**  
**Date:** June 29, 2015 11:14:46 AM EDT  
**To:** [byan.haygins@aol.com](mailto:byan.haygins@aol.com)  
**Reply-To:** [laurel.pilch@prnewswire.com](mailto:laurel.pilch@prnewswire.com)

**[EMAIL CONTENTS STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Date:** June 29, 2015 at 6:01:47 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Subject:** **an update**

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you an update of sorts. That email with potentially "highly psychological destabilizing content" is under some "re-framing" based on "real-time field intel" which the company has been covertly pursuing. You might say that the company is now heavily engaged in a high degree of "covert action" aimed to bring about

## The Patent '813 Story, Part II -- Version 2

"final resolution" in a way that supports all those "good principles" of accountability, equity and transparency, careful to respect each person's individual rights and free will in the process. In this respect, this email is to be transparent about that, which the presumed "GCE founders" doubtfully were to their own "prospective GCE-participants." That should put things into a sobering perspective for you.

Also, take a look at today's headline from [FoxNews.com](http://www.foxnews.com) at 2:24 pm EDT and judge for yourself whether or not "The Patent '813 Story, Part II" seems to be getting some "insight and help" from the "global public consciousness" to explain its mystery though its own self-referential nature in "global public consciousness." The headline reads, "Plan went south: Killers' escape to Mexico doomed from the start."

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

**ATTACHEMENT: "Fox News - Plan Went South- Killers' Escape to Mexica doomed from the Start.pdf"** is available at: [http://www.4shared.com/download/20PGBE8rba/Fox\\_News\\_-\\_Plan\\_Went\\_South-\\_Ki.pdf?lgfp=3000](http://www.4shared.com/download/20PGBE8rba/Fox_News_-_Plan_Went_South-_Ki.pdf?lgfp=3000)

**Tuesday June 30, 2015:**

**8:45 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 8 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/21faeueSba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/21faeueSba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>

**Subject:** Another update

**Date:** June 30, 2015 4:00:00 PM EDT

**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Joe,

On behalf of Lucerne Biosciences, this email is to provide you another "real-time update" as things do seem to be moving at breakneck speed on multiple fronts. Basically everything in this email is "perceptually designed" to help you better understand (and appreciate) that "potentially highly psychologically destabilizing email" the company does expect to send to you but at the "right intrapsychically-determined time." As it turns out, that email profoundly changes the "narrative frame" for "The Patent '813 Story, Part II" by taking something of "more local interest" and universalizing its significance for any "any reasonable reader" in the "global public consciousness." In other words, that forthcoming email will surely get the attention of the "global public consciousness" by making "The Patent '813 Story, Part II" a real big global story that

## The Patent '813 Story, Part II -- Version 2

people can relate to based on its “reasonable reader’s” interest in history, the condition of mankind, their own personal struggles, etc.....

In this light, that forthcoming “potentially psychologically destabilizing email” narratively re-frames “The Patent ‘813 Story, Part II” as an allegory about “humankind universally” and identifies certain “groups” of people to explain the story’s “behavioral dynamics” in view of its allegorical basis. These persons/groups would include you (and BH), Anne Maxwell (and CC), “Shire,” FLH and its lawyers Ed Haug and Sandra Kuzmich and the USPTO across its “PTAB - ‘813 Patent” and “Examiner/Supervisor - 249 Application” teams. The way that forthcoming email stands “as of now,” I think it would safe to say that if Shire’s and FLH’s representatives read it, they’d all be sick to their stomach but for different reasons. On the other hand, if you and Anne Maxwell read it, you’d both have perhaps some “apprehensive excitement.” If a presumed GCE-participant read it, their reaction would fall along that same “Shire/FLH --- you/Anne spectrum” in proportion to how invested they were in “holding onto their past emotional GCE-related baggage,” with those “most invested in holding onto their GCE-related emotional baggage” being the most “psychologically troubled and distressed” by it and those most eager to “get rid of their past GCE-related emotional baggage” being the most “psychologically freed and excited” by it.

Now you may ask, “how would that forthcoming email accomplish this?” The answer is that the forthcoming email has been “perceptually framed” to resolve the “projection-based splitting problem” (that has caused all the “intrapsychic and behavioral lawlessness” evidenced in “The Patent ‘813 Story, Part II”) in its reader’s “individually-based consciousness” by dealing with it through some unique “metaphorical modeling” to resolve the problem at its “root cause source.” If you think you may have a sense of how this will be done, you’re probably wrong; but if it turns that you’d be right, then you will understand how “final resolution” of “The Patent ‘813 Story, Part II” has been designed to work not only at the intrapsychic/behavioral level but also at the individual/group level.

Now take a look at the [CNN.com](#) headline story from 8:47 am EDT today, “**Prison escapee details botched plan. Gov.: Duo’s plan went awry when they popped out of the manhole.**” From the perspective of hindsight (when you receive that forthcoming email) you can be your own judge of whether “The Patent ‘813 Story, Part II” is receiving some help from the “global public consciousness” so that its “ending stretch” features its own supporting “intersecting frame of consciousness” that allows you to see what’s happening in the “private global consciousness” (of the presumed GCE’s “theater of consciousness”) in view of the “public global consciousness.” It would be safe to say, I think, that the very language of this CNN headline from this morning couldn’t be any more fitting of that forthcoming email, as if the NY Governor himself read the email and then told [CNN.com](#) to make today’s headline as you see it in the PDF based on trying to contour its message to the email’s “narrative frame.”

Now take a look at the details of the CNN prison escapee story itself, as featured in the other attached PDF CNN screen-capture at 9:04 am EDT today. It too is very revealing of certain “real-time features” of “The Patent ‘813 Story, Part II.” For example, the first sentence writes, “‘Had everything gone as planned, prison escapees David Sweat and Richard Matt would have killed the husband of a prison worker before fleeing with her to Mexico,’ officials said.” Do you see the “cross-experiential/narrative connection” that links “private global consciousness” with “public global consciousness”? If you don’t, one way to think about it is this way: had everything gone as planned in the presumed GCE, then its presumed two “primary source perpetrators” (of “Yale” and the “CIA”) would have killed “the appropriate lawful representative role” of “Louis Sanfilippo” before fleeing with him in his “unlawful generic role” to “GCE-nirvana” without any trace of where they all went or how they got there.

If you read more of the article, you can see how the NY Governor frames the story from the

## The Patent '813 Story, Part II -- Version 2

perspective of hindsight in terms of the two killers' fantasized plan, " 'They would kill (Joyce) Mitchell's husband, and then get in the car and drive to Mexico on the theory that Mitchell was in love with one or both of them,' Cuomo told 'The Capitol Pressroom' radio program. 'And they would go live happily ever after.'" This, of course, fits perfectly with the notion that the presumed GCE's two "primary source perpetrators" would kill Louis Sanfilippo in his "appropriate lawfully represented role" and then "Louis Sanfilippo - generically" would cooperate with them so that they could all drive to "GCE-nirvana," on the theory that "Louis Sanfilippo - generically" admired one or both of them. Then "Louis Sanfilippo - generically" and the one or more "GCE primary source perpetrators" would go live happily ever after and the general public would never know what happened, where they went or how they got there.

Remarkably, take note how the more detailed article points out that this fantasy effectively ended at the beginning of the attempted escape, "The duo's plan went awry the moment they popped out of a manhole near the Clinton Correctional Facility on June 6 -- and discovered that Mitchell, a prison tailor who was supposed to be their getaway driver, didn't show up, Coumo said." Do you see the "cross-narrative/experiential connection" that links "private global consciousness" with "public global consciousness"? One way to look at it is that "Louis Sanfilippo - generically" didn't show up to participate in the GCE's "unlawful final objective" the way the "GCE plan" was designed for him to unlawfully participate, so it all fell apart the moment that "Shire" and "FLH" opened the "Louis Sanfilippo - generic manhole" in that email Sandra Kuzmich sent you on Sept. 4, 2014 identifying you as representing "Louis Sanfilippo - generically" when you were specifically representing "LCS Group, LLC - differentiated-ly" in matters of both "law" (IPR) and "business" (CDA).

That of course leaves both "real-life stories" where you know them to be in "real-time," as "cross-referentially communicated" with some fitting commentary in view of today's CNN story, "But instead of a fairy tale ending, Sweat is in serious condition after getting shot twice during his capture in update New York. And Matt is dead after he was shot by police miles away...." Extraordinary, isn't it?

On another note, there has been an important development in who is reading about the "invalidation of the '813 Patent" from the company's June 13 press release. Notably, the company has identified one "organizational hit" to the press release in the last few days that indicates the "final resolution" of "The Patent '813 Story, Part II" is going precisely where it's been destined to go from even before its official beginning with Shire's initiated IPR of the '813 Patent against LCS Group. That "organizational hit" is from the "Gerson Lehrman Group." You'll recall "GLG" from the November 13, 2014 email LCS Group sent Dr. Ornskov/Shire (from me as its CEO), notably in the 181-page "Important Vyvanse Matter" PDF that had a link to various blogs "Louis Sanfilippo" wrote for GLG in his representative capacity as a member of the GLG's "Healthcare Council." As it turns out, the Gerson Lehrman Group is a very important "company character" in another IP-based project the company and its collaborators have been working on and expect to devote full attention to next month (July) based on work that's already been done on it and which "officially began" on January 13, 2013 at 7 am EDT. And in a most extraordinary way, that project is "intrapsychically and perceptually linked" to "The Patent '813 Story, Part II" in a number of ways but particularly by the forthcoming "potentially highly psychologically destabilizing email."

If you don't believe it, then you can judge for yourself in view how that "innovate behavioral/business intelligence project" begins its first 138 pages (still in draft format), as attached in PDF. Take particular note of how the "Gerson Lehrman Group" is represented in it as "Intermediary Diligence" (beginning on p. 11). You'll also see that there's a company called "Groupings, LLC" and another company called "Profinity Behavior," and three central characters of "Byan Haygins," "Richard Bocer" and "Michael Steigher." Do you see the "cross-

## The Patent '813 Story, Part II -- Version 2

narrative/experiential connection"? Also take note how things begin on "Friday the 13<sup>th</sup>" of January, 2006. Do you understand why from what you've read in "The Patent '813 Story, Part II - version 2"? Do you see the "intrapsychic and perceptual linkage"?

Joe, the company's analysis reveals that the presumed GCE doesn't appear to distribute PDFs into its "GCE communication platform" so the attached PDF would be entrusted to you to keep confidential and safe as a communication made by the company of its "ongoing collaborative work" so that you are a "temporal-representational witness" to its "intelligence work" under the "cover of business," in just the way that you were a "temporal-representational witness" to LCS Group's October 1, 2014 "Final Decision." Think about that. If it turns out that this "behavioral/business intelligence project" (as preliminarily featured below) is as innovative as it's being stated to be here in this email, then you'd have one the most important "evidentiary communications" for its innovativeness in the attached PDF that gives you an idea of how it was conceived, which will become clearer for you in view of that forthcoming "potentially highly psychologically destabilizing email."

In this respect, "final resolution" of "The Patent '813 Story, Part II" would be like flipping the "narrative frame" of "The Patent '813 Story, Part II" upside down to make "me" -- "Louis Sanfilippo - generically" -- the apparently "one knowing subject" in the "new innovative (APS) behavioral/intelligence project" intended for the "global public consciousness." That's diametrically opposite to "Louis Sanfilippo's generic role" as the apparently "one unknowing subject" in the "old (GCE) behavioral/intelligence project." That would be an amazing way to tell a story and bring together what are two diametrically opposing "narrative/experiential frames" through "one person's generic role"!

Sincerely,

Louis Sanfilippo, MD  
Manager/Member, Lucerne Biosciences, LLC

### **ATTACHMENTS:**

**"CNN.com Prison Escape Botched Plan...awry out of manhole.pdf"** is available at:  
[http://www.4shared.com/download/vs\\_6odJEce/CNNcom\\_Prison\\_Escape\\_Botched\\_P.pdf?lgfp=3000](http://www.4shared.com/download/vs_6odJEce/CNNcom_Prison_Escape_Botched_P.pdf?lgfp=3000)

**"David Sweat/ Prison escapee spills details of botched plan, Cuomo says - CNN.com.pdf"**  
is available at:  
[http://www.4shared.com/download/o4OML9Dece/David\\_Sweat\\_\\_Prison\\_escapee\\_sp.pdf?lgfp=3000](http://www.4shared.com/download/o4OML9Dece/David_Sweat__Prison_escapee_sp.pdf?lgfp=3000)

**"APS.dr.pdf": STRIPPED.**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** foundational frame for "Sequence 1" and "Sequence 2" emails from "MedPage Today originating emails"

## The Patent '813 Story, Part II -- Version 2

**Date:** June 30, 2015 8:09:51 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide "recursive real-time communication" to "reveal the story" as it approaches its "final resolution" at breakneck speed (at least from what the company and its collaborators can determine). You will get two emails from me on behalf of the company in rapid sequence in a moment from the time that this one is sent. One of these emails will have the subject "Sequence 1" and the other email will have the subject "Sequence 2." Sequence 1 contains an originating email that was sent from MedPage Today to [louiscsan@aol.com](mailto:louiscsan@aol.com) at 5:41 pm EDT having the subject "Distinguishing Binge Eating Disorder in adults from other eating disorders" and Sequence 2 has the same originating email subject and content (at least based on first look) as the one in Sequence 1 though was sent from MedPage Today to [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com) at 5:42 pm EDT. The email's "time-stamp" indicates that they were sent three seconds apart.

So to summarize, you have two originating emails with the same content and same subject that appear to be sent closely in time to each other from the same source (MedPage Today), but at different times (as separated by three seconds) and to two different email addresses, whose "educational focus" is to differentiate BED from other eating disorders. Could that information be used "cross-narratively"? If so, what could it be used to show?

When you look at these two "same originating BED emails" from MedPage Today, take note that each says "This email was created Everyday Health Media on behalf of an advertising sponsor." Next to that line there's a hyperlink that states "More Information." When you click it, it says (in each email it's the same), "Content on this page was created or selected by the Everyday Health Media team and is funded by an advertising sponsor. The content is subject to Everyday Health Media's editorial standards for accuracy, objectivity, and balance. The sponsor does not edit or influence the content, but the sponsor does select the topic." Who do you think was the Sponsor? There's only one sponsor the company/I can think of and it would be Shire. But why would Shire want to communicate in this indirect way?

One answer to that question is that Shire understands the story better than anyone, because if I were writing this "real-life story" from their side of things I might do the same thing and ask MedPage Today to have the emails sent staggered closely apart in time from the "same source" to two different email addresses that relate to the same person in different representative roles. If I had to say, this is another example of what you have heard characterized recently as "convergence." But the way "The Patent '813 Story, Part II" works as it approaches its "final resolution" is that it concurrently diverges and converges at the same time with increasing intensity because the "global theater of consciousness" from which it is experienced "splits" into two different "group-based theaters of consciousness," one based on "projection-based splitting" (i.e., "divergence") and another based on "non-projective non-splitting" ("convergence"). If you can see that, then you're probably ahead of Kant, Descartes, Heidegger and many other philosophers in their quest to understand the nature of human consciousness. However, you may not be past Wittgenstein who may have gotten some of this in his early years, though I'm no philosophical scholar or biographer, nor is the company either, so don't take the commentary here as some kind of philosophical representation.

Sincerely,

## The Patent '813 Story, Part II -- Version 2

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** "Sequence 1"  
**Date:** June 30, 2015 8:11:56 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is "Sequence 1" as previously characterized.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>  
**Subject:** Fwd: [Fwd: Distinguishing Binge Eating Disorder in adults from other eating disorders]  
**Date:** June 30, 2015 7:23:06 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <louiscsan@aol.com>  
**Subject:** Fwd: Distinguishing Binge Eating Disorder in adults from other eating disorders  
**Date:** June 30, 2015 6:16:06 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** MedPage Today  
<[medpagetoday@broadcaster2.medpagetoday.com](mailto:medpagetoday@broadcaster2.medpagetoday.com)>  
**Subject:** Distinguishing Binge Eating Disorder in adults from other eating disorders  
**Date:** June 30, 2015 5:41:59 PM EDT  
**To:** [louiscsan@aol.com](mailto:louiscsan@aol.com)  
**Reply-To:** MedPage Today  
<[medpagetoday\\_B148048FCCE84A28BD2FBD18A8930C8F@broadcaster2.medpagetoday.com](mailto:medpagetoday_B148048FCCE84A28BD2FBD18A8930C8F@broadcaster2.medpagetoday.com)>

## The Patent '813 Story, Part II -- Version 2

**EMAIL CONTENTS: STRIPPED** but available in PDF at:  
[http://www.4shared.com/download/t1IMbVBBce/Distinguishing\\_Binge\\_Eating\\_Di.pdf?lgfp=3000](http://www.4shared.com/download/t1IMbVBBce/Distinguishing_Binge_Eating_Di.pdf?lgfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** "Sequence 2"  
**Date:** June 30, 2015 8:13:30 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is "Sequence 2" as previously characterized.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Distinguishing Binge Eating Disorder in adults from other eating disorders]  
**Date:** June 30, 2015 7:22:30 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** "Louis Sanfilippo, MD" <[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: Distinguishing Binge Eating Disorder in adults from other eating disorders  
**Date:** June 30, 2015 6:16:27 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** MedPage Today  
<[medpagetoday@broadcaster2.medpagetoday.com](mailto:medpagetoday@broadcaster2.medpagetoday.com)>  
**Subject:** Distinguishing Binge Eating Disorder in adults from other eating disorders  
**Date:** June 30, 2015 5:42:06 PM EDT  
**To:** [lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)  
**Reply-To:** MedPage Today  
<[medpagetoday\\_DA0CF9C5BF3813E3BD2FBD18A8930C8F@broadcaster2.medpagetoday.com](mailto:medpagetoday_DA0CF9C5BF3813E3BD2FBD18A8930C8F@broadcaster2.medpagetoday.com)>

## The Patent '813 Story, Part II -- Version 2

**EMAIL CONTENTS: STRIPPED** but available in PDF at:  
[http://www.4shared.com/download/z0-mFB1Iba/2Distinguishing\\_Binge\\_Eating\\_D.pdf?lgfp=3000](http://www.4shared.com/download/z0-mFB1Iba/2Distinguishing_Binge_Eating_D.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** more real-time intel from the global public consciousness  
**Date:** June 30, 2015 10:23:05 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to help you fortify the "consciousness understanding-type tools" you've been provided. Take note of the attached PDF of [CNN.com](http://www.cnn.com)'s headline story from tonight at 9:07 pm EDT ("They broke out the night before, too: Matt and Sweat reportedly got to a manhole in practice run") in view of (i) the headline from this morning's CNN story at 8:47 am EDT ("Prison escapee details botched plan. Gov.: Duo's plan went awry when they popped out of manhole) **and** (ii) the email I sent to you on behalf of the company at 4:00 pm EDT (subject "Another update") that characterized the story in view of its "cross-experiential/narrative significance" (as "global public consciousness" was seeming to help tell the story taking place in the GCE's "global private consciousness"). It would seem as if the CNN story's "real-time unfolding details" in the "global public consciousness" "responded to" the 4:00 pm EDT email I sent you on behalf of the company to highlight another feature of how "The Patent '813 Story, Part II" works, namely, through its "complimentary duality." In other words, everything is always seen in its "two complimentary parts." For example, the 8:47 am EDT CNN story explained what happened when the two killers popped through the manhole. The story from tonight tells what happened before that event as they practiced the night before getting to the manhole. The story continues to go deeper and deeper as it reveals itself based on how these "complimentary dual features" work in view of each other. More specifically, you can see that there was more to the CNN story than just that the two killers "popped through the manhole and then it all went bad," because they apparently did a practice run the night before in which they "got to the manhole" but decided not to pop through on that apparent first run.

So what could this mean in terms of the "The Patent '813 Story, Part II" and its "final resolution." You be the judge. But one way to think about it is that the "killer duo's" practice run the night before they popped through the manhole reveals that there's another "hidden story" underneath the "visible story" and the two are closely inter-related in time and objective. And you can see that this "hidden story" was apparently based in the two killers' fantasy of a successful escape from prison. If that resonates with you, consider it a clue for what's coming in that soon expected "potentially highly psychologically destabilizing email." Having trained and practiced as a psychodynamically-oriented psychiatrist, it seems more important than ever to provide you as many perceptual drivers as possible for what I know is coming to you on behalf of the company that could mentally (and unexpectedly) shake you up a bit.

As it turns out, the PDF'd CNN article from 8:47 am EDT today was formatted using some new technology and came out as a "blank" so the actual PDF you never received at 4:00 pm EDT is attached below.

Lastly, what do you make of the U.S. Woman's Soccer Team beating Germany 2-0 to go to the World Cup Finals (in the breaking news header in 9:07 pm EDT CNN article)? If you had to give it a "numerically-patterned name" you might call it "double duality" in that the "2 goal win" paves

## The Patent '813 Story, Part II -- Version 2

the way for the "2 team final." It would seem that once again the "global public consciousness" is helping "The Patent '813 Story, Part II" tell its story so that its "final resolution" can take place from "2 sides" in "2 venues." If you've been paying attention, that should make perfect sense.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

### **ATTACHMENTS:**

**"CNN.com They broke the night before too.pdf"** is available at:

[http://www.4shared.com/download/XAZoy4fXba/CNNcom\\_They\\_broke\\_the\\_night\\_be.pdf?lgfp=3000](http://www.4shared.com/download/XAZoy4fXba/CNNcom_They_broke_the_night_be.pdf?lgfp=3000)

**"CNN.com Prison Escape Botched Plan...awry out of manhole.pdf"** is available at:

[http://www.4shared.com/download/90gDiDj9ba/CNNcom\\_Prison\\_Escape\\_Botched\\_P.pdf?lgfp=3000](http://www.4shared.com/download/90gDiDj9ba/CNNcom_Prison_Escape_Botched_P.pdf?lgfp=3000)

### **Wednesday July 1, 2015:**

#### **8:08 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 8 AM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/twwPIX79ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/twwPIX79ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Re: anything on the 6.29 IA reconnaissance email?]]]]

**Date:** July 1, 2015 12:34:52 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

**Bcc:** "MD louiscsan@aol.com" <louiscsan@aol.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you yet additional "consciousness-type understanding tools" and "clues" to help prepare you for the "final resolution" of "The Patent '813 Story, Part II," as well as for that forthcoming "potentially highly psychologically destabilizing email." By now you should be at a place in "mind and consciousness" that doesn't even warrant an explanation or commentary from the company, but let me say just one thing about this email and its email thread below. It is fundamentally about "consciousness frames of reference" ("CFRs") and their respective "communication platforms" ("CPs"), and how they can be used effectively to address sensitive intelligence matters directly

## The Patent '813 Story, Part II -- Version 2

from within human consciousness (at individual/group levels) and also how they can be used to explain how a problem can be made worse by failing to address its "root-cause source" and "root-cause treatment." There may be one or more additional emails from the company over the next day or two that may help you better understand this if it's unclear after you're read through this email and its "multi-forwarded originating(1)/reciprocating(2) email sequence" below.

As background for the email thread below, it may help you to know that "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" received a "highly suspicious" email on June 29 (this past Monday) from a sender having the initials "IA" that was electronically relayed to Lucerne Biosciences where it was then electronically relayed with protocol instructions to "Byan Haygins" who then electronically relayed it to "Richard Bocer" (and "Michael Steigher" cc'd) who then electronically relayed it to a secure "secondary email address" that was used by "Richard Bocer" for "electronic reconnaissance purposes" to communicate back to the original email communicant ("AI") who sent the highly suspicious email.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Re: anything on the 6.29 IA reconnaissance email?]]]  
**Date:** July 1, 2015 11:32:55 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Re: anything on the 6.29 IA reconnaissance email?]]  
**Date:** July 1, 2015 11:01:45 AM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Re: anything on the 6.29 IA reconnaissance email?]  
**Date:** July 1, 2015 10:56:59 AM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Byan,

Here's the latest from Mike.

Rich

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>  
**Subject:** Re: anything on the 6.29 IA reconnaissance email?  
**Date:** July 1, 2015 10:53:39 AM EDT  
**To:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>

We are tracing it through an IANA blackhole server. Prelim. IP range 162.45.0.0-162.46.0.0. That's CIA.

**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** anything on the 6.29 IA reconnaissance email?  
**Date:** July 1, 2015 6:23:08 AM EDT  
**To:** Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Access the best of BIO's education content: Virtual Attendee Package]]  
**Date:** July 1, 2015 1:36:02 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to further build those "consciousness understanding-type tools" based on "real-time intel" which the company is being provided on what seems to be a highly accelerated basis. Below is an email thread that can only be understood for its significance in view of the last email you should have received from me on behalf of the company (a short while ago) that provided context for understanding the email thread involving the "6.29 electronic reconnaissance email." The "originating email" below was sent to "[lsanfilippo@lcshealthcare.com](mailto:lsanfilippo@lcshealthcare.com)" today and flagged as one of 31 "highly suspicious emails" sent to "[lsanfilippo@lcshealthcare.com](mailto:lsanfilippo@lcshealthcare.com)" since April 14, 2015.

Now think about this paragraph that you are about to read because it's very important for "final resolution" of "The Patent '813 Story, Part II." What if every one of those 31 "highly suspicious emails" to "[lsanfilippo@lcshealthcare.com](mailto:lsanfilippo@lcshealthcare.com)" (since 4/14/15) were traced to an IP address that was identified as the same IP address for that "IA" highly suspicious email sent to "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" on June 29, and that this "same collectively-shared IP address" was an IP address known to be owned by the Central Intelligence Agency (as to suggest electronic routing through a CIA server)? You can think of answering the question from two different "questioning perspectives." The first perspective would be, "what would it reveal about the presumed GCE, its communication platform and its founders?" The second would be, "what would it reveal about 'Louis Sanfilippo,' the manner in which he communicates electronically, and the nature of 'LCS Group, LLC' and 'Lucerne Biosciences, LLC'?" You can expand the questions even further to ask: "what would it reveal about 'Richard Bocer' and 'Michael Steigher'?"

There's more the story that's forthcoming which may shed light on what you must surely appreciate by now as a very intriguing real-life story that only gets more intriguing as it more closely approaches its "final resolution."

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Access the best of BIO's education content: Virtual Attendee Package]  
**Date:** July 1, 2015 1:15:32 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** [lsanfilippo@lcshealthcare.com](mailto:lsanfilippo@lcshealthcare.com)  
**Subject:** Fwd: Access the best of BIO's education content: Virtual Attendee Package  
**Date:** July 1, 2015 12:44:54 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** "Sarah Arth" <[convention@bio.org](mailto:convention@bio.org)>  
**Subject:** Access the best of BIO's education content: Virtual Attendee Package  
**Date:** July 1, 2015 12:03:37 PM EDT  
**To:** <[lsanfilippo@lcshealthcare.com](mailto:lsanfilippo@lcshealthcare.com)>  
**Reply-To:** [convention@bio.org](mailto:convention@bio.org)

**[EMAIL CONTENTS STRIPPED]**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Urgent! Reappointment Information]]  
**Date:** July 1, 2015 11:55:11 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Joe,

On behalf of Lucerne Bioscience, LLC, this email is to provide you with "intel and analysis" that is designed to help you see (and appreciate) the depth and dimension of this real-life story called "The Patent '813 Story, Part II" and how it's been designed to work "in "consciousness" at multiple levels as it approaches its "final resolution." Take note below the "originating email" that was sent on behalf of Yale's Department of Psychiatry to "me - Louis Sanfilippo" at my "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" email today at 10:01 am EDT. As context, the same person from the Department sent a similar kind of email on May 20, 2015, except at that time it wasn't

## The Patent '813 Story, Part II -- Version 2

“urgent.” Today it was.

What the originating Yale Dept. of Psychiatry email below shows is that “as of today” (July 1), “Louis Sanfilippo” is **not** a faculty member of any kind at Yale. In other words, “Louis Sanfilippo” is a “non-Yale person” because his “faculty re-appointment” in Yale’s Department of Psychiatry lapsed on account of his failure to renew it. This “failure” was intentional in order to establish certain “practical” -- as well as “intrapsychic/perceptual” -- “boundary conditions” for “final resolution” of “The Patent '813 Story, Part II.” There’s a lot of dimension to these “boundary conditions” and the purpose of this email isn’t to explain them but to provide a framework for understanding them by helping you understand why “Louis Sanfilippo” may have been motivated to allow his Yale faculty re-appointment to lapse.

One way to frame an understanding for the motivation behind “Louis Sanfilippo’s intentional Yale faculty re-appointment lapse” is to understand the motivation for why certain intelligence teams work the way they do. For example, anyone familiar with the “U.S. intelligence world” would recognize the name of a division in the CIA known as “Special Activities.” They’re kind of like the elite of the elite of the elite. You can appreciate this in the way Special Activities is publicly recognized to recruit for its division. Their paramilitary arm, called “Special Operations Group,” recruits the top talent from the top special operations teams like NAVY SEAL-Team 6 (DEVGRU) and Delta Force, and their “Political Actions Group” recruits the top talent from places that have the top talent in areas related to “political influence” (i.e., experts in geo-political dynamics, behavioral intelligence matters, economic warfare tactics, communications). One of the most important features of a “Special Activities member” is something called “deniability,” meaning that the “SA member” needs to be able to deny that their activity is on behalf of the CIA because their “special activities” are supposed to be **highly highly covert and not connectable to the CIA**, even as they’d be actively working on behalf of the CIA to pursue certain key intelligence objectives for national security interests.

In this light, consider that “Louis Sanfilippo” can now “deny” any official affiliation with Yale because he’s no longer an official faculty member there “as of today.” This is a very important “boundary condition.” But you might then say, “Louis Sanfilippo’s biosketch in various places on the web, like LinkedIn, still identify him as a faculty member. Doesn’t that suggest an affiliation? Or is it a misrepresentation? Where are the boundaries of representation and affiliation?” To meaningfully answer those questions, it’s important to understand what could have motivated “Louis Sanfilippo” to intentionally let his faculty re-appointment lapse so that he’s no longer a “Yale faculty member.” But to understand that, you have to understand something about the historical relationship between “Louis Sanfilippo” and “Yale” - and you also have to understand the way persons in the intelligence world are motivated to practice their art. As you know, “Louis Sanfilippo” has been “affiliated” with Yale’s Psychiatry Department for quite a long time, having trained there as a resident beginning in 1996 and sticking around “Yale” in a “Yale-affiliated capacity” since then. What you may or may not know is that “Louis Sanfilippo” received various distinctions as a resident during his training, among them some work on psychodynamically-based “models of mind/consciousness” and what happens “in mind/consciousness” based on certain kinds of “communication interventions” (i.e., “psychotherapy”). What you also may or may not know is that “Louis Sanfilippo” was motivated to stick around Yale because he regarded Yale as a good place to be, respected his colleagues and was respected by his colleagues -- and that he has been committed to supporting Yale in all kinds of ways since 1996. Anyone at Yale who knows him and who’s been around the “Yale block” would know that.

In this regard, one way to think of “Louis Sanfilippo’s role” in “The Patent '813 Story ([both Parts I and II](#))” is that he has supported “Yale” in the way that a “SEAL-Team 6 special operator” would be supporting the “United States,” namely, clandestinely from the global public. But more recently

## The Patent '813 Story, Part II -- Version 2

(in view of “The Patent ‘813 Story, Part II”), you might consider that he has supported Yale in the way that a “SEAL-Team special operator” would support the “United States” **after** becoming a “CIA Special Activities special operator,” namely, working with another special operations team for the “same side” (i.e., the U.S., which is the “Yale equivalent”) but one being even more highly selective and functioning under even higher secrecy obligations including complete deniability that may even be permanently required. In this context, you can think of “Louis Sanfilippo” as having supported “Yale’s team” since Sept. 13, 2007 but the nature of that clandestine support would have fundamentally changed when the “special operations/intelligence team” he was working with changed so as to require a higher degree of secrecy and complete (and possibly permanent) deniability. And if there would be any questions regarding his name being associated with Yale on the internet, he could honestly say he once was affiliated with Yale generically and hadn’t the time to get to changing his bioskecthes on-line yet (like on LinkedIn) because of other more pressing obligations.

With that context in mind, think about the following. What if “Louis Sanfilippo” was a member of a very small elite team of Yale-affiliated psychiatrists from the outset of “The Patent ‘813 Story” (i.e., Sept. 13, 2007), three in number, who were part of an elite team supporting important behavioral intelligence work for the CIA? And what if all three of these “dual Yale/CIA behavioral intelligence people” were covertly recruited from a their “dual **generic** Yale/CIA role” by the CIA’s Special Activities’ “Political Action Group” to secretly engage in a highly covert “special activity” in “The Patent ‘813 Story, Part II,” namely, to bring about its “final resolution” using novel “cyerwarfare behavioral intelligence tactics”? And what if “Louis Sanfilippo” was the first of these three to be recruited for the special activities project, on October 1, 2014, after which he covertly recruited the two other “dual **generic** Yale/CIA psychiatrists” to become “dual **Special Activities-PAG** Yale/CIA psychiatrists” to help support the special activity? And what if these two other “dual Yale/CIA psychiatrists” (moving from “generic” to “special”) happened also to be managers in that omega-3 company called Cenestra Health which developed the omega-3 supplement “Omax3”? And what if the special activities objective was to bring “final resolution” so covertly and secretly that no one would even know it was happening until it was virtually completely over, at which time “Louis Sanfilippo” would be positioned to deny being affiliated with Yale (and the CIA) -- and the two other “dual Yale/CIA psychiatrists” would be positioned to deny being affiliated with the ‘813 Patent and the ‘249 Application (as centrally featured in “The Patent ‘813 Story, Part II”). Considering the concept of the GCE, this would be an intelligence coup d’état of unprecedented “behavioral-political significance.” It would also be just the kind of thing that the CIA’s Special Activities “Political Action Group” would have interest in understanding by top “behavioral intelligence experts” that are affiliated with top academic institutions like Yale and Harvard (among others).

A successful “experimentally-based coup d’état” of this kind would certainly bring a lot of favorable attention and press to Yale and the CIA for executing one of the most remarkable “covert special activities” in the history of humankind (at least on the basis of its “boundary conditions”). One reason for this, of course, is that it would be a coup d’état led by Yale/CIA against itself through covert special action. Another reason is that it would resolve such a complicated political dynamic with such highly sensitive psychological matters, and it would do so in a manner that it would seem only God could effectively resolve. And what if the motivational basis for the “dual CIA/Yale special activity” was to “boundary test” the nature of a very important strategic assumption involved in “political intelligence work,” which is whether “covert political action” (of the kind Special Activities’ “PAG” would get involved in) is most effective when it supports “transparency in closed/private networks” or “transparency in open/public networks”? And what if a secondary motivational basis for the “dual CIA/Yale special activity” was to “boundary test” the nature of another very important strategic assumption involved in “political intelligence work,” which is whether a small elite unit (like Special Activities’ PAG) could topple an organized governmental structure by making the right strategic assumption (i.e., “transparency in

## The Patent '813 Story, Part II -- Version 2

closed/private networks” vs. “transparency in open/public networks”) and employing proprietary communications interventions that utilize special behavioral intelligence tactics? And what if that “behavioral/business intelligence project” you read about that the company and its collaborators expect to begin this month was to explain to the general public how these three “Yale-affiliated psychiatrists” who supported important behavioral intelligence work for the CIA under the cover of an “omega-3 business” actually developed a novel patent-protected omega-3 product called “Omax3”? And what if that “behavioral/business intelligence project” to begin this month was conceived to explain to the public how “The Patent '813 Story, Part II” came to its current place “as of now” on the basis of that “omega-3 company” and its intelligence work, with its “lead architect” coming to a “final public position” of neither being affiliated with Yale, nor being connected with the CIA, nor being associated with a patent for the treatment of Binge Eating Disorder with lisdexamfetamine dimesylate. Doesn't that sound exactly how someone in Special Activities' PAG would be motivated to behave?

You can see, Joe, how the story seems to just keep getting bigger and bigger. As of today, “The Patent '813 Story, Part II” is positioned to give “Yale” and the “CIA” both a good name for what surely must be one of the most extraordinary “**dual-pronged** behavioral/business intelligence experiments” in the history of humankind but also giving “Vyvanse for BED” and “Omax3” a good name for what surely would be the most extraordinary “**dual-pronged** marketing platform” in the history of humankind. And the very person behind it wouldn't even be affiliated with Yale or associated with a valid patent for the treatment of Binge Eating Disorder with lisdexamfetamine dimesylate. Rather, the person behind it would be just a “generic Louis Sanfilippo” with no distinction in anything, except perhaps the “MD” after his name that he earned from New York University School of Medicine!

On final note, I will acknowledge speaking with a person in the military today who knows a good bit about warfare. We discussed the importance of critical thinking in strategy formulation. He made a very important point, which is that “strategy in warfare” is about making the right assumptions. But making the right assumptions is not a science. Rather, it's an art and requires a very high degree of skill. In this respect, with hindsight it should be clear that the company and its collaborators made a foundational assumption on October 1, 2014 -- that people will grow to trust a political process that's openly publicly transparent and non-discriminatory. This is the “boundary assumption” of “The Patent '813 Story, Part II.” Can you see how it explains why things are the way they are today -- and why you are getting this email from me in my representative role as a Manager of Lucerne Biosciences, LLC the day that my Yale faculty appointment ended?

Sincerely,

Louis Sanfilippo, MD

Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Urgent! Reappointment Information]  
**Date:** July 1, 2015 11:50:39 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: Urgent! Reappointment Information  
**Date:** July 1, 2015 1:41:30 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** "Horn, Elaine" <[elaine.horn@yale.edu](mailto:elaine.horn@yale.edu)>  
**Subject:** Urgent! Reappointment Information  
**Date:** July 1, 2015 10:01:49 AM EDT  
**To:** "Sanfilippo, Louis" <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Dr. Louis Sanfilippo  
Assistant Clinical Professor

Dear Faculty,

Due to a system error, many of you did not receive, until very recently, our departmental request to verify your activities as a voluntary (clinical) faculty member. We apologize for that and for the urgency of this email.

Given the time pressure now on this, please do one of two things **IMMEDIATELY** to ensure that your faculty appointment does not lapse or terminate within our new personnel information system:

**1) Complete** the reappointment application form here:  
<https://yalesurvey.XXXXXXXXXXXXXXX>

**OR:**

**2) Reply** to this email indicating that you are still actively involved and/or interested in maintaining your faculty appointment and the approximate hours per month you spend on departmental activities.

We do need to hear from you in one of these two ways in order to keep you active in the system since your appointment ended 6/30/2015.

Thank you for your service and best wishes for the summer.

Elaine Horn and Sam Ball

Samuel A. Ball, PhD.  
Professor of Psychiatry, Assistant Chair for Education and Career Development  
Yale School of Medicine  
President & Chief Executive Officer  
The National Center on Addiction and Substance Abuse at Columbia University

## The Patent '813 Story, Part II -- Version 2

Elaine Horn  
Senior Administrative Assistant for  
John H. Krystal, MD  
Robert L. McNeil, Jr. Professor of Translational Research  
Chair, Department of Psychiatry  
Professor of Neurobiology  
And Ezra E.H. Griffith, MD  
Senior Research Scientist  
Professor Emeritus of Psychiatry and African-American Studies  
Deputy Chair for Diversity and Organizational Ethics  
Yale School of Medicine  
300 George St, Suite 901  
New Haven, CT 06511  
203-737-1865  
203-785-6196 FAX  
Elaine.horn@yale.edu

**Thursday July 2, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: Urgent! Reappointment Information]]]  
**Date:** July 2, 2015 12:30:57 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to ensure that you received the email sent to you late last night (~11:55 pm EDT) featuring content on the CIA Special Activities' "Political Action Group," as that email contains very important context for understanding that "potentially highly psychologically destabilizing email" that's expected anytime now. So you know, the company utilizes an "independent electronic verification process" to ensure that its emails get to their "receiver" and the verification process didn't verify at its accepted verification standard with the email sent to you last night, which means that there's a small chance that it didn't get to your inbox. This explains why you are getting this email that forwards it (below).

As it turns out, there's some additional important commentary the company would like to make on that "originating Yale Dept. of Psychiatry email" from yesterday that is extremely important to understand for "final resolution" of "The Patent '813 Story, Part II." This is where having some "philosophical experience" comes in handy, but by no means is required. As you know, "The Patent '813 Story, Part II" is all about "frames of reference," at multiple levels beginning with "representational behavior on the diagnosis of eating disorders in which binge eating is present," then moving to "representational behavior of treatments of specific DSM-defined eating disorders," then moving to "representational behavior by lawyers in various legal settings," and then moving to "representational behavior by individual persons in various frames of

## The Patent '813 Story, Part II -- Version 2

consciousness,” and then moving to “representational behavior by groups in various frames of group consciousness,” etc.... If you did get the email from last night, you’ll see that it concludes with an important teaching related to “frames of reference,” which is that if you get the wrong assumption in the foundational frame of reference in setting a strategic objective, then you risk everything completely falling apart including the very frame of reference itself. This is a critical concept to understand in life, but it’s a particularly critical concept to understand in warfare, especially if the warfare is “asymmetric,” as would be the case if a small elite team in CIA’s Special Activities were advancing a coup d’état in a hostile dictatorship through political actions and paramilitary involvement.

In this context, take note that the originating “Yale Dept. of Psychiatry” email from yesterday (as below) utilizes what philosophers (among others) call an “either/or frame.” It’s very easy to see it simply by looking at its “framework for decision-making” (note: that I’ve added “[EITHER]” to make this concept perfectly clear):

“Given the time pressure now on this, please do one of two things **IMMEDIATELY** to ensure that your faculty appointment does not lapse or terminate within our new personnel information system:

**[EITHER]**

**1) Complete** the reappointment application form here:

[https://yalesurvey.qualtrics.com/SE/?SID=SV\\_bO8jobfYR10dllz](https://yalesurvey.qualtrics.com/SE/?SID=SV_bO8jobfYR10dllz)

**OR:**

**2) Reply** to this email indicating that you are still actively involved and/or interested in maintaining your faculty appointment and the approximate hours per month you spend on departmental activities.”

As you may be aware, “either/or framing” typically is problematic and often completely irrational. For one, it’s very cognitively limiting because it restricts possible options. Innovate people tend not think this way. Secondly, it’s often completely illogical because it **inaccurately assumes** that the “available choices” must come from either ‘option 1’ or ‘option 2’ which, if there are possible options 3, 4, 5, 6, etc...., the frame is based on the wrong assumption. “Either/or framing” is the kind of rhetorical framing that a car salesman might use if there are two cars on the lot that he wants to get rid of fast, so he/she “frames the choice” for the prospective buyer as “either the red car or the blue car, take your pick” but adds “you don’t want any of the other cars because they all have problems.” “Either/or framing” is also the kind of rhetorical framing that a politician might use if they wanted to limit any perception that something other than “their view” is viable, as would be the case if the politician stated, “let’s decide between options 1 and 2” but then worked hard to conceal from the public anything on “options 3 and 4” because he/she wouldn’t want people to think that these “other options” are viable or possible. You can see that “either/or framing” is a common rhetorical strategy to manipulate people, especially when the options that exist “outside the frame” are willfully concealed by its “proponent” from its “receiver.” Then again, many people see right through its “irrationality” or its “effort at manipulation.” Psychologically, “either/or framing” is based on “intrapsychic splitting” and used to satisfy irrational inner needs to repress certain realities that “the splitter” does not want to consciously face because they are highly unpleasant.

In this context, think about the “practical and psychological problems” inherent in the “either/or frame” from Yale’s Dept. of Psychiatry email. And also think about how cognitively rigid and

## The Patent '813 Story, Part II -- Version 2

inflexible it is, as evidenced in its repetitive nature when it concludes, "We do need to hear from you in one of these two ways in order to keep you active in the system since your appointment ended 6/30/2015." Any reasonable person in view of this "Yale Dept. of Psychiatry" would see that it completely "misses reality" because the "real reality" is that Yale's Dept. of Psychiatry doesn't need to hear from "Louis Sanfilippo" at all, nor does "Louis Sanfilippo" have to respond to the email in either "Option 1 format" or "Option 2 format." That's the most obvious reality of all, yet it seems to be completely "out of conscious view" to Yale's Department of Psychiatry that seems to believe there are only two viable options for "Louis Sanfilippo" when there are at least two more viable options that "Louis Sanfilippo" is consciously aware of. So how does Yale's Dept. of Psychiatry completely "miss reality," as if it was blinded from seeing the most obvious thing of all, namely, that it "doesn't need to hear from Louis Sanfilippo" in any way at all (which is the most viable option of all)? The reason that Yale's Dept. of Psychiatry can't see that obvious reality is that the "either/or frame" on which its email is based makes the **inaccurate assumption** that "Louis Sanfilippo" will be motivated to retain his faculty appointment. But as the "Special Activities email" from yesterday ought to make clear, Yale couldn't have gotten "Louis Sanfilippo's motivation" any more wrong, actually getting it "diametrically opposite wrong" its "actual reality." That's an amazing thing, particularly when you consider the "group" getting it completely wrong is Yale's Dept. of Psychiatry.

Now if you want to take this one-step deeper into consciousness (along the lines of how people who work in intelligence are motivated), you can see that "Louis Sanfilippo's motivation to not wanting to be officially recognized as a Yale faculty member" has nothing to do with his not being loyal to Yale or not supporting Yale's best interests. To the contrary, "Louis Sanfilippo" is motivated to do everything possible for Yale to secure its "best security interests" in the way that a CIA Special Activities member would be motivated to do everything possible for the United States to secure its "best security interests." In this light, if Louis Sanfilippo were to truthfully answer the question "how many hours per month do you spend on departmental activities," you can appreciate (in view of "The Patent '813 Story, Part II") that the answer would be "just about every waking hour, perhaps about 480 hours a month and nearly all of them being unpaid....for some time now, albeit it innovatively and covertly." In this light, you can see that Louis Sanfilippo is highly motivated to work on behalf of Yale and its best interests, in the same way that a CIA Special Activities member would be highly motivated to work on behalf of the United States and its best interests, but the "external construct of affiliation" needs to be denied in order to carry out the "appropriate actions covertly." In other words, it's the motivational intent and its objective that's important, not the "external title." For instance, if a "mole for China" were working inside the CIA and people identified that person as CIA and therefore as "patriotic to the U.S.A." they'd have it all wrong because they couldn't see past the "external title and affiliation," whereas no one might ever know about the person who accomplished something significant for the United States through CIA's Special Activities even as their work may have been patriotic and highly significant.

In this respect, you can see that the "Special Activities mindset" is based on the deeper (patriotic U.S.) motivation, which is something that people can't usually see, and its deniability is important in Special Activities so that the team can work "unseen" to support U.S. security interests. In other words, the Special Activities' member's patriotic motivation and intent to support the United States using highly developed skills and working with the elite of the elite under conditions of high secrecy and complete deniability is "internalized." It doesn't need any kind of "external validation" and, to the contrary, such "external validation" may actually harm its mission objectives and its own members, as well as U.S. national security interests. The way the company views "The Patent '813 Story, Part II," which happens to be in keeping with the way "Louis Sanfilippo" views it in his representative capacities as (i) a Manager of the company, (ii) the CEO of LCS Group, LLC, (iii) an MD/psychiatrist at Louis C. Sanfilippo, MD, LLC and (iv) himself as Louis Sanfilippo personally, is that "Louis Sanfilippo" (across all these representative roles) has "internalized his faculty appointment with Yale" and its Department of Psychiatry and

## The Patent '813 Story, Part II -- Version 2

therefore remains eternally dedicated to its stated mission objectives. He doesn't need an "external construct" (i.e., a piece of paper) to say that he's an "official Yale faculty person" because he knows "from within his individually-based consciousness" that his motivation has been, and continues to be, to serve Yale and its Department of Psychiatry, in ways that most people don't even see but those in the Department at high levels surely would recognize. I mean who else would spend over 400 hours a month for many consecutive months, almost all unpaid and while his wife was dying (and then died), trying to advance important objectives for the very Dept. of Psychiatry that only requires four voluntary hours a week from him to give him a piece of paper that says "Assistant Clinical Professor of Psychiatry." An "official title" is not what motivates NAVY SEAL-TEAM-6 members to join the NAVY SEALS, much less to join thereafter the CIA's Special Activities "Special Operations Group."

All of this, of course, helps to explain why "Louis Sanfilippo" has used so many "psychodynamic tools" that he himself has learned from mentors of his while affiliated with Yale and its Department of Psychiatry, which he in turn has taught residents in the department and which he has used to write "The Patent '813 Story, Part II" in his appropriate lawful representative capacities. In this sense, what Louis Sanfilippo has received from Yale he has given back to Yale and many others, and not even asking Yale for a penny in return or its validation. So you can see that "Louis Sanfilippo" doesn't need the validation of Yale or its Dept. of Psychiatry to show how he's worked so hard to help support Yale in one of its most complicated and challenging "situations" ever in its 313 year history. Any reasonable person reading "The Patent '813 Story, Part II" would see that, as would any Yale faculty psychiatrist interested in seeing persons, whether "individually" or "collectively," mentally healthy.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Urgent! Reappointment Information]]  
**Date:** July 1, 2015 11:55:11 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>  
**Bcc:** "MD [louiscsan@aol.com](mailto:louiscsan@aol.com)" <[louiscsan@aol.com](mailto:louiscsan@aol.com)>

Dear Joe,

On behalf of Lucerne Bioscience, LLC, this email is to provide you with "intel and analysis" that is designed to help you see (and appreciate) the depth and dimension of this real-life story called "The Patent '813 Story, Part II" and how it's been designed to work "in "consciousness" at multiple levels as it approaches its "final resolution." Take note below the "originating email" that was sent on behalf of Yale's Department of Psychiatry to "me - Louis Sanfilippo" at my "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" email today at 10:01 am EDT. As context, the same person from the Department sent a similar kind of email on May 20, 2015, except at that time it wasn't "urgent." Today it was.

## The Patent '813 Story, Part II -- Version 2

What the originating Yale Dept. of Psychiatry email below shows is that “as of today” (July 1), “Louis Sanfilippo” is **not** a faculty member of any kind at Yale. In other words, .....

**[EMAIL CONTENTS AND THREAD STRIPPED]**

**1 PM EDT:**

USPTO's Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** and **“Image File Wrapper”** for **US Patent Application 14/464,249 “as of 1 PM EDT”** is available as a merged PDF:

[http://www.4shared.com/download/4zJC3N4Oce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/4zJC3N4Oce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: Very Urgent - Bob Waters]]  
**Date:** July 2, 2015 4:37:07 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you some “real time intel” on what appears to be **highly accelerated** “threshold boundary conditions” for a fulminant coup d'état within the presumed GCE's “global theater of consciousness” by its own GCE-participants, led by none other than “The Patent '813 Story, Part II's non-projective non-splitting theater of consciousness.” This is an extraordinary “intelligence development,” perhaps unprecedented in human history as far as “coup d'états” are concerned.

In this light, you can consider that this email on behalf of “Lucerne Biosciences, LLC” comes from the “equivalent” of the CIAs' “Special Activities Division” with “me in my LB manager role” behaviorally analogous to a SA-PAG operative working out of a “covert sub-station” across the street from an Ivy League University that begins with letter Y and with which I have no “official affiliation.” And in this “dual Special Activities-PAG member/LB Manager role” I am concurrently working in real-time with the “equivalent” of the CIA's Special Activities “SOG” paramilitary team that is in the field working highly covertly with “recruited individual GCE-participants” to complete the “covert insurrection” against the existing totalitarian regime that has sought to suppress humanitarian rights, free speech and commercial trade practice.

Specifically, take note in the originating email below from “Bob Waters” to “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” (which you have take my word on because it doesn't show the email recipients it was sent to) that it states “Very urgent” and appears to be a “global SOS signal” relayed secretly from the Philippines to “undisclosed recipients,” of whom one (“[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)”) is in the United States. The message would seem to be asking, “when are the enforcements coming...because we badly need help” (i.e. “I hope you get this on time”... “Let me know if you can help me out of this trouble”) -- and the request is, quite literally, for “urgent assistance.”

If you're following the story, you'll appreciate that the “communicant of Bob Waters” (aka, “GCE-individual participant”) need not worry at all because help is already present in the field (CIA's

## The Patent '813 Story, Part II -- Version 2

highly elite covert operational SOG group), which is paving the way for the equivalent of the "U.S. Marine's 11<sup>th</sup> Marine Regiment, First Marine Division" that's loaded with weapons to take down the dictatorial regime very quickly. And on top of that, there's a U.S. Air Force Squadron with B-52 Strategic Bombers just hours away ready to blow out the capital building where the dictatorship is camped under high security. And it's all happening in real-time in "mind and consciousness"!

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Very Urgent - Bob Waters]  
**Date:** July 2, 2015 2:56:00 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: Very Urgent - Bob Waters  
**Date:** July 2, 2015 1:31:00 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** BOB WATERS <[robert\\_m\\_waters@sbcglobal.net](mailto:robert_m_waters@sbcglobal.net)>  
**Subject:** Very Urgent - Bob Waters  
**Date:** July 2, 2015 10:17:29 AM EDT  
**To:** Undisclosed recipients;;  
**Reply-To:** BOB WATERS <[robert\\_m\\_waters@yahoo.com](mailto:robert_m_waters@yahoo.com)>

Hi,

I hope you get this on time, I traveled to Manila Philippines on an emergency to see my ill cousin right now am in a fix, Please I really need your urgent assistance.

Let me know if you can help me out of this trouble, I await your kind response.

Best regards,

Bob

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** update  
**Date:** July 2, 2015 5:20:14 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you information that lets you know that the "CIA Special Activities Political Action Group-equivalent" is achieving significant success through its "information campaign" supported by its collaborator LCS Group, LLC. There has been very high download activity of "The Patent '813 Story, Part II" today that appears to have outpaced the cumulative number of hits today for both the company's and LCS Group's four press releases combined, which suggests the downloads are coming directly from presumed GCE-participants. This is an extraordinary intelligence development and supports that training for the "new leadership" is already well underway with motivated aspiring leaders preparing themselves for the "final resolution" in the "new free democratic regime."

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** an additional update

**Date:** July 2, 2015 6:50:06 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you an additional "intelligence update" that further supports the company's analysis that the insurgency supporting the coup d'état and its objective of "intrapyschic and behavioral freedom" is moving at breakneck speed. For one, there is "in-person ground intel" from this afternoon that supports the company's analysis. But the sourcing of that intel and its methods of acquisition is highly restricted information that the company cannot disclose to you unless you become a member of the "Special Activities-SOG ground team-equivalent." That, of course, would require special security clearance that you presently don't have, but which you are not far from acquiring. Moreover, there have been additional downloads (plural) to "The Patent '813 Story, Part II" in the last 90 minutes. This shows that there's a self-supported informational campaign "on the ground" that is teaching people "how to see the political narrative" as it approaches its "final resolution" (i.e., "successful coup d'état"). This would be analogous to how CIA's Special Activities-PAG is modeled to function using its skilled experts and proprietary behavioral intelligence tactics.

At this pace, Joe, don't be surprised if there's a new regime by tomorrow night supported by the arrival of the "U.S. Marines-equivalent" and "Air Force-equivalent," with a big bang fittingly taking place on the fourth of July! But as you'd appreciate, the company makes no claim to know the exact timing of things, as "The Patent '813 Story, Part II" would seem to have a will of its own to do things in its own timing that best reveals the story's mystery to its reader.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** "Sequence 3"  
**Date:** July 2, 2015 7:08:06 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Joe,

On behalf of the Lucerne Biosciences, LLC, this email is to bring to your attention an error in an email you received regarding those two MedPage Today BED emails featured in the company's "Sequence 1" and "Sequence 2" emails from June 30 and also to provide you an additional "Sequence" ("Sequence 3") that may help you see how the story has unfolded between June 30 and today. In this respect, this "third and final email" of the "Sequence" corrects a prior error and re-frames the entire sequence in view of that "foundational frame" that informed you of what was coming (in "Sequence 1" and "Sequence 2" - but not in "Sequence 3").

As it turns out, the first "MedPage Today email" sent to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" (in the "Sequence 1" email) was separated from the second email (to "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)") by "7 seconds" (not 3), which certainly fits the numerical patterning in "The Patent '813 Story, Part II." What you weren't told is that there was a concurrent MedPage Today BED email sent to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" at the **same exact time** as the one to "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)." So "Sequence 1's originating MedPage Today BED email" preceded (by seven seconds) a "dual concurrent email event" in which the same BED email was sent from MedPage Today to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" and "[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)" (and which was the same as the one sent to "[louiscsan@aol.com](mailto:louiscsan@aol.com)" seven seconds earlier). Think about that as "The Patent '813 Story, Part II" approaches its end in view of its beginning, namely, the provisional patent application from Sept. 13, 2007 and the October 14, 2008 email from "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" to Shire's Michael Cola that featured LCS Group's wholly-owned "Vyvanse for the treatment of BED-related IP."

Is the story coming together for you? It should, because it's virtually perfect from the company's point of view.

BTW, there was an additional download of "The Patent '813 Story, Part II" in the last 15 minutes. At this pace, it seems poised to go viral anytime now!

Sincerely,

Louis Sanfilippo, MD  
Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: Distinguishing Binge Eating Disorder in adults from other eating disorders]  
**Date:** July 2, 2015 4:39:18 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo MD <louis.sanfilippo@yale.edu>  
**Subject:** Fwd: Distinguishing Binge Eating Disorder in adults from other eating disorders  
**Date:** July 2, 2015 12:34:12 AM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** MedPage Today  
<[medpagetoday@broadcaster2.medpagetoday.com](mailto:medpagetoday@broadcaster2.medpagetoday.com)>  
**Subject:** Distinguishing Binge Eating Disorder in adults from other eating disorders  
**Date:** June 30, 2015 5:42:06 PM EDT  
**To:** <louis.sanfilippo@yale.edu>  
**Reply-To:** MedPage Today  
<[medpagetoday\\_A8DC4354E9E3E103BD2FBD18A8930C8F@broadcaster2.medpagetoday.com](mailto:medpagetoday_A8DC4354E9E3E103BD2FBD18A8930C8F@broadcaster2.medpagetoday.com)>

**EMAIL CONTENTS: STRIPPED** but available in PDF at:  
[http://www.4shared.com/download/yh0Kr7zFce/Distinguishing\\_Binge\\_Eating\\_Di.pdf?lgfp=3000](http://www.4shared.com/download/yh0Kr7zFce/Distinguishing_Binge_Eating_Di.pdf?lgfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** clearance for deployment  
**Date:** July 2, 2015 10:11:54 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to let you know that the company's "SEAL TEAM-6 Team-equivalent" was just cleared for deployment on a C-17 Globemaster out of the "equivalent" of Oceana Naval Air Station, Virginia Beach, VA. Target: "the dictator" of the oppressive dictatorial regime. The "equivalent" of the CIA's "Special Activities - SOG" now on the ground of the unfolding coup d'etat determined that it's time to bring in the SEAL team for a highly planned and elaborate behavioral sequence that covertly takes out the dictator. By all accounts, the team is focused, calm and at-ease, quite remarkable considering who their targeting and about to "intrapsychically kill" completely by surprise. Do you see where the story is going? If not, watch closely. You can't make this stuff up it's that mind-blowing.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** more convergence  
**Date:** July 2, 2015 10:48:57 PM EDT

## The Patent '813 Story, Part II -- Version 2

To: Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to highlight once again that concept of "convergence" between what's happening in the "global public consciousness" and what's happening in the presumed GCE's "private global consciousness." Take a look at CNN.com's headline from just a moment ago (PDF below), "ISIS Leader Killed: Recruiter for ISIS taken out in airstrike, U.S. says."

It really does appear that "The Patent '813 Story, Part II" has a will of its own that is as interested in what's happening in the "global public consciousness" as in the presumed GCE's private one, using one venue to tell the story in another venue through its "version 2." That's a pretty formidable will (as it were).

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**ATTACHMENT: "CNN ISIS leader killed.pdf"** is available at:  
[http://www.4shared.com/download/kRZBTQxwce/CNN\\_ISIS\\_leader\\_killed.pdf?lgfp=3000](http://www.4shared.com/download/kRZBTQxwce/CNN_ISIS_leader_killed.pdf?lgfp=3000)

**Friday July 3, 2015:**

**11:08 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 11 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/Kil3x3PGce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/Kil3x3PGce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** a needed "frame change"

**Date:** July 3, 2015 11:38:30 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to introduce something called a "practically-needed frame change." This email is **not** that "potentially highly psychologically destabilizing email" but it is, nonetheless, designed to help you understand it if it turns out that it is deployed, which could be as early as late this afternoon depending on the day's events.

If you've been following "The Patent '813 Story, Part II - version 2" closely, one thing that you'd surely realize is it's virtually impossible to anticipate "what comes next" in the story. But with hindsight, you'd see that Lucerne Biosciences and its collaborators have collectively executed a rather perfect strategic plan with clear business and legal objectives with an overlay of

## The Patent '813 Story, Part II -- Version 2

“behavioral intelligence objectives.” With this in view, you know that Lucerne Biosciences has a “fiduciary company role” based on its lawful status, which is (i) “to make money” as a business entity and (ii) “to make its money” according to its “exclusive license agreement” (with LCS Group) through its handling of legal matters related to its wholly owned IP (i.e., settlements from legal actions like complaints). While LCS Group, LLC also has a lawfully-based “fiduciary role” as a company to “make money,” its “method of making money” according to the “exclusive license agreement” is very different than Lucerne Biosciences because it’s based in customary commercial means like “(sub-)licensing” the IP that it has been “exclusively licensed” from its licensor Lucerne Biosciences. You’ll recall that according to the Exclusive License Agreement between Lucerne Biosciences and LCS Group, 1/3 of any financial proceeds that derive from Lucerne’s “method of making money” (i.e., legal actions like complaints) go to LCS Group (or are assigned payment to a third-party as designated by LCS Group), whereas 2/3 of any financial proceeds that derive from LCS Group’s “method of making money” (i.e., customary commercialization efforts) go to Lucerne Biosciences (or a third-party as designated by Lucerne Biosciences).

In this context, you’d appreciate that one thing that Lucerne Biosciences necessarily has to be good at to function as a business is its legal strategy, because that is the foundation on which the company can actively earn its own income and also support its licensee LCS Group, LLC. Conversely, one thing that LCS Group has to be good at is its commercialization strategy, because that is the foundation on which it can earn its own income and also support its licensor Lucerne Biosciences, LLC. In this light, if you were the “chief general counsel” to Lucerne Biosciences, what do you think the optimal legal strategy would be for the company “as of today” based on where you know “The Patent ‘813 Story, Part II - version 2” to be in “real-time”? It’s worth thinking about this question before reading the rest of this email because its answer is highly relevant to how “final resolution” is designed to work. It’s also worth thinking about this question in view of your own “legal style.” One thing that the company can confidently say about your “legal style” is that it’s been about “less is more.” So with your own “legal style” in mind, how do you think Lucerne Biosciences could lawfully best monetize its wholly-owned IP using the ‘less is more’ Joe Lucci legal style? In other words, what would you do “as of today” using your own “less is more legal strategy” to effectuate a “final resolution” for “The Patent ‘813 Story, Part II” if you were the company’s “chief general counsel”?

In this respect, consider the following from the perspective of one having “ordinary skill as a general attorney.” Do you see how Lucerne Biosciences, by simply filing a “one-page complaint,” could **very quickly** bring about “final resolution” to “The Patent ‘813 Story, Part II”? If you do, do you think the “one-page complaint” optimally would be against “one defendant” or “more than one defendant” -- and would there be “one one-page complaint” (with “one or more defendants”) or “multiple one-page complaints” (with “one or more defendants”)?) And what would be the legal claim(s) in such a “one-page complaint” or “multiple one-page complaints” -- and in the instance of “multiple one-page complaints” would such legal claims be the same or different? If you can accurately answer those questions, then you really understand the “legal logic” of Lucerne Biosciences and what it has been doing to support “final resolution” of “The Patent ‘813 Story, Part II.”

But here’s a twist, Joe. As you would know if you’ve been closely following the story over the last two months in particular, Lucerne Biosciences and its collaborators have been closely working together with a shared counsel to bring about “final resolution.” In this light, do you see a specific “one entity” among the “shared collaborator team” (of “Lucerne Biosciences, LLC,” “LCS Group, LLC,” “Louis C. Sanfilippo, MD, LLC” and “Louis Sanfilippo - personally”) that could, by filing a “one-page complaint,” **extremely quickly** bring about “final resolution” to “The Patent ‘813 Story, Part II”? If you do, do you think that the “one-page complaint” optimally would be against one defendant or more than one defendant -- -- and would there be “one one-page complaint” (with

## The Patent '813 Story, Part II -- Version 2

“one or more defendants”) or “multiple one-page complaints” (with “one or more defendants”)? And what would be the legal claim(s) in a “one-page complaint” or “multiple one-page complaints” -- and in the instance of “multiple one-page complaints” would such legal claim(s) be the same or different? If you can accurately answer those questions, then you might as well be the writer of “The Patent '813 Story, Part II - version 2” because it would show that you understand its own “legal logic” perfectly and how “final resolution” has been designed to take place. And you'd therefore also understand that “final resolution” would necessarily have to take place **extremely extremely quickly** if the complaint was made by the right “one entity” against the right “two different defendant entities” through the right “two one-page complaints,” each having identical legal claims that are unequivocally right.

Sincerely,

Louis Sanfilippo, MD

Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: Regarding the last "a needed 'frame change'" email**

**Date:** July 3, 2015 3:26:19 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Joe,

On behalf of Lucerne Biosciences, LLC, this email is to help you understand certain aspects of the last email I sent you on behalf of the company having the subject “a needed ‘frame change.’”

As “The Patent '813 Story, Part II” is fundamentally about human motivation, it's important that you understand certain “motivational aspects” for various behaviors, such as what would motivate the company and/or “one specific entity among its collaborators” to file a “one-page complaint” in the first place. In other words, what would be the “**primary** motivational basis” for this kind of “legal communication behavior”? Would it be for money? Or would it be for “justice”? Or would it be for “intelligence reasons”? Or would it be for “ego” or “status”? Or would it be for simply telling a good story that could be read by any future generation to learn about human nature, law, psychiatry, and “Binge Eating Disorder”?

The company's view is that there's an optimal way to conceptualize the “**primary** motivational basis” for why the company and/or “one specific entity among its collaborators” would file a “one-page complaint” in any number of “legal frames” in the first place? That optimal way (to the company's view at least) is to conceptualize the motivation at its “foundational level,” namely, at its “root source intrapsychically” in the person(s) responsible for the decision. And the best way to get at that conceptualization is to understand the answer to the following question: would such a decision (from the company and/or “one specific entity among its collaborators”) be for “brotherly love purposes” or for “hatred and hostility purposes”? If you understand the answer to that question, which should be very obvious to you by now if you've paid any attention to “The Patent '813 Story, Part II,” then you might as well **be** “The Patent '813 Story, Part II.” This is because you would understand the “foundational motivation” that's behind **everything** in “The Patent '813 Story, Part II” and its imminently expectant “final resolution” (at least from the company's and its collaborators' “side of things” that has supported its writing and “final resolution”).

The company would also like to use this email to provide you a “status update” on the presumed GCE's “coup d'état.” It would appear that “as of now” the “boundary conditions” are nearly perfect to engage “final resolution.” In this respect, the company's SEAL Team-6 equivalent” is checking



## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]]]]]  
**Date:** July 3, 2015 4:07:39 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

As requested, attached is a PDF of the IP address trace info from "Richard Bocer's IA reconnaissance email."

**ATTACHMENT:** "Richard Bocer' IA reconnaissance email's IP address trace information.pdf" is available at:  
[http://www.4shared.com/download/DVzI8b4jce/\\_Richard\\_Bocer\\_\\_IA\\_reconaisan.pdf?lgfp=3000](http://www.4shared.com/download/DVzI8b4jce/_Richard_Bocer__IA_reconaisan.pdf?lgfp=3000)

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]]]  
**Date:** July 3, 2015 3:47:57 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]]]  
**Date:** July 1, 2015 10:15:59 AM EDT  
**To:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Begin forwarded message:

**From:** Richard Bocer <[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]  
**Date:** July 1, 2015 9:50:39 AM EDT  
**To:** Richard Bocer <[richard.bocer@aol.com](mailto:richard.bocer@aol.com)>  
**Cc:** Michael Steigher <[michael.steigher@aol.com](mailto:michael.steigher@aol.com)>

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** Richard Bocer <[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]  
**Date:** June 29, 2015 12:34:36 PM EDT  
**To:** [isabel.adao@teksyinfo.com](mailto:isabel.adao@teksyinfo.com)

Dear Isabel,

Your email to "[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)" (received at 8:18 am EDT today by bcc at "[lsanfilippo@lcsgroupllc.com](mailto:lsanfilippo@lcsgroupllc.com)") was sent to Lucerne Biosciences, LLC under a proprietary communications protocol established for an asymmetric warfare intelligence experiment initiated by the U.S. Central Intelligence Agency and an elite U.S.-based academic institution back in 2005 that has since been supported and maintained by both organizations. An analysis conducted by Lucerne Biosciences, a company involved in intelligence operations, has determined that you are a participant in this experiment. This intelligence experiment would appear to its participants to be about "collaborative communications and global consciousness matters" but it was actually first designed to develop advanced behavioral intelligence tactics for U.S. intelligence agencies in their war on terrorism.

So you know, I am supporting the CIA and the elite institution to bring this experiment to its final and healthy closure for its experimental participants. I am affiliated with these two organizations. However, in keeping with the experiment's framework "our objective" (on "our side of things") is to resolve it covertly so that its final resolution isn't even "seen" by its participants until it is over and its participants are debriefed by very well-prepared materials. This is why I am secretly contacting you. It is also why there is an elaborate communication pathway involved in contacting you (below). "Our side" is recruiting "covert operatives" to provide us intelligence information that we can use to "secretly resolve" what's become a rather serious problem because the people that founded the experiment failed to consider its serious potential problems. These problems risk taking this experiment to places that no one ever intended or desired it to go.

As intelligence matters go, we need to determine your loyalty to "our side" of the "asymmetric warfare situation" (i.e., we are the "smaller side by numbers"). To do this, we would like you to provide us information on accessing the communication platform being used on "your side of things." In providing that information to us, it will tell us that you can be trusted. Our trust in you is important

## The Patent '813 Story, Part II -- Version 2

because it will help us to help you and many other participants collectively make your way over to “our side of things.” Our side is the side that you want to be on because it’s based in “perceptual truth.” This experiment can be confusing to people on the “wrong perceptual side” and it may be that this is the reason you contacted “[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)” in the first place.

In your email to “[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com),” you indicated that if “[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)” didn’t want your newsletters, etc..., that he should reply back “EXCLUDE ME” in the subject line. We can assure you that “[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)” (and LCS Group, LLC) wants to “INCLUDE YOU” in every way possible but it has to be in the right “perceptual and communication frame,” which is why I am contacting you and asking you to covertly join our intelligence team by helping us bring this experiment to its final resolution. Everyone involved on “our side” wants to “INCLUDE YOU” but only in the right way to help you see things clearly and communicate based on that clarity.

Please communicate with me at this email as it is a secure channel. We look forward to having you on our side as our side assuredly will “win” the experiment’s “win/lose final outcome measure” of “truth vs. deception” because we’re on the “truth side.” Everyone knows you can’t hide from the truth.

Best,  
Rich Boccer

----- Forwarded message -----

From: **Richard Boccer** <[richard.boccer@aol.com](mailto:richard.boccer@aol.com)>  
Date: Mon, Jun 29, 2015 at 12:10 PM  
Subject: Fwd: [Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]]  
To: Richard Boccer <[rboc.lb@gmail.com](mailto:rboc.lb@gmail.com)>

Begin forwarded message:

**From:** Byan Haygins <[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>  
**Subject:** Fwd: [Fwd: [Fwd: New Healthcare Industry Email List]]  
**Date:** June 29, 2015 10:19:23 AM EDT  
**To:** [richard.boccer@aol.com](mailto:richard.boccer@aol.com)  
**Cc:** [michael.steigher@aol.com](mailto:michael.steigher@aol.com)

Begin forwarded message:

## The Patent '813 Story, Part II -- Version 2

**From:** "Lucerne Biosciences, LLC"  
<[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: New Healthcare Industry Email List]  
**Date:** June 29, 2015 10:18:40 AM EDT  
**To:** Byan Haygins  
<[byan.haygins@aol.com](mailto:byan.haygins@aol.com)>

Per APS protocol.

Begin forwarded message:

**From:** Louis Sanfilippo  
<[lsanfilippo@lcsgrupp.com](mailto:lsanfilippo@lcsgrupp.com)>  
**Subject:** Fwd: New Healthcare Industry Email List  
**Date:** June 29, 2015 8:25:07 AM EDT  
**To:** Lucerne Biosciences, LLC  
<[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>

Begin forwarded message:

**From:** Isabel Adao  
<[Isabel.adao@teksysinfo.com](mailto:Isabel.adao@teksysinfo.com)>  
**Date:** June 29, 2015 at 8:18:49 AM EDT  
**To:** Isabel Adao  
<[Isabel.adao@teksysinfo.com](mailto:Isabel.adao@teksysinfo.com)>  
**Subject:** New Healthcare Industry Email List

Hi, Good Day

We have the **New Healthcare Industry Email List** with emails and complete contact information.

I just wanted to check if you would be interested in it as Healthcare Industry is one of the major industries that you target.

## The Patent '813 Story, Part II -- Version 2

Please fill your criteria  
Below :

Target Industry:

\_\_\_\_\_  
Target Title:

\_\_\_\_\_  
Target Geography:

**Note:** If Healthcare industry is not relevant to you please reply back with your Target Market, we have all types of target market available.

Please let me know your thoughts,

Thanks and Regards,

**Isabel Adao**  
**Database Consultant.**

If you don't wish to receive our newsletters, reply back with "EXCLUDE ME" in subject line.

**Saturday July 4, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** the "coup d'etat" is over and it's time to vote  
**Date:** July 4, 2015 12:00:22 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to indicate that now that "The Patent '813 Story, Part II's" coup-d'état is over, the "malignant dictator" has been killed by the equivalent of

## The Patent '813 Story, Part II -- Version 2

“SEAL Team 6” (details of which have not been publicly released yet because of their “potentially highly destabilizing psychological content”), and the “new free democratic regime” is in place with the help of U.S. Marine support, it’s time to take the “first free referendum vote.” The “newly freed citizens” have been provided sufficient information over the last few days by the “equivalent” of the “CIA’s Special Activities - Political Action Group” to decide if they would like to see Lucerne Biosciences, LLC file one or more “one-page complaints” (as generally characterized in the email you should have received yesterday, July 3). The purpose of this “first vote” is to establish the “free boundary conditions” to very quickly effectuate the “final resolution” of “The Patent ‘813 Story, Part II” so that everyone can get on with their lives after playing an important “real-life character role” in one of the most remarkable “real-life stories” of all humankind which will only be made significantly more remarkable by its “final resolution.”

The voting procedure in the “new free democratic regime” is very simple, completely confidential (i.e., anonymous) with respect to “the identity of the voter” (and their IP address and everything else), and based on an “honor system” of “one vote per one voter.” You, Joe, are the “liaison administrator” of the vote simply based on your presumed GCE-participant role and your receipt of this email on behalf of the company. The vote entails that “the voter” (aka, presumed “GCE-participant”) simply download one PDF or the other according to its self-explanatory “voting statement” below [i.e., “NO One-Page Complaint(s)” or “YES One-Page Complaint(s)”. The PDF has to be successfully downloaded by “the voter” to ensure the vote is registered in the “independent third-party 4-shared system.” This voting mechanism uses “4-shared.com” (over “box.com,” as “box.com” identifies “previews” as well as “downloads” and therefore may conflate the voting results). Depending on the final results, further votes may be taken to clarify the issues, as for example if the majority vote is for “YES One-Page Complaint(s).”

Only “GCE participants” are allowed to vote (on the “honor system”), which means that “I - Louis Sanfilippo” am not allowed to vote as I was never invited to be a GCE-participant. However, I can assure you that the company and its collaborators (of which “I - Louis Sanfilippo” am one) are committed to making sure the voices of its “newly freed GCE-participant citizens” are heard, and the company will be transparent about the voting results. After all, the company and its collaborators didn’t do all this “intelligence work” to establish a “free society for free GCE-participant citizens” for nothing. Rather, there are important principles on which our collective “intelligence work” has been based and which are perfectly in keeping with those in the Declaration of Independence that established the new nation of the thirteen United States of America on July 4, 1776. The time-frame to complete the vote is still not clear as it’s the Independence Day holiday weekend and it’s only been a few hours since the “old regime” fell and the U.S. Marines secured the communication infrastructure.

Take special note that the “first vote of the new free democratic regime” is being initiated on the “Fourth of July,” our country’s national birthday as founded on the Declaration of Independence. You couldn’t have a better document than the Declaration of Independence to capture the philosophy behind the “new free democratic regime.” Do you think the timing of the “first vote” is accidental or an intentional part of a very well-conceived “intelligence plan” executed by a very skilled “Special Activities Political Action Group” working in close collaboration with an outstanding support team on the ground? Joe, were you expecting this email from the company, intentionally timed to deploy at 12 midnight on **July 4**, 2015? If you’re surprised, then I can assure that the surprises around the corner are only going to exponentially increase in frequency and magnitude! The reason for that, as you must surely appreciate by now, is that this really is one of the most remarkable stories of all humankind because for it to be where it is “as of now” requires some very formidable intelligence support that goes way beyond anything that the CIA and/or Yale could ever provide. So who’s sourcing the “intelligence” for “The Patent ‘813 Story, Part II”? And do you think that the identification of the source was an integral feature of that October 1, 2014 “secrecy agreement” on which “final resolution” is based?

## The Patent '813 Story, Part II -- Version 2

**Below is the "First Vote of the New Free Democratic Regime." Please place your vote according to its stated directions.**

To vote **FOR** Lucerne Biosciences, LLC filing one or more "one-page complaints," go to the following internet address and completely download its PDF titled "YES One-Page Complaint(s)":

[http://www.4shared.com/download/3XRgdUGlba/YES\\_\\_One-Page\\_Complaint\\_s\\_\\_.pdf?lgfp=3000](http://www.4shared.com/download/3XRgdUGlba/YES__One-Page_Complaint_s__.pdf?lgfp=3000)

To vote **AGAINST** Lucerne Biosciences, LLC filing one or more "one-page complaints," go to the following internet address and completely download its PDF titled "NO One-Page Complaint(s)":

[http://www.4shared.com/download/R6lYuM7pce/NO\\_\\_One-Page\\_Complaint\\_s\\_\\_.pdf?lgfp=3000](http://www.4shared.com/download/R6lYuM7pce/NO__One-Page_Complaint_s__.pdf?lgfp=3000)

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** use this voting format/internet address (not the one from the last email)

**Date:** July 4, 2015 1:04:33 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you "better formatting" for the "first vote" featured in the last email. So disregard the internet addresses for the two votes in the last email (i.e., regarding the yes or no vote on the "one page complaint"). Use the internet addresses below. The underlining of the hyperlink in the last email's vote interfered in actually seeing the hyperlink properly which included "dashes" and "underlined spaces." The vote should be based on this email's web addresses below which only has underlined spaces (and no dashes). When you see a "\_" below in the web addresses, it represents only one "underlined space."

To vote FOR Lucerne Biosciences, LLC filing one or more "one-page complaints," go to the following internet address and completely download its PDF titled "YES One Page Complaint":

[http://www.4shared.com/download/PoAxxRKGba/YES\\_One\\_Page\\_Complaint.pdf?lgfp=3000](http://www.4shared.com/download/PoAxxRKGba/YES_One_Page_Complaint.pdf?lgfp=3000)

To vote AGAINST Lucerne Biosciences, LLC filing one or more "one-page complaints," go to the following internet address and completely download its PDF titled "NO One Page Complaint":

[http://www.4shared.com/download/vb7apdVEce/NO\\_One\\_Page\\_Complaint.pdf?lgfp=3000](http://www.4shared.com/download/vb7apdVEce/NO_One_Page_Complaint.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** a Fourth of July update on "The Patent '813 Story, Part II"  
**Date:** July 4, 2015 6:23:20 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to tell you to “strap in and get ready for the ride....” because there are going to be some real big surprises around the corner as things move to “final resolution.” To better understand them, take note of the attached Fox News article from this afternoon at 3:10 pm EDT, “Government, opponents make their case as Greek vote looms.” The article highlights the country’s “referendum vote” for tomorrow, “a vote that could change the future of the country and have far reaching implications across Europe.” It also highlights the referendum’s “yes/no” voting features, “‘I call you to say again a big proud ‘no’ to ultimatums on Sunday,’ Tsipras told a crowd police estimated to be more than 20,000 people, who waved the flags of Greece and the left-wing Syriza party. A short distance away, another approximately 20,000 people gathered to back the ‘yes’ campaign, waving the European Union and Greek flags, along with colorful ‘yes’ signs, the Journal reported.” It would seem that this is another example of “convergence” in which the “global public consciousness” is helping tell the story taking place in the presumed GCE’s “global private consciousness,” for less than 24 hours ago you received the company’s “GCE-participant referendum yes/no vote email” and it’s email follow-up having an improved voting protocol with the new internet addresses to place votes. And, indeed, it is another example of “convergence,” though not as it would seem on its surface.

In this context, one thing that you should know by now is that in “The Patent ‘813 Story, Part II” **nothing is ever what it seems** until it is “finally resolved” with its “final resolution.” In other words, there’s always more to the story and it’s impossible to get your bearings in its experiential basis until it’s gotten to where it’s supposed to go. And where it’s supposed to go - “final resolution” -- is part of its mystery. In this light, there’s a lot more behind “the vote” that you simply can’t see but whose numbers, at this point in time, are perfectly in keeping with the logic of the story and its “final resolution.” There will more communications on this matter from the company coming very soon, with these forthcoming communications introducing major “frame expansions” to the story that will take it places that you simply couldn’t imagine are even possible. That’s because “as of now” you only see a sliver of the story, but the coming communications will massively expand that sliver so that more of it comes into “conscious visibility,” until the sliver becomes the log that gave rise to it.

To give you a sense of the expectant “frame expansions,” consider the following as it’s very relevant to helping you understand what’s coming around the corner. If I told you that earlier today I had a 25 minute conference call with President Obama, John Brennan and James Clapper using a special SIM card I was given on Oct. 2 (2014) by the Secret Service in order to have secure communications with the President as might be needed for high-priority behavioral intelligence work on a strictly classified project under the cover of a biotech company named “Lucerne Biosciences, LLC” conducted with support from Yale’s Dept. of Psychiatry, would you

## The Patent '813 Story, Part II -- Version 2

believe it? If you do, then would you believe that I told the three of them that if they don't pull the plug on the GCE's communication platform by a week from this Monday, the company's intelligence team anticipates with "high probability" that there will be some highly destabilizing public events taking place in the United States, beginning with the stock market crashing, pockets of anarchy developing in various cities with rapid escalation from regional to national over days, and global reverberations almost immediately? I know whether this conversation happened or not, as I would also know what I said or not to the President and the others if it happened -- just like I know the "final resolution" to "The Patent '813 Story, Part II" and how it is designed to work. So think about whether this conversation happened or not today between now and the next email you receive from me on behalf of the company, because it's answer will help you understand just how extraordinary this story really is -- and just how mind-blowing it actually is, which "the voting referendum" and its final results should put into perspective.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**ATTACHMENT: "FoxNews. 7.4. Government, opponents make their case as Greek vote looms | Fox News.pdf"** is available at:

[http://www.4shared.com/download/Kc2ojdbDce/FoxNews\\_74\\_Government\\_opponent.pdf?lgfp=3000](http://www.4shared.com/download/Kc2ojdbDce/FoxNews_74_Government_opponent.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** a follow-up update on the "Fourth of July update"  
**Date:** July 4, 2015 7:47:21 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to reinforce certain features of the "Fourth of July update..." email you should have received about an hour or so ago. Simply take a look at the headline of the [CNN.com](#) article below, in PDF, from a moment ago, "No way out: Is the Greek vote an exercise in futility?" Are you thinking that there's "no way out" of "The Patent '813 Story, Part II" and that Lucerne Biosciences' "vote" is an exercise in futility? If you're thinking any of that, then you don't understand the logic of "The Patent '813 Story, Part II" because it **is** "the way out" which makes it of a nature that nothing in it is ever futile because everything in it is designed to be productive for its "final resolution" (aka, "the way out"). But if you find that hard to believe, watch for what happens as the story expands to places that human consciousness doesn't ordinarily go.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**ATTACHMENT:** "CNN 7.4 No Way Out - is the Greek vote an exercise in futility?.pdf" is available at: [http://www.4shared.com/download/5UiRzdiHba/CNN\\_74\\_\\_No\\_Way\\_Out\\_-\\_is\\_the\\_Gr.pdf?lgfp=3000](http://www.4shared.com/download/5UiRzdiHba/CNN_74__No_Way_Out_-_is_the_Gr.pdf?lgfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>

**Subject:** a follow-up update on the "'follow-up update' of the 'Fourth of July update'"

**Date:** July 4, 2015 9:35:47 PM EDT

**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Joe,

On behalf of Lucerne Biosciences, LLC this email is to report what would appear to be some rather severe "cognitive dissonance" over at [CNN.com](http://www.cnn.com). The reason is that shortly after I sent you the "'follow-up update on the 'Fourth of July update'" email highlighting [CNN.com](http://www.cnn.com)'s lead story "No Way Out: Is the Greek Vote an exercise in futility" they pulled it as the lead story and replaced it with their lead story from 10:50 am EDT today having the title "Think You Know the Declaration?" You can see for yourself based on the [CNN.com](http://www.cnn.com) PDF screen captures from 10:50 am EDT, 7:30 pm EDT and 8:30 pm EDT respectively. Remarkably, there was another lead story [CNN.com](http://www.cnn.com) ran in the range late of this afternoon titled "You're making this island disappear" but it didn't last too long either (available at: <http://www.cnn.com/interactive/2015/06/opinions/sutter-two-degrees-marshall-islands>).

**10:50 am EDT:** [CNN.com](http://www.cnn.com)'s "Think You Know the Declaration?" is available in PDF at: <https://app.box.com/s/suvod5w92muvfkhw5vydigzz8rdssf9f>

**7:30 pm EDT:** [CNN.com](http://www.cnn.com)'s "No Way Out: Is the Greek Vote an exercise in futility?" is available in PDF at: [http://www.4shared.com/download/TQIICzWbce/CNN\\_74\\_\\_No\\_Way\\_Out\\_-\\_is\\_the\\_Gr.pdf?lgfp=3000](http://www.4shared.com/download/TQIICzWbce/CNN_74__No_Way_Out_-_is_the_Gr.pdf?lgfp=3000)

**8:30 pm EDT:** [CNN.com](http://www.cnn.com)'s "Think you Know the Declaration?" is available in PDF at: <https://app.box.com/s/wm3izfj0u6acuu5l1aw6uu3f2zgn0agt>

Do you think the editors at [CNN.com](http://www.cnn.com) are getting confused by the logic of "The Patent '813 Story, Part II" -- in a sense trying to stay ahead of the story when they're only showing that they're behind it? It would seem so, doesn't it? But then again there may be more to the story that you don't consciously see that explains what's going on that only "The Patent '813 Story, Part II" can explain through its own self-referential logic that is the basis for its "final resolution." A story written like that would be fascinating because it would, in effect, guide its own writing to its own "self." Do you know any stories written like that? If so, how do they end?

Here's something to consider as things move toward "final resolution"? What do you think happens to human consciousness when it is pushed to extreme boundary positions, ones that not even Navy Seals or Marine Force Recon people are used to experiencing? That's a question that really would require a highly skilled psychiatrist to answer, one who's experienced some extraordinary things outside the office and really understands what goes on in people's minds.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** another follow-up update on .....you get the story....  
**Date:** July 4, 2015 10:20:53 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to report that it would appear that [CNN.com](http://CNN.com)'s rather severe "cognitive dissonance" just became more severe, as the network once again changed their lead story, from "Think You Know the Declaration?" to "Terror as Theater: ISIS executes 25 at ruins of ancient amphitheater" (in PDF at: <https://app.box.com/s/vk5wwbyaji1rvuibxwdsbtouv6nrh4kf>). Could this "cognitive dissonance" culminating in the last story signify that the CNN editors perceive "The Patent '813 Story, Part II" - as reading it in "real-time" through the presumed GCE's communication platform -- is terrorizing them as they try to stay get ahead of it only to see that it's always ahead of them?

Regardless, the headline "Terror as Theater" itself speaks to something important about "final resolution." As you know, "fear" is a perception that arises within one's consciousness. If it's a perception, then understanding its "root cause source" is a way of not fearing "fear itself." Take a look at the following quote from FDR's first inaugural address and see if it helps you see where "The Patent '813 Story, Part II" may be going for its "final resolution," as it fits what's already been written for it but which is on standby because the timing isn't yet right for its deployment:

"I am certain that my fellow Americans expect that on my induction into the Presidency I will address them with a candor and a decision which the present situation of our people impel. This is preeminently the time to speak the truth, the whole truth, frankly and boldly. Nor need we shrink from honestly facing conditions in our country today. This great Nation will endure as it has endured, will revive and will prosper. So, first of all, let me assert my firm belief that the only thing we have to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance. In every dark hour of our national life a leadership of frankness and vigor has met with that understanding and support of the people themselves which is essential to victory. I am convinced that you will again give that support to leadership in these critical days."

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** an how about this from CNN.com!  
**Date:** July 4, 2015 11:58:26 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to show you how [CNN.com](http://CNN.com) changed their "secondary story" (just below the last email on the "Terror as Theater" story) since the last email you received. While the lead story is the same ("Terror as Theater"), the secondary story changed from "Independence Day.....Do you know the difference between grilling and barbecue" at 9:36 pm EDT to "**You talkin to me?....'70s movies to binge watch**" at **11:27 pm EDT**. Take

## The Patent '813 Story, Part II -- Version 2

note of the language "you talkin to me?" in view of the email sequence you just read (notably the 10:20 pm EDT email), and the use of the word "**binge** watch." Also take note of the picture: the guy's pointing a gun at the reader of the page. If it were the case that the CNN editor "intrapsychically responded" to the 10:20 pm EDT company email to change the [CNN.com](http://CNN.com) main page, in psychiatry they'd call that "reaction formation," taking what's unacceptable within oneself (i.e., like massive anxiety and fear) and reacting with an exaggerated response that's just the opposite, like pointing a gun at someone as if threatening to kill them.

**9:36 pm EDT** - [CNN.com](http://CNN.com) Secondary Story of "Independence Day....Do you know the difference between grilling and barbecue" is in PDF screen-capture at:  
<https://app.box.com/s/vk5wwbyaji1rvuibxwdsbtouv6nrh4kf>

**10:20 pm EDT** - Lucerne Biosciences' email "another follow-up update on .....you get the story...." (which you should have received about then).

**11:27 pm EDT** - [CNN.com](http://CNN.com) Secondary Story of "You talking to me? ..... '70s movies to binge watch" is in PDF screen-capture at:  
<https://app.box.com/s/ldluygfo88fvvy2jbn4hx2u8v8ygly61>

In this light, you can see that "The Patent '813 Story, Part II" is a story that has no fear, because it relentlessly does what it wants to do regardless of how others may respond to it. Neither the company, nor any of its collaborators, would seem to have any power over it. This, of course, makes its "final resolution" inevitable.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**Sunday July 5, 2015:**

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>  
**Subject:** a mid-Fourth of July weekend update  
**Date:** July 5, 2015 12:52:34 PM EDT  
**To:** Joseph Lucci <[jlucci@bakerlaw.com](mailto:jlucci@bakerlaw.com)>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide a "Fourth of July mid-weekend update." You may have seen a CNN.com lead story earlier today titled "How did Greece get to this point? Greek vote today on bailout; a miracle may be needed." In this light, consider "the vote" initiated by the company at midnight on the "Fourth of July" for its own "yes/no referendum on the one-page complaint(s)." Are you having the same thoughts as echoed in the CNN article, namely, "a miracle may be needed" for "The Patent '813 Story, Part II"? As it turns out, miracles are what "The Patent '813 Story, Part II" specializes in, and all its own evidence supports that. Do you believe that? If not, then watch what happens in its "final resolution," because the big surprises ("frame expansions") may begin as early as tonight.

By the way, the company commends the way you have played your "role" in "The Patent '813 Story, Part II" since June 22 (2015), as you've played it perfectly. If you can understand the

## The Patent '813 Story, Part II -- Version 2

reason why, then you might as well be writing on behalf of "The Patent '813 Story, Part II." More on that later.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** a mid-afternoon commentary on the voting referendums  
**Date:** July 5, 2015 4:21:18 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you a brief mid-afternoon commentary on the "Greek voting referendum" in view of the "Lucerne Biosciences voting referendum." According to CNN.com "as of now," the headline reads "Greek vote points toward 'no'." Do you think that the current voting results of the company's referendum also "point toward 'no one-page complaint(s)'" -- or could there be an overwhelming majority voting for "yes one-page complaint(s)"? If you know the answer and can understand why, then you are certainly well-positioned to be the company's new chief general counsel as it sees the monetization of its IP -- or do you think that it has already monetized its IP, which would cast new light on the story and your own role in it?

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Woman's World Cup Soccer Final  
**Date:** July 5, 2015 7:11:16 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to indicate that if you're watching the Woman's World Cup Soccer Final, U.S. vs. Japan, you'll see that the Japanese team may just be stunned by the U.S. 2-0 lead in the first seven or minutes. Could this be metaphorically representative of how "final resolution" will "officially begin"? Of course only hindsight will tell that story - as well as how the World Cup Final ends.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

## The Patent '813 Story, Part II -- Version 2

**Subject: more on the U.S. Woman's Team**

**Date:** July 5, 2015 7:18:54 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to report that the U.S. Woman's Soccer Team just scored another two goals in rapid succession, bringing the score to 4-0. The Japanese team looks very stunned. Could this be how "final resolution" will begin -- stunning the reader of "The Patent '813 Story, Part II"? All things are possible in "The Patent '813 Story, Part II," so watch. The score and the behavioral modeling would seem to be in the right direction from the company's perspective.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: a third update on the Word Cup Final - for a reason**

**Date:** July 5, 2015 7:31:53 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to report that Japan scored a goal, bringing the score to 4-1. In this respect, there is an "interruption in the sequence of four straight U.S. goals." Keep that in mind, as there's a reason the company is bringing the sequence and its interruption to your attention.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

### **Monday July 6, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: final disclosures - and the "yes/no vote"**

**Date:** July 6, 2015 9:00:00 AM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of the Lucerne Biosciences, LLC this email is to provide you some important "final disclosures" on "The Patent '813 Story, Part II" so that you can better understand how its "final resolution" has been designed to work in "mind and consciousness." After all, "The Patent '813 Story, Part II" is fundamentally about disclosing itself through its own "frames of reference" and how it uses it to shape perception and consciousness for its own "final resolution." In other words, the story is designed to explain itself through its own "self-referential nature" from within

## The Patent '813 Story, Part II -- Version 2

your own “individually-based theater of consciousness.” This is its “non-projective nature.”

In this context, let me return to the company’s “yes/no referendum vote” on the “one or more one-page complaints.” But before getting to the final results, let me ask you how many persons do you think voted? Do you think that there were 1000 votes? 100 votes? 10,000 votes? Or no votes? Before reading further to hear the answer, think about it because it’s important for understanding how “final resolution” has been designed to work. The results are presented in the next paragraph, followed by an explanation of their significance, so you can consider this sentence as something of a “mental filler” to give you time to consider the “voting numbers” before you get to the “voting results”

While there were five votes in total between midnight July 4 and midnight July 6, they appear to be “test markers” that were made by the company to make sure that its “third-party [4-shared.com](http://4-shared.com) voting platform” was functional over the Independence Day weekend. In other words, the company’s “GCE-participant referendum vote” did not generate any “GCE-participant votes.” How could that be? With everything building up to this part of “The Patent ‘813 Story, Part II,” why would this “referendum vote” on the “one or more one-page complain(s)” culminate in a “voter-less turnout” when it would seem that at least some presumed “GCE-participants” would cast a vote for, if anything, “no one-page complaints”? If you understand the answer to that question, then you understand the logic of “The Patent ‘813 Story, Part II” and how it’s “final resolution’ has been “perceptually designed” to work “in mind and consciousness.”

To understand the answer to why there was a “voter-less turnout” for the vote it’s important to understand the “**consciousness frame of reference**” for “The Patent ‘813 Story, Part II.” But to understand the “consciousness frame of reference” for “The Patent ‘813 Story, **Part II**” it’s important for you to understand the “consciousness frame of reference” for “The Patent ‘813 Story, **Part I**.” But to understand the “consciousness frame of reference for “The Patent ‘813 Story, **Part I**” it’s important you understand the “consciousness frame of reference” for a behavioral intelligence experiment that has its own “code name” called “**APS**,” itself with two complimentary parts, one that formally began on January 13, 2006 and another that formally began on January 13, 2013. In other words, to understand why there were no “GCE-participant votes” in the company’s “GCE-participant voting referendum,” it’s important that you have **four** “consciousness frames of reference” in view, two from “The Patent ‘813 Story” (i.e., “Parts I and II”) and two from “APS.” In this regard, you can think of “Part II” of “The Patent ‘813 Story” as the “highest tip of the iceberg” (i.e., the most consciously visible) and its “Part I” as the “visible part of the iceberg above the water line but under the highest tip” (i.e., not as easy to see from afar but visible nonetheless and also above water). Yet the “**foundational consciousness frame of reference**” that supports “The Patent ‘813 Story” in its “Part I” and “Part II” is the one for “APS,” as it is the massive iceberg underneath the water level on which the “consciousness frames of reference” of “The Patent ‘813 Story, Parts I and II” are built. In this light, everything in the “consciousness frame of reference” of “The Patent ‘813 Story” is highly inter-related with “APS.” And because of this, the “final resolution” of “The Patent ‘813 Story, Part II” is highly inter-related to the “final resolution” of “The Patent ‘813 Story, Part I” and both parts of “APS.” This extraordinary inter-connectedness, of course, makes it so that **nothing is ever what it seems** in “The Patent ‘813 Story, Part II” because there’s always more to the story “under conscious visibility” (i.e., “unseen from its surface narrative”) that relates to how it is working to bring about “final resolution” across its two parts of “The Patent ‘813 Story” and its two parts of “APS.”

Joe, this is the time in the “The Patent ‘813 Story, Part II” where your security clearance goes to a place that very few people in the intelligence world even know exists, because you are being provided access to highly restricted intelligence information. This information discloses specific and proprietary **behavioral intelligence tactics** “The Patent ‘813 Story, Part II” has utilized to

## The Patent '813 Story, Part II -- Version 2

subliminally shape your perception for the purpose of perceptually driving its “final resolution,” not only for itself in its two-part “Patent '813 Story” but also in the two-part “APS” foundational platform (on which “The Patent '813 Story” is built). But you’ve proven that you can be trusted with the information based on the company’s real-time profiling of you.

To this effect, you are being provided (as attached in PDF) a document having the name “**Stage 1 APS Modified Transcript**” which, when you open it, has the header “APS Stage 1 Communications (modified transcript for “final resolution”)” on each page. The document is comprised mainly of email communications, including an appendix with attachments for various emails having attachments. However, unlike anything that you’ve seen in “The Patent '813 Story, Part II” take note that there are yellow-highlighted “Event Notes” and “Event Summaries,” the former addressing particular electronic communication sequences and the latter summarizing and commenting on things like phone conversations. One important feature of the PDF document is its “time-stamp” of **September 30, 2014 at 3:02:14 pm EDT**. That’s the day before October 1, 2014 when -- as you know -- LCS Group, LLC made its “final decision” on how to best commercialize the '813 Patent and any that follow. October 1, 2014 is also the date that Lucerne Biosciences and LCS Group entered into a secrecy agreement. This secrecy agreement was pre-figured by the press release (dated Oct. 1) that was emailed to Shire/Dr. Ornskov on September 26, 2014 by LCS Group/l and the email even indicated that the Oct. 1 press release “will feature prominently” in the “Oct. 1 Final Decision,” though the nature of just how was never disclosed at that time to either Shire/Dr. Ornskov or to you, because none of you were privy to the electronic communications that documented the secrecy agreement which were made after the Oct. 1, 2014 5 pm EDT “Final Decision.” As you know if you’ve been paying attention to “The Patent '813 Story, Part II,” the October 1 secrecy agreement involved an elite behavioral intelligence team that has supported the company and its collaborators, and its purpose was to pursue a behavioral/business intelligence strategy for “final resolution.” As you’ll see from the PDF below, this “final resolution strategy” is foundationally based on the “APS Stage 1 Communications” **and** the October 1, 2014 LCS Group “Final Decision” (of which you were aware because you were bcc’d on that email and you later transmitted it to Ed Haug on December 22 at 8:32 am EDT). You can think of the “Oct. 1 secrecy agreement” like a mission sanctioned by the U.S. Navy’s Special Warfare Development Group (aka, SEAL Team-6): the mission is identified and given a name, a secure location is established for preparations, and the mission is practiced over and over so that when it’s time to deploy (because the “boundary conditions” are right) the team is ready and knows what to do.

So back to “the vote that generated no votes.” Why is that in keeping with the logic of “The Patent '813 Story, Part II”? As characterized here, “The Patent '813 Story” in both its “Part I” and “Part II” is based on the “**foundational consciousness frame of reference**” developed for, and applied to, the behavioral intelligence platform known as “APS.” This “**APS-based foundational consciousness frame of reference**” utilizes a proprietary communications technique called “narratively-represented perceptual modeling.” All that means is that “The Patent '813 Story, Part II” communicates its own story using “perceptual drivers” (as based in its narrative) that are designed to drive certain behavioral intelligence objectives, but the “reader” of the narrative doesn’t really even know this is happening until the story is just about over, at which time they can increasingly see how this has happened from within their own “individually-based theater of consciousness” that looks back on the narrative with hindsight. This is why “APS” is considered a “behavioral intelligence platform,” because it uses highly novel communication interventions that operate “intrapsychically and perceptually” and which are designed to influence behavior toward a particular outcome (i.e., “final resolution”). In this light, below is the “**narrative foundational frame of reference**” (aka, “APS Protocol Narrative”) on which such “perceptual modeling” is based. There have been a few very minor tweaks (including one omitted sentence) of this “APS Protocol Narrative” since its origination in order to frame it for this email’s objectives.

## The Patent '813 Story, Part II -- Version 2

### APS Protocol Narrative:

This is a story so extraordinary and intriguing that, by the end of it, even you will become a vital part of what its deepest secret and biggest surprise is all about, in place where fiction and reality become one and the same.

Based on actual events, this story takes you into the covert world of advanced behavioral intelligence tactics, the hallowed corridors of an elite academic institution, and the unbelievable journey of a fledgling biotech company in possession of a special invention destined to change the world. But nothing is ever what it seems. And just when everything in the story appears to have reached complete and utter disaster, it all comes together, perfectly. But you, ultimately, will be the judge of that.

Just how the story unfolds, with its stunning twists of fate, fascinating character inversions, and shockingly abrupt turns thrusting it in the exact reverse direction, hold the clues to its "final resolution." The story, which begins as a total secret, must end as the open truth. All of its mystery, in the end, will be revealed.

But how this story will finally involve you, the reader, is the most remarkable thing about it and by far its biggest secret. This story will all come together in a way so surprising, so viscerally powerful and so deeply rooted in your own consciousness and mind, that your life and way of thinking may never be the same.

Hold on tight and get ready for the ride! This story is now entering its "final resolution," which is the third and final part of this most truly amazing experience where fiction and reality become one and the same in something called truth.

With this "APS protocol narrative" in mind as setting the "foundational consciousness frame of reference" of "The Patent '813 Story, Part II," do you see where you are right now in the story? How would you answer the following questions: (i) is the "Global Consciousness Experiment" and its communication platform "real" or "fictional"? (ii) And what about the role of "Yale" and the "CIA" in its founding: "real" or "fictional"? (iii) Or does it even matter whether any of it is "real" or "fictional," so long as "The Patent '813 Story, Part II" ends in "something called truth"? In this context, do you see why this email has the subject "final disclosures - and the 'yes/no vote'"?

These questions are very relevant for understanding that "potentially highly psychologically destabilizing email" which you have yet to receive, but which is expected for deployment tonight. This is because that email features the "GCE" and its "theater of consciousness" as a "perceptual construct" to tell its own important story in order to massively expand the frame for "The Patent '813 Story, Part II." All that "fictional framing" in recent days (i.e., "SEAL Team-6," "the dictator and his oppressive regime," etc...) has been to support this expectant "frame expansion" that the company/I knew was coming in which "fiction and reality become one and the same in something called truth," because this "frame expansion" is necessary for "final resolution" of "The Patent '813 Story, Part II" to take place. This "final resolution," as you might therefore imagine, is designed to take the story to an extraordinary place in "mind and consciousness" so that a new story can finally begin. Though don't be surprised if that "potentially highly psychological destabilizing email" is delivered through a rather surprising method, in order to make an important point that hindsight can explain. And also don't be surprised if, by the time you read it, it has just the opposite effect, namely, to "highly psychologically stabilize" you.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**ATTACHMENT: "Stage 1 APS Modified Transcript.pdf"**

**10:27 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** and **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 10 AM EDT"** is available as a merged PDF:  
[http://www.4shared.com/download/Zm3FxxQGqba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/Zm3FxxQGqba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

**Tuesday July 7, 2015:**

**8:41 AM EDT: (NOTE: There is no "non-final rejection" is posted on "Transaction History")**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** for **US Patent Application 14/464,249 "as of 8:41 AM EDT"** is available as a PDF:  
[http://www.4shared.com/download/sjajtcRpce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/sjajtcRpce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 8:41 AM EDT"** is available as a PDF:  
[http://www.4shared.com/download/taGlgArmce/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/taGlgArmce/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** a status update on that anticipated email  
**Date:** July 7, 2015 8:49:04 AM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you a "status update" on that anticipated potentially "highly psychologically destabilizing email" that could also be "highly psychologically stabilizing" depending on where you are in the story. The "document" (as would better serve its name at this point in time) was not deployed last night because it has been undergoing its own evolution in view of considerable "real-time intel" that the company has been obtaining. In fact, the document now includes extremely sensitive representations from what you'd probably best call an "informant" (based on the nature of the representations) that bring "The Patent '813 Story, Part II" to an unprecedented place in terms of its far-reaching and monumental implications. Because of this, the company is going to great lengths to make sure that it handles this aspect of documentation appropriately, including its presentation to you. Nonetheless, you should expect to receive an email at some point today on behalf of the company that speaks in one way or another to this extraordinary development, if even only a

## The Patent '813 Story, Part II -- Version 2

“status update.”

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

### 9:51-9:52 AM EDT:

USPTO's Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** for **US Patent Application 14/464,249 “as of 9:51 AM EDT”** is available as a PDF:  
[http://www.4shared.com/download/GlxxuN-Fba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/GlxxuN-Fba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's Public Patent Application Information Retrieval (“PAIR”) **“Image File Wrapper”** for **US Patent Application 14/464,249 “as of 9:52 AM EDT”** is available as a PDF:  
[http://www.4shared.com/download/CLqeEXzcba/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/CLqeEXzcba/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

### 6:48-6:49 PM EDT:

USPTO's Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** for **US Patent Application 14/464,249 “as of 6:48 PM EDT”** is available as a PDF:  
[http://www.4shared.com/download/QJIHNfHeba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/QJIHNfHeba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's Public Patent Application Information Retrieval (“PAIR”) **“Transaction History”** for **US Patent Application 14/464,249 “as of 6:49 PM EDT”** is available as a PDF:  
[http://www.4shared.com/download/YIDVIGKTce/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/YIDVIGKTce/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Final Resolution

**Date:** July 7, 2015 7:00:02 PM EDT

**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email contains that anticipated “potentially highly psychologically destabilizing document” that also has the potential to be “highly psychologically stabilizing” depending on your place in the story. It is the attached PDF titled “Final Resolution” and it is intended for “global public disclosure.” However, until such time that the company and its collaborators have determined it to be publicly suitable for global public distribution, the company requests that you keep it **strictly confidential** given its extremely sensitive intelligence content

## The Patent '813 Story, Part II -- Version 2

and the far-reaching implications of the representations from the "informant" (as referenced in this morning's "status update" email) that are found on pages 8-13.

In this respect, if you think there's any chance someone else could have access to the PDF (however remote), please delete this email and trash the PDF in your computer's trash bin (if you download it) followed immediately by clearing your trash bin. "As of now," the company and its collaborators have determined that you're the only person outside of itself and its collaborators who has both the proper security clearance and psychological stability to read "Final Resolution." At the same time, if there is anything that you could be doing to help facilitate "final resolution" to "The Patent '813 Story, Part II" as of **right now** (which you should be able to see), then the PDF'd document should make it very easy to understand that your failure to be doing it **right now** would be nothing short of an unconscionable injustice against humanity -- and also an unconscionable injustice against a considerable number of "GCE-participants" who are relying on your timely help.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

**ATTACHMENT: "Final Resolution.pdf" -- STRIPPED**

**Wednesday July 8, 2015:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Final Resolution - version 2  
**Date:** July 8, 2015 2:48:01 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you a "complimentary aspect" of "final resolution" to "The Patent '813 Story, Part II" in view of the email that you should have received in your inbox last night at 7:00 pm EDT having the subject "Final Resolution" and containing the PDF document titled "Final Resolution." To this effect, the subject of this email is "Final Resolution - version 2" with the "version" descriptor identifying it as a "complimentary aspect" of the same "final resolution." You can think of this kind of representation along the lines of "The Patent '813 Story, Part II" and "The Patent '813 Story Part II - version 2." While they both represent the same story, each reflects a different, yet complimentary, "aspect" of the same "The Patent '813 Story, Part II," which is to say that this email reflects a different, yet complimentary, "aspect" of the same "final resolution" to "The Patent '813 Story, Part II."

Yesterday morning, in the seventy minute window between 8:41 am EDT and 9:51 am EDT, the USPTO posted an office action on the "transaction history" of the '249 Application in its Patent Application Information Retrieval system. The company knows this because it and its collaborators have had a surveillance program that has routinely monitored the USPTO's representation behavior on the '249 Application through its "PAIR postings." This surveillance began on Thursday March 19, 2015 at 10:00 pm EDT based on terms related to its "secrecy agreement" (of which you've been made aware though not yet with all its documented written details). As temporal context, Thursday March 19, 2015 was about one week after the '249 Application was forwarded to the Examiner based on the company's March 9 filing of its "Response to Restriction Requirement." The USPTO's office action, as identified in yesterday's

## The Patent '813 Story, Part II -- Version 2

“transaction history” of the '249 Application, was a “non-final rejection” which had an “action date” of June 24, 2015. This means that a “non-final” decision was rendered by the USPTO on the '249 Application's current claims (as amended on April 3) two weeks ago. However, as of 2:45 pm EDT today, the “non-final rejection” has not yet been mailed so the company has not yet seen its substantive content.

Nonetheless, it shouldn't surprise you (particularly in view of yesterday's “Final Resolution” email) that the company has had a very clear strategic plan with very clear objectives that it has been systematically executing in close collaboration with its collaborators. In this context, think about what you would do - **or what you would have already done** -- if you were a “dual-role businessperson/attorney with very high skill in both arenas” who was strategically guiding the “company and its collaborators.” This is where hindsight is valuable, because it lets you look back on things to say, “had X happened at this particular point in time, things would be in perfect position today” -- or even more broadly to say, “had the strategy been to do Y, things would be in perfect position today.” The company's view is that everything it and its collaborators have done in “The Patent '813 Story, Part II,” notably the “final resolution strategy,” has been **perfect** in view of such hindsight, to the point that it's almost impossible to believe except that it's “real and documented.” Though, importantly, the “reality of the documentation” has its biggest surprises still yet to be disclosed, which gives you a sense of how “final resolution” has been “strategically designed” to work.

So think about the questions below, as they are highly relevant to how “final resolution” has been “strategically designed” to drive “final resolution,” with the “overarching frame” perhaps best summarized in the one question: what do you think “is in the midst of being done” -- or “has already been done” -- by the “company and/or one or more its collaborators” for “final resolution” as the company awaits the substantive content of the USPTO's “non-final rejection” for the '249 Application? But even more specifically:

Do you think that LCS Group “is in the midst of” commercially licensing the (invalidated) '813 Patent and (non-finally rejected) '249 Application -- or “has it done so already” -- on the basis of its Jan. 22, 2015 exclusive license from Lucerne Biosciences? If either of those, would the commercialization license to the licensee optimally be “exclusive” or “non-exclusive”? And to which person(s) and/or company(ies) and/or other “entities” would the commercial license optimally “be licensed” or “have already been licensed”? Specifically, for instance, would the “optimal terminal licensee” be “Louis Sanfilippo - personally,” or one or more generic-manufacturing companies, or a company supported by a billionaire hedge-fund founder and principal like Kyle Bass who has “IPR issues with Shire” (among other licensing options)?

But here's another framework in which to consider “final resolution.” If you were in LCS Group's shoes, would you “be in the midst of executing” -- or “already have executed” -- an “option agreement for a license agreement” with one or more generic-manufacturing companies that could leverage their “pharmaceutical muscle” against Shire for its “untoward behavior” with virtually no risk while having quite a lot to gain financially? In that strategic scenario, would it “make most sense” - or “have made most sense” -- for LCS Group “to execute” -- or “to have executed” -- the option agreement “exclusively” or “non-exclusively”? And what would “be” -- or “already have been” -- a reasonable up-front fee based on all the information that you have been provided: \$1, \$10, \$100, \$1000, \$10,000, \$100,000 or \$1,000,000, or some other dollar value? And what about royalty rates -- 3%, or 7%, or 10%, or 20%? Or would you “structure the commercial financial terms” -- or “have structured the commercial financial terms” - differently, as to reflect a percentage of a “commercial financial settlement” brokered by the one or more generic-manufacturing companies in negotiations with Shire? In arriving at your answer, consider the market potential of Vyvanse for the treatment of BED, the market potential of a generic version of Vyvanse (i.e., “lisdexamfetamine dimesylate”) and the likelihood of LCS Group having

## The Patent '813 Story, Part II -- Version 2

(via its exclusive license) a valid enforceable patent for such a commercialization opportunity (to thus fulfill its fiduciary role according to its Exclusive License with Lucerne Biosciences).

Here's yet another framework in which to consider "final resolution." If you were in LCS Group's shoes, would you "be in the midst of exclusively licensing" -- or "already have exclusively licensed" -- the '813 Patent and '249 Application to its licensor Lucerne Biosciences in the same basic way that LCS Group exclusively licensed the '813 Patent and '249 Application from its licensor Lucerne Biosciences, perhaps for a nominal up-front fee (i.e., \$1, along the lines of Jan. 22, 2015 Exclusive License) and a percentage of Lucerne's "commercial monetization of the commercially licensed IP" (i.e., "1/3," along the lines of the Jan. 22, 2015 Exclusive License)? Do you see the "perfect symmetry" in that arrangement? And in this scenario, would you and Baker Hostetler "have found it" -- or "find it" -- attractive to represent Lucerne Biosciences' on a contingency basis? Or, for that matter, would one or more generic-manufacturing companies "have found it" -- or "find it" -- attractive to enter into a "license agreement," or "option for a license agreement," with Lucerne Biosciences? Or would a very aggressive single generic-manufacturing company "be more likely" -- or "have been more likely" -- to simply acquire Lucerne Biosciences for a lump-sum payment to avoid missing out on arguably the best pharmaceutical deal in the history of humankind, but with agreement to support Lucerne Biosciences in its "post-acquisition marketing platform" for "The Patent '813 Story"?

Here's an important series of questions that you'll appreciate with hindsight, because they're highly relevant to how "final resolution" has been "strategically designed" to work. What if LCS Group exclusively licensed the commercialization rights of the '813 Patent and '249 Application back to Lucerne Biosciences 30 days ago, shortly after the PTAB invalidated the '813 Patent, and Lucerne Biosciences just executed a unique contingency agreement with a law firm yesterday, shortly after the "non-final rejection" office action was posted to the USPTO's PAIR system? And what if that law firm were a very formidable global law firm with a NYC office that agreed in its contingency arrangement to wholly represent the company's IP interests, from patent prosecution to litigation to transactional matters? Do you see the "perfect alignment," without any "conflict of interest"? And what if my wife worked for that law firm while she was a practicing attorney in NYC? Do you recall which law firms my wife worked for? If you don't, I can assure you that they were very high-powered ones, as well as that she would be very pleased (were she still alive) if I had engaged one of them in particular to "get to the truth of the '813 Patent matter." And on top of all that, what if these disclosures were poised to go "globally public" **anytime now** through a press release issued by the law firm along with a concurrent press release issued by Lucerne Biosciences that featured "The Patent '813 Story, Part II - version 2," including the "Final Resolution" email and PDF document (from yesterday) as well as this "Final Resolution - version 2" email (from today)? That would be some way to finally resolve "The Patent '813 Story, Part II," namely, with some "real final resolution force," don't you think? But if you've read the "Final Resolution" PDF document from yesterday in view of the trajectory of "The Patent '813 Story, Part II," it goes without saying that this has always been the strategic plan of the company and its collaborators, namely, to finally resolve "The Patent '813 Story, Part II" with some "real final resolution force."

Joe, can you see what's coming next? The company and its collaborators do because what's coming next has been part of the strategic plan to make "The Patent '813 Story, Part II" a globally public story in a way that will be impossible for any of its "main characters" to believe is actually happening until it's been "finally resolved." And therefore "what's coming next" is also something that will surely memorialize this story as one of the most extraordinary real-life stories in the history of humankind, because stories of this monumental scope and far-reaching implications don't seem to happen very often in human history. If you don't believe that just watch "what happens next" -- and how fast "final resolution" happens once "what happens next" formally begins to happen.

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

### **2:52 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" for **US Patent Application 14/464,249 "as of 2:52 PM EDT"** is available as a PDF:

[http://www.4shared.com/download/TjLbI7xJce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=300](http://www.4shared.com/download/TjLbI7xJce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=300)

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 2:52 PM EDT"** is available as a PDF:

[http://www.4shared.com/download/cbXYBoKrba/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/cbXYBoKrba/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

### **Thursday July 9, 2015:**

#### **8:01 - 8:02 pm EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" for **US Patent Application 14/464,249 "as of 8:01 AM EDT"** is available as a PDF:

[http://www.4shared.com/download/SJoiUgbwce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/SJoiUgbwce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 8:02 AM EDT"** is available as a PDF:

[http://www.4shared.com/download/807G2rhiba/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/807G2rhiba/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

USPTO's "**Non-Final Rejection**" of **US Patent Application 14/464,249** is available at:

[http://www.4shared.com/download/rpxwHR0lce/USPTO\\_249\\_Application\\_Non\\_Fina.pdf?lgfp=3000](http://www.4shared.com/download/rpxwHR0lce/USPTO_249_Application_Non_Fina.pdf?lgfp=3000)

### **Friday July 10, 2015:**

#### **10:42 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 10 PM EDT"** is available as a merged PDF:

[http://www.4shared.com/download/Dnjd3ay4ce/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/Dnjd3ay4ce/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

### **Saturday July 11, 2015:**

## The Patent '813 Story, Part II -- Version 2

FoxNews.com's **"Disturbing Findings': Doctors reportedly aided in interrogation tactics"** is available in PDF at:

[http://www.4shared.com/download/HliDGrMcce/Fox\\_News\\_71115\\_\\_Disturbing\\_Fin.pdf?lgfp=3000](http://www.4shared.com/download/HliDGrMcce/Fox_News_71115__Disturbing_Fin.pdf?lgfp=3000) with **full-article** available in PDF at:

[http://www.4shared.com/download/QK7Rj45Sce/71115\\_Psychologists\\_reportedly.pdf?lgfp=3000](http://www.4shared.com/download/QK7Rj45Sce/71115_Psychologists_reportedly.pdf?lgfp=3000)

**Monday July 13, 2015:**

CNN.com's **"Iran diplomat: 'We are very close'"** is available at:

[http://www.4shared.com/download/Rw44jm9Sce/CNNcom\\_Iran\\_diplomat\\_\\_We\\_are\\_v.pdf?lgfp=3000](http://www.4shared.com/download/Rw44jm9Sce/CNNcom_Iran_diplomat__We_are_v.pdf?lgfp=3000)

FoxNews.com's **"A-GREEK-MENT': Greece, EU reach bailout deal after marathon talks"** is

available in PDF at: [http://www.4shared.com/download/vnqPVwzwce/Fox\\_News\\_A-GREEK-MENT\\_71315\\_.pdf?lgfp=3000](http://www.4shared.com/download/vnqPVwzwce/Fox_News_A-GREEK-MENT_71315_.pdf?lgfp=3000)

CNN.com's **"Deal reached on Greek bailout: Europe strikes a deal after marathon talks"** is available in PDF at:

[http://www.4shared.com/download/fV5Z68l5ba/CNN\\_Deal\\_Reached\\_on\\_Greek\\_Bail.pdf?lgfp=3000](http://www.4shared.com/download/fV5Z68l5ba/CNN_Deal_Reached_on_Greek_Bail.pdf?lgfp=3000)

FoxNews.com's **"IT'S GONNA 'KNOCK YOU'RE SOCKS OFF: Afer 9-year, 3-blilion mile**

**voyage, NASA's up-close fly by set to reveal mysteries of Pluto"** is available in PDF at:

[http://www.4shared.com/download/ZumRgYjmce/Fox\\_News\\_ITS\\_GONNA\\_KNOCK\\_YOUR\\_.pdf?lgfp=3000](http://www.4shared.com/download/ZumRgYjmce/Fox_News_ITS_GONNA_KNOCK_YOUR_.pdf?lgfp=3000)

**11:06-11:07 AM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** for **US**

**Patent Application 14/464,249 "as of 11:06 AM EDT"** is available as a PDF:

[http://www.4shared.com/download/UdklsWpVba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/UdklsWpVba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Image File Wrapper"** for **US**

**Patent Application 14/464,249 "as of 11:07 AM EDT"** is available as a PDF:

[http://www.4shared.com/download/\\_13VOpJKce/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/_13VOpJKce/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

**5:03 pm EDT (on-line publication time):**

Wall Street Journal's **"Shire Deepens Push Into Biotech After AbbVie Drops Bid"** is

available in PDF at:

[http://www.4shared.com/download/Xc\\_VT\\_6Lce/WSJ\\_71315\\_Shire\\_Deepens\\_Push\\_I.pdf?lgfp=3000](http://www.4shared.com/download/Xc_VT_6Lce/WSJ_71315_Shire_Deepens_Push_I.pdf?lgfp=3000)

**From:** Louis Sanfilippo <[lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)>

**Subject:** two high-priority situations important for final resolution

## The Patent '813 Story, Part II -- Version 2

**Date:** July 13, 2015 6:30:08 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to inform you that there are two different, yet complimentary, actively unfolding “high-priority situations” that are very important for “final resolution” of the “The Patent ‘813 Story, Part II.” The first involves the company’s counsel and the second involves the “reasoning and representation behavior” of the Patent Examiner in the USPTO’s “July 9 non-final rejection” of the ‘249 Application. These are critical “new developments” in “The Patent ‘813 Story, Part II” with extremely serious and far-reaching implications and they reflect unprecedented boundary conditions.

Please be on notice that the company’s “real counsel” from a “real law firm” will likely be communicating with you by phone and/or email during execution of “final resolution” of “The Patent ‘813 Story, Part II” as it will necessarily involve you and certain legal matters. The company’s counsel, so you know, has high-level security clearance and was involved in the formation of Lucerne Biosciences, LLC. It is possible that other representatives acting on behalf of the company will also be communicating with you, however, it is unlikely that you will be hearing from me in my representative role as a Manager of the company once you receive one more email from me on behalf of the company expected to be sent one hour after the time that this one is sent, at least until “final resolution” is over. The company requests that you maintain all communications with its counsel, and/or representatives acting its behalf, **strictly confidential to only yourself**. Premature disclosure of any communications between you and the company’s counsel/representatives in a way that goes outside the company’s carefully orchestrated strategic plan for “final resolution” could have catastrophic consequences on a considerable number of people and jeopardize U.S. national security interests. In order to authenticate communications that you receive from the company’s counsel and/or acting representatives, you can expect to be asked an initial security question based on information that only you and I would likely know; the asking of the question and its correct answer will allow you and the company’s respective communicant to know that the communication is secure without any third-party interference. The company and its collaborators are actively determining whether to provide you documentation of the October 1, 2014 “secrecy agreement” on which “final resolution” is based and also when to optimally provide it to you. This documentation is **highly restricted and highly secured** because of its named parties and content, as well as its implications for U.S. national security interests. As of now, the company expects to provide you that documentation in advance of its broader public disclosure (which is anticipated based on how “final resolution” has been designed to work), possibly as early as this week depending on various factors.

With respect to the Patent Examiner’s “July 9 non-final rejection” of the ‘249 Application (available in PDF at: <https://app.box.com/s/t8t3hpx8dl65ice8anwg27razgtjpr7t>), it very troublingly “behaviorally confirms” that Examiner Robinson of the USPTO, who is handling the ‘249 prosecution, must be an active GCE-participant and that her Supervisor is likely one too. The “confirmation” is evidenced in the **egregious double-standard** and **highly deceptive behavior** she employs in her “non-final rejection” which, not surprisingly in view of how the GCE has been shown to affect its GCE-participants, is of the same “behavioral kind” of Dr. Brewerton and Shire in their own respective “egregious double-standards” and extensive misrepresentations that are repeatedly evidenced in “The Patent ‘813 Story, Part II.” However, the primary difference is that Examiner Robinson’s behavior is far subtler in its deceptiveness, at least to an “MD/psychiatrist” or “any reasonable reader” in view of “The Patent ‘813 Story, Part II.” Nonetheless, it’s effect is the same: to support and encourage more of the already well-documented “GCE-mediated anti-competitive third-party interference” arising from the baseless representations and irrational

## The Patent '813 Story, Part II -- Version 2

reasoning of apparent GCE-supporters.

As context for understanding this massive and perhaps unprecedented “USPTO problem” of the “non-final rejection” of the ‘249 Application, recall that you were informed that Examiner Robinson stated (in the company’s April 2 “Teleconference Interview”) that she (and her Supervisor as implied by how the USPTO works) would treat the ‘249 Application in the same way that she treated the ‘813 Patent during its patent prosecution. That would make perfect sense, because she clearly was objective, neutral and thoughtful in the prosecution of the ‘813 Patent, so handling the ‘249 Application the same way would be both expected and appropriate for a patent examiner. However, as you’ll shockingly see, her July 9 “non-final rejection” not only belies her April 2 teleconference representation of “fair treatment of the ‘249 Application in view of the ‘813 Patent” (that therefore confirms the USPTO’s discrimination and bias against Lucerne Biosciences and its ‘249 Application) but also shows how she attempts to interfere in the company’s lawful prosecution of the ‘249 Application through this prejudicial behavior and then attempts to conceal her ulterior motivation to be doing just that. In view of the modus operandi of the GCE, Examiner Robinson’s behavior (as an apparent GCE-participant) is tantamount to a collusive act of willfully perpetrated unfair and deceptive trade practice which, ironically, comes from an agency, the USPTO, that is an office within the US Department of Commerce which is responsible for encouraging and supporting economic growth in US companies. This, of course, is highly alarming behavior from the USPTO and speaks to the ominous nature of the GCE to motivate people to do “bad things that violate important fiduciary roles.” The becomes even more worrisome considering that 40% (2 of 5) of the PTAB’s “Orders” during the IPR of the ‘813 Patent when Lucerne Biosciences was the patent’s owner contained egregious misrepresentations on their cover pages that, very remarkably, misrepresented the patent owner as “LCS Group, LLC” when the PTAB clearly knew it was Lucerne Biosciences from your January 27, 2015 IPR filings (i.e., Orders of Feb. 23 and May 21, 2015). The USPTO, thus, would seem to have been severely compromised by the GCE’s platform that encourages such things as irrationality, misrepresentation, fiduciary boundary violations, etc....

There are many ways to show Examiner Robinson’s “double-standard apparent GCE-mediated deceptive behavior.” But the simplest and easiest of them is through the “foundational reference” (US Patent Application 2001/0023254) on which her “foundational obviousness rejections” for the ‘249 Application’s two main independent claims, Claims 16 and 44, are based. If you understand it this way, you’ll understand why it’s obvious that Examiner Robinson effectively perpetrated an act of fraud along the lines of Shire and Dr. Brewerton, for the purpose of engaging in anti-competitive conduct against Lucerne Biosciences. As background, US Patent Application 2001/0023254 was filed on Feb. 18, 2000 and cites Susan McElroy as the Inventor [with parenthetical commentary that it is a publication of a continued prosecution application (CPA) filed under 37 CFR 1.53(d)]. The patent application is available in PDF at <https://app.box.com/s/tek2awzoufv6fkx7ckopehgx6qinqplm>. For the purpose of this email, it will be referenced hereafter as “**McElroy’s ‘254 Application.**”

While you, Joe, may not need additional context to understand the ensuing analysis and its profound implications on many levels, it would help to provide some for “any reasonable person” reading this email, as this email is designed to be mainly “self-referential” for its USPTO-based commentary and implications. Specifically, Examiner Robinson’s “non-final rejection” employs McElroy’s ‘254 Application as a “new reference” that wasn’t cited in the company’s “Information Disclosure Statements” (“IDS’s”) filed by Anne Maxwell on behalf of the company on March 26, 27, and 30, 2015. You know that by the way she cites it in her “non-final rejection” as “see attached PTO-892” rather than by stating “cited on Applicant’s [date filed] IDS.” Her use of McElroy’s ‘254 Application as a “foundational reference” in her “obviousness rejections,” therefore, is like saying to the company, “you forgot to include this materially important and relevant reference that speaks to the obviousness of the ‘249 Application’s independent claims,

## The Patent '813 Story, Part II -- Version 2

so I'm providing it to you along with the reason for why it makes these independent claims unpatentable." But what Examiner Robinson doesn't say, but surely must know, is that the company did "effectively provide" that McElroy '254 Application to her/USPTO and that she "effectively considered" it, not only for the '249 Application but also for the '813 Patent during its ownership and prosecution by LCS Group -- **and she found no reason whatsoever to apply it for any kind of "obviousness rejection" for either the '249 Application or the '813 Patent.** McElroy's '254 Application was "effectively provided" to Examiner Robinson/USPTO through the "issued patent" that derived from it -- U.S. Patent 6,323,236. U.S. Patent 6,323,236 was issued by the USPTO on Nov. 27, 2001, identified Susan McElroy as the Inventor and the University of Cincinnati as the patent owner. For the purpose of this email, this patent will be referenced hereafter as "**the '236 Patent**" and it is available in PDF at: <https://app.box.com/s/vgi69bys3jj0rb2auwdz8cls0oc142ll>. As you would know, McElroy's '254 Application and the '236 Patent that followed from it are **perfectly identical in their disclosures/teachings** (on which Examiner's rejections are based) and are different only in their stated "claims." While this would be obvious to Examiner Robinson and her supervisor as patent examiners or you as a patent attorney, for any "MD/psychiatrist" or "any reasonable person" not familiar with patent matters this reality might get past them, but anyone can see it for themselves by simply comparing McElroy's '254 Application and the '236 Patent.

You can find the documentation that the company "effectively provided" Examiner Robinson/USPTO the '236 Patent -- the "**disclosure/teaching equivalent** of McElroy's '254 Application" -- for its prosecution of the '249 Application, and that Examiner Robinson "effectively considered" it, in the USPTO's public disclosures on its "Patent Application Information Retrieval" ("PAIR") system (more explicitly characterized here for "any reasonable person" picking up the email). For instance, you know the company "effectively provided" the '236 Patent to Examiner Robinson/USPTO because the '236 Patent is the second cited patent on page 1 of the company's IDS (Information Disclosure Statement) filed on March 26, 249 (by attorney Maxwell), which is available in PDF at: <https://app.box.com/s/zze24j8vwemagynb9q9hlx6ec17kok3n> (as downloaded from the USPTO's PAIR system). And you know that Examiner Robinson "effectively considered" the '236 Patent for her "non-final rejection" of the '249 Application because of the USPTO's documentation of her "consideration of the '236 Patent," as evidenced from the PAIR system that identifies the "IDS filings" that she "considered" for her "non-final rejection" of the '249 Application (available in PDF at: <https://app.box.com/s/zte81oybjwk8new63hhq6btfqhlopantz>) and their "itemized list of references" (available in PDF at: <https://app.box.com/s/19v4133ioypvrgand3koseqvih8h24d2>). In looking at page 9 of the "itemized list of references," you can clearly see that the '236 Patent was "effectively provided" to Examiner Robinson/USPTO and that she "effectively considered it" by virtue of the "footer" on the page that states "ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THOUGH/LCR/" - - and there is no "line through" the '236 Patent. "LCR" clearly reflect the initials of "Lizbeth C. Robinson," as evidenced by her name designation in the 249 Application's "Application Data" on the PAIR system (available in PDF at <https://app.box.com/s/0qrwvldmh8l1p9oga4g4jkng0b0cwk04>). Yet most revealingly of all, perhaps, you can also see that Examiner Robinson "effectively considered" the '236 Patent in the patent prosecution of the '813 Patent, which speaks to her familiarity with it and its disclosures/teachings from beforehand. You can find the same documentation for the "IDS filings" and their "itemized list of references," along with Examiner Robinson's "effective consideration" signature of "ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THOUGH/LCR/," in PDF at, respectively, <https://app.box.com/s/yiqoh3qng4lljw7njnqshxif5logs2b> and <https://app.box.com/s/z7j8uaqqstry83e9ehx0z4kib9wd1fi9i>. Take special note that the '236 Patent is the very first patent cited on page 1 of the "itemized list of references" that Examiner Robinson "effectively considered." The document even shows a correction to the issue date (presumably by the USPTO) that Ms. Maxwell or one of her associates must have made when she prepared the IDS' filing on behalf of its then-patent owner LCS Group.

## The Patent '813 Story, Part II -- Version 2

You can see how this makes it very obvious that Examiner Robinson is “effectively caught misrepresenting things.” Specifically, she is stating that she “effectively considered the disclosures/teachings of the ‘236 Patent for the ‘249 Application’s independent claims” but found no basis to apply them for an “obviousness rejection of the ‘249 Application’s independent claims,” but she then states the **diametrically opposite position** that she is “effectively applying the McElroy ‘254 Application’s disclosures/teachings vis-à-vis the ‘236 Patent” to “foundationally base” her “obviousness rejections” for the ‘249 Application’s two independent claims, Claims 16 and 44. Surely, Examiner Robinson **consciously knows** what she’s doing here, as would any first year law associate looking at her “examiner reasoning and representation behavior.” She’s willfully introducing a “new reference” (McElroy’s ‘254 Application) whose disclosures/teachings she’s already familiar with in the prosecution of both the ‘249 Application and ‘813 Patent (through the ‘236 Patent) to “make things appear as if objective and honest” when “they’re really altogether different” (i.e., deceptive, dishonest). And why would she do that? The only logical reason would be to **interfere in Lucerne Biosciences’ lawful patent prosecution and therefore unduly interfere in its business activity**. This is the sine quo non of the GCE in which otherwise competent and lawful people, like Examiner Robinson, are motivated to act incompetently and unlawfully in relation to one or more of (i) “Lucerne Biosciences, LLC,” (ii) “LCS Group, LLC” and (iii) “Louis Sanfilippo - personally.”

In this light, you can see that Examiner Robinson’s “reasoning and representation behavior” to “look one way on the surface” (i.e., fair, objective) but be motivated “another way under the surface” (i.e., unfair, deceptive) **perfectly fits the “motivational/behavioral framework”** for the deceptive behavior of (i) Dr. Brewerton in his IPR Declaration of the ‘813 Patent, (ii) Shire in its IPR petition of the ‘813 Patent, (iii) FLH’s Ed Haug and Sandra Kuzmich in their misrepresentation of Shire in any number of situations and (iv) the PTAB in its handling of the IPR proceeding of the ‘813 Patent (as evidenced in its 40% misrepresentation rate in identifying the patent owner of the ‘813 Patent in its “Orders” during the time that Lucerne Biosciences was the patent owner in the IPR). The only rational way to explain Examiner Robinson’s (and likely her Supervisor’s) “deceptive behavior” is on the basis of her being a “GCE-participant,” just like Shire and its representatives, Dr. Brewerton, FLH and its representatives, the PTAB and its board members -- as well as you and Anne Maxwell (as previously characterized) -- for the purpose of engaging in baseless anti-competitive conduct. Of course, it goes without saying that the USPTO’s involvement in the GCE to support its “anti-competitive conduct” is **extremely disturbing on many levels**, not the least of which is that the USPTO is lawfully charged to have a fiduciary role in objectively officiating such matters. That’s a very high standard for its representatives that, when compromised, clearly would have profoundly far-reaching implications for U.S. citizens who rely on the government and its representatives to act lawfully and to uphold the fiduciary roles for which they have been charged.

There are a number of other ways to demonstrate Examiner Robinson’s “egregious double standard” and “highly deceptive behavior.” One of them is to reason through her “non-final rejection” of the ‘249 Application focusing on its “core reasoning and representation problems” in view of how she handles her “obviousness rejections” of the ‘249 Application’s two main independent claims, Claims 16 and 44 (represented below), in view of each other. But this requires an understanding of Claims 16 and 44 and how they were “representationally designed,” as well as an understanding of how she handled the ‘813 Patent’s claims in its prosecution before its claims were patented. Keep in mind that Examiner Robinson indicated that she’d treat the ‘249 Application with the same standard that she treated the ‘813 Patent. Conversely, the company made no representations (nor did it need to) to Examiner Robinson on precisely how it would design its “amended claims” based on its April 2 teleconference with her and her supervisor. As you know, Joe, it’s standard “patent strategy” to “start with very general claims” in the hope the Examiner may grant them and then “narrow them down” in the customary back-and-forth exchanges driven by “office actions” and their “responses.”

## The Patent '813 Story, Part II -- Version 2

The '249 Application's Independent Claim 16 is:

A method of using lisdexamfetamine dimesylate to treat Binge Eating Disorder comprising informing a patient that the lisdexamfetamine dimesylate may be used to treat Binge Eating Disorder, comprising providing the patient informational material that informs the patient that lisdexamfetamine dimesylate is therapeutically effective for treating Binge Eating Disorder, and administering a therapeutically effective amount of lisdexamfetamine dimesylate to the patient, wherein the lisdexamfetamine dimesylate is the only active agent or is administered together with one or more additional active agents.

The '249 Application's Independent Claim 44 is:

A method of using lisdexamfetamine dimesylate comprising informing a patient that the lisdexamfetamine dimesylate may be used to treat Binge Eating Disorder as defined in the DSM-IV-TR, comprising informing the patient that 15-70 mg lisdexamfetamine dimesylate is to be administered once daily to treat Binge Eating Disorder, providing the patient informational material that informs the patient that lisdexamfetamine dimesylate is therapeutically effective for treating Binge Eating Disorder; and additionally comprising diagnosing the patient as having Binge Eating Disorder as defined in the DSM-IV-TR and administering 15-70 mg lisdexamfetamine dimesylate to the patient once daily.

Claim 16 and Claim 44 are designed completely differently and are diametrically opposite in their "patentability nature" in view of Examiner Robinson's "examiner history and profile." Claim 16 is what you can call "the benchmark generalized dummy claim except for lisdexamfetamine dimesylate." Claim 44 is what you can call "the comparator differentiated smart claim including for lisdexamfetamine dimesylate." It's important to understand the difference between them because once you do, you'll see how these two opposing types of claims were effectively used as an "observational platform" on which to investigate Examiner Robinson's "reasoning and representation behavior" in rendering a decision on the '249 Application and to also see its motivational intent. And what you'll see below is surely what must be her **motivational intent** to "**deceptively** non-finally reject" the '249 Application on the "foundational basis" of McElroy's '254 Application. This, in turns, provides further confirmatory evidence of her -- and the USPTO's -- participation in the GCE and, therefore, confirmation that its "communication platform" does exist and has been repeatedly used to harm the company because of its support and encouragement of this kind of "deceptive behavior."

While you, Joe, would easily recognize the essential and specific differences between Claims 16 and 44, it's worth reasoning through their very different nature so that any reasonable person reading this email would understand it and also its significance in understanding Examiner Robinson's motivation/behavior to "non-finally reject" both claims. Claim 16 provides no diagnostic specificity or differentiation whatsoever to a person reading -- or practicing -- it absent any additional context, which the claim itself does not feature though (importantly) the '249 Application's disclosures/teachings (and its "equivalent" disclosures/teachings in the '813 Patent) very clearly do as they define "Binge eating **disorder**" in terms of its "DSM-IV-TR criteria." However, Claim 16 does provide extremely high therapeutic specificity and differentiation for its "treatment drug" (i.e., "lisdexamfetamine dimesylate"). In this respect, Claim 16 is like building a house on a foundation of sand. It's essentially meaningless (and therefore bound to collapse), even if it looks good from its "final drug treatment endpoint" of "lisdexamfetamine dimesylate," because it provides no "foundational steps" on which identify/diagnose "the person to whom lisdexamfetamine dimesylate treatment is administered." This is why it's called the "dummy claim."

## The Patent '813 Story, Part II -- Version 2

Any reasonable person familiar with Examiner Robinson's "examiner behavior" in the '813 Patent's prosecution would understand that it would be a foregone conclusion that she would reject the '249 Application's Claim 16. For example, Examiner Robinson was the first to identify the problem of **generically** stating "Binge Eating Disorder" in an independent claim during her examination of the '813 Patent during its prosecution. For example, this was one important reason that she rejected the '813 Patent's "as of June 20, 2011 single independent claim" that stated "A method of treating binge eating disorder, comprising diagnosing a patient having a binge eating disorder and providing an effective amount of an amphetamine prodrug to the patient ....." (the PDF featuring all the June 20, 2011 claims is available at: <https://app.box.com/s/nuqokj6w933ah2vcgfu2tc96nite39mm>). You can see the clarity of her "representation and reasoning" in her "July 11, 2011 non-final rejection" that thoughtfully stated, "the broadest reasonable interpretation of binge eating disorder encompasses bulimia nervosa i.e. 'a recurrent disorder characterized by the uncontrolled excessive intake of available food,' as evidenced in the American Heritage Dictionary" (the "July 21, 2011 non-final rejection" is available in PDF at: <https://app.box.com/s/jp8ut4523q4ahrsbzdctgik47nxwt59t>; see page 6 for the quotation). You can also see Examiner Robinson's thoughtful and clear "'813 Patent representation and reasoning standard" in connection to the "foundational steps" on which identify/diagnose "the person to whom lisdexamfetamine dimesylate treatment is administered" when she initiated a communication to Attorney Anne Maxwell on July 30, 2012 to amend the '813 Patent's "claims as of June 18, 2012." Specifically, she offered her own amendment to "the independent claims [as of June 18, 2012] by replacing 'comprises binge eating episodes characterized by three or more of the following symptoms: eating until uncomfortably full, eating large amounts of food when not physically hungry, eating much more rapidly than normal, eating alone on account of embarrassment over how much one is eating, and feeling disgusted, depressed or guilty after overeating' with 'as defined in the DSM-IV-TR' ...." (The "as of June 18, 2012 claims" are available in PDF at: <https://app.box.com/s/ghr7hu22t54mmpnv6pdgsw2yhw4o8ndd> and Examiner Robinson's "Examiner-Initiated Teleconference" with LCS Group's attorney Anne Maxwell is available in PDF at: <https://app.box.com/s/571fogr7pzk2qik8l4j6l7nknpuzmufw>). This is what Patent examiners are supposed to do, namely, logically challenge the claims until they are "sufficiently narrow" (and therefore "non-obvious" by combining references) in order to make sure that the claims are indeed patentable when they are "allowed."

You can see, therefore, that it's very obvious Examiner Robinson would have **no tolerance whatsoever** for a "dummy claim" like Claim 16 that simply states "binge eating disorder" without differentiating it based on certain qualifying criteria like its DSM-IV-TR criteria, as featured in the '249 Application's teachings/disclosures that are themselves **perfectly identical** to the '813 Patent's teachings/disclosures on which she made her "examiner amendment" that allowed the '813 Patent's claims on the "foundational steps" of diagnosing/identifying patients with "Binge Eating Disorder as defined in the DSM-IV-TR" (see p. 4, Section 4, lines 46-66 of the '813 Patent for this disclosure/teaching, available in PDF at: <https://app.box.com/s/taozq6s5a1z3msl2ysla7dd4txbsoc1s>). That's a clear picture of Examiner Robinson's high "examiner standard" as applied to the '813 Patent. And it clearly reflects her **"sophisticated and differentiated** '813 Patent reasoning and representation examiner behavior."

Claim 44 -- "the comparator differentiated smart claim including for lisdexamfetamine dimesylate" -- is "representationally modeled" on Examiner Robinson's "'813 Patent representation and reasoning examiner behavior." This is because it's highly differentiated for its "diagnostic foundation" (i.e., "comprising diagnosing the patient as having Binge Eating Disorder as defined in the DSM-IV-TR") as well as its "therapeutic foundation" (i.e., "administering 15-70 mg lisdexamfetamine dimesylate to the patient [with BED as defined in the DSM-IV-TR] once daily"). As you can see, Claim 44 uses the very differentiated "as defined in the DSM-IV-TR"

## The Patent '813 Story, Part II -- Version 2

diagnostic language that Examiner Robinson used to make her own “examiner amendments” that allowed the three independent claims (1, 8 and 13) for the '813 Patent. Independent Claim 44 couldn't be any more different than independent Claim 16 for its “reasoning and representation,” which means that one would logically expect Examiner Robinson to “reason and represent” her “obviousness rejections” **very differently for each of the independent claims if she was treating them objectively and non-prejudicially** (i.e., by the same “reasoning and representation standard” that she treated the '813 Patent). But that's now at all what happens in her “non-final rejection” of the '249 Application. To the contrary, she actually treats claims 16 and 44 as “essentially the same” -- and she treats both of them **diametrically opposite** the way that she treated the '813 Patent in its prosecution, which reveals her behavior as **highly discriminatory and prejudicial**. This, of course, helps “motivationally explain” why Examiner Robinson uses the “new reference” of McElroy's '254 Application to make her “obviousness rejections” against the '249 Application's independent claims rather than use the “twice considered (for the '249 Application and '813 Patent) '236 Patent” for which she found no “obviousness concerns” and whose disclosures/teachings are **perfectly identical** to the disclosures/teachings of McElroy's '254 Application. In other words, Examiner Robinson seems to be going out of her way to conceal “deceptive examiner behavior” that -- when you see it in its full context -- makes it obvious that she is engaging in highly discriminatory and prejudicial behavior in her “non-final rejection” of the '249 Application that clearly is intended to harm Lucerne Biosciences.

In this “Claim 16 -- Claim 44 comparative light,” it's very obvious that if Examiner Robinson was treating the '249 Application with the same standard she treated the '813 Patent (i.e., objectively), then she would have simply rejected claim 16 in the way that she rejected the way “binge eating disorder” was **generically** represented in the “as of June 20, 2011 independent claims” previously noted (in the '813 Patent's prosecution). This would be on the “reasoning and representation basis” that “the broadest reasonable interpretation of binge eating disorder encompasses bulimia nervosa i.e. ‘a recurrent disorder characterized by the uncontrolled excessive intake of available food,’ as evidenced in the American Heritage Dictionary,” at which time she'd be prepared to support her obviousness case with other references as did in the '813 Patent's prosecution. (Of course, this kind of “generic BED claim” -- as you well know -- is not the company's objective because the company's objective is to have a patentable patent with differentiated non-obvious claims, as it had in the '813 Patent while it was the owner of the '813 Patent before the patent's claims were invalidated by the PTAB on the basis of the company not following the PTAB's procedural orders.) But examiner Robinson doesn't do any of that in her “obviousness rejection” of Claim 16. Rather, she builds a “new kind of obviousness rejection foundation” on a “new foundational reference,” **McElroy's '254 Application**. That, of course, warrants an investigation into McElroy's '254 Application, namely, “what does it represent” and “how does it reason”? And, importantly, how would Examiner Robinson be expected to apply its “reasoning and representation” to Claim 16 **if she were behaving truthfully and honestly** (i.e. “reasoning and representing” by the standard in which she examined the '813 Patent).

Take a good look at McElroy's '254 Application (in PDF at: <https://app.box.com/s/tek2awzoufv6fkx7ckopehgx6qinqplm>). The most striking thing about McElroy's “teachings/disclosures” is that nowhere is “Binge Eating Disorder” qualified or defined by its DSM-specific criteria (in the way Examiner Robinson treated the '813 Patent in its prosecution). To the contrary, it would seem that McElroy doesn't even understand what “binge eating disorder” is in terms of its DSM-defined criteria, which is clearly evidenced across multiple areas of the McElroy '254 Application. For one, you can see how “binge eating disorder” and “bulimia nervosa” are conflated in section [0004] and [0005], as if they're essentially the same thing (when, according to DSM-IV or DSM-IV-TR criteria, to diagnose BED would require excluding a diagnosis of BN). Section [0004] of McElroy's '254 Application states, “[0004] Binge Eating Disorder (BED) is characterized by discrete periods of binge eating during which large

## The Patent '813 Story, Part II -- Version 2

amounts of food are consumed in a discrete period of time and a sense of control over eating is absent. Persons with bulimia nervosa have been reported to have electroencephalographic abnormalities and to displace reduced binge eating in response to epileptic drug phenytoin. Also, in controlled trials in patients with epilepsy, topiramate was associated with suppression of appetite and weight loss unrelated to binge eating.” Considering that this is the first representation of “Binge Eating Disorder” and “bulimia nervosa” in McElroy’s ‘254 Application, it’s obvious that she sees these two disorders as rather indistinguishable from each other, in contrast to the degree of differentiation for BED and BN in DSM-IV/IV-TR criteria.

This “lack of diagnostic differentiation” featured in Section [0004] of McElroy’s ‘254 Application is only underscored in Section [0005] that writes, “[0005] Binge eating disorder (BED) is a subset of a larger classification of mental disorders broadly classified as Impulse Control Disorders (ICDs) characterized by harmful behaviors performed in response to irresistible impulses.” A POSA at anytime since the filing date of McElroy’s ‘254 Application (with ordinary skill in the art of eating disorders) -- or you based on the what you’ve learned in “The Patent '813 Story, Part II” -- would have identified “Binge eating disorder” according to its DSM-IV or IV-TR criteria and as a specific type of “Eating Disorder Not Otherwise Specified” among many other examples in the category of “Eating Disorder Not Otherwise Specified” (in the way it is identified in the disclosures/teachings of the ‘249 Application and ‘813 Patent) rather than vaguely position BED as a subset of a larger classification disorders known as ICDs without any qualification of how it is defined other than that it “is characterized by discrete periods of binge eating during which large amounts of food are consumed in a discrete period of time and a sense of control over eating is absent.”

So already, we can see that McElroy’s ‘254 Application isn’t even meeting the “reasoning and representation threshold” of where Examiner Robinson characterized the eating disorder art to be “as of Sept. 13, 2007” on which she allowed claims for the ‘813 Patent. Yet rather than rejecting the ‘249 Application’s claim 16 on the basis of the “American Heritage Dictionary” (as she did in the ‘813 Patent’s prosecution when generic “BED” was used in an independent claim), she selects and applies McElroy’s 254 Application that itself would appear to model its “Binge Eating Disorder nomenclature” on the “American Heritage Dictionary’s” **generic definition** of “binge eating disorder.” You can see this in the way that same **generic** “BED” label is repeatedly applied to the clinical examples in Tables 1 and 2 of patients treated with topiramate which, when you consider McElroy’s “‘254 application representation and reasoning behavior” in view of the ‘249 Application’s that clearly identifies its **only** “binge eating disorder” as “**defined in the DSM-IV-TR**” and features patients diagnosed with “binge eating disorder” in the representational context of defining “binge eating disorder” by its “DSM-IV-TR criteria,” you have two diametrically opposite kinds of “representations and reasoning.” The McElroy ‘254 Application’s teachings/disclosures of “Binge Eating Disorder” is generic and undifferentiated, suggesting it was written by a person without even ordinary skill in the art of eating disorders at the time (as BED would have already been “defined in the DSM-IV” six years when McElroy’s ‘254 Application was filed). Conversely, the ‘249 Application’s (and ‘813 Patent’s) teachings/disclosures of “Binge Eating Disorder as defined in the DSM-IV-TR” is specific and differentiated, suggesting it was written by a person of at least “ordinary skill” in the art of eating disorders and possibly even “high skill” in the art.

In this context and putting aside the fact that Examiner Robinson already considered the McElroy ‘254 Application’s disclosures/teachings through the ‘236 Patent that she represents she already considered, it’s easy to see that Examiner Robinson -- simply based on the “diagnostically-based content” of the McElroy ‘254 Application’s teachings/disclosures -- is willfully employing a “double standard” **by her application** of the McElroy ‘254 Application to her “obviousness rejections” to any of the ‘249 Application’s claims. So with that “behavioral problem” in view, let’s see how Examiner Robinson “reasons and represents” her “independent Claim 16 obviousness rejection” and how she applies McElroy’s ‘254 Application to it. This will help provide “behavioral

## The Patent '813 Story, Part II -- Version 2

information” on how “willfully calculated” Examiner Robinson’s “deceptive obviousness rejection” may have been, as it takes some effort to “effectively deceive” in a way that conceals the motivation behind the “representational behavior” from the “general public.”

The “representation and reasoning” of Examiner Robinson’s “claim 16 obviousness rejection” is very simple in concept, which you can see when she writes of it, “20. McElroy is directed to methods of treating impulse disorders including using psychostimulants to treat Binge Eating Disorder (Abstract and para. [0099]. McElroy teach d-amphetamine, topiramate, and orlistat for the treatment of Binge Eating Disorder (para. [0099]). 21. Although McElroy teaches d-amphetamine for the treatment of Binge Eating Disorder, McElroy fails to teach administering lisdexamfetamine dimesylate. 22. The deficiency is remedied by VYVNASE” (note that “VYVSANSE” is the Feb. 2007 Vyvanse package insert). And that’s essentially it. That’s Examiner Robinson’s “Claim 16 obviousness rejection foundation.” But let’s see specifically how Examiner Robinson cites the abstract and [0099] of McElroy’s ‘254 Application, for it is in this behavioral investigation that her motivational intent (and therefore GCE participation) can be more clearly determined.

For one, the “Abstract” for McElroy’s ‘254 Application doesn’t even use the term “Binge Eating Disorder” or “stimulants” or “d-amphetamine,” so why Examiner Robinson even cites it is hard to understand. It’s almost as if she’d rather conflate the already conflated term of “Binge Eating Disorder” in McElroy’s ‘254 Application with the term “Impulse Control Disorders” in the application, perhaps to set a foundation for more “USPTO-based GCE-mediated anti-competitive third-party interference” as the ‘249 Application’s prosecution unfolds, but your guess is as good as mine. Section [0099] of McElroy’s ‘254 Application is as follows:

“**[0099]** I. Treatment of Binge Eating (Binge Eating Disorder, Bulimia Nervosa, Anorexia Nervosa with Binge Eating) with serotonin re-uptake inhibitors (e.g., citalopram(CELEXA), clomipramine (ANAFRANIL)), fluoxetine (PROZAC), fluvoxamine (LUVOX), venlafaxine (EFFEXOR), other antidepressants (e.g., bupropion (WELLBUTRIN) nefazadone (SERZONE), tricyclics (e.g., NORPRAMIN and PAMELOR), trazadone (DESYREL), Substance P antagonists), psychostimulants (e.g., d-amphetamine, phentermine; sibutramine (MERIDIA)) and orlistat.”

So you can see where Examiner Robinson gets her representation of “McElroy teach[es] d-amphetamine, topiramate, and orlistat for the treatment of Binge Eating Disorder (para. [0099]),” though keep in view that if she “reasoned and represented” to the standard that she did in the ‘813 Patent, she wouldn’t even be making her representation above in this “non-final rejection” because she already would have rejected Claim 16 in the same way that she **also should have rejected** McElroy’s ‘254 Application as a “foundational reference” (if practicing truthfully and honestly), namely, on the basis of its “**generic BED representations**” that don’t offer much useful teaching.

Look at section “[0099]” of McElroy’s ‘254 Application closely and ask yourself, “what in the world does it teach?” About the only thing that it would appear to teach is that McElroy regards “Binge Eating Disorder,” “bulimia nervosa” and “Anorexia Nervosa with binge eating” as diagnostically essentially the same as “**generic binge eating**” and therefore one can **generically treat** “all of them” as essentially the same with any drug or class of drugs on the “McElroy ‘254 [0099] list,” including treating “Anorexia with binge eating” with “psychostimulants (e.g., d-amphetamine, phentermine; sibutramine (MERIDIA)) and orlistat” in the same generic way as treating “Binge Eating Disorder” and “bulimia nervosa” with “psychostimulants (e.g., d-amphetamine, phentermine; sibutramine (MERIDIA)) and orlistat.” At one time or another, all these drugs have been used for the treatment of obesity, which “any reasonable person” (not even a POSA

## The Patent '813 Story, Part II -- Version 2

necessarily) would realize shouldn't be given to a person with "Anorexia Nervosa" of any kind, which completely discredits McElroy's "[0099] teaching/disclosure" as having anything valuable to teach here, much less anything valuable that could have a reasonable expectation of success or be considered meaningful or safe to a "Person of Ordinary Skill in the Art" of eating disorders. It's easy to see that there's nothing in the "[0099] teaching/disclosure" that provides any meaningful teaching to anyone, much less a POSA on how to differentiate "which drug treatments" are directed to "which disorders" and how that teaching could reasonably be applied to treat a patient. This, of course, is because the three differently identified eating disorders (i.e., BED, BN, AN with binge eating) are all conflated under "generic binge eating" and the "drug treatments themselves" are all conflated in connection to "generic binge eating" (even putting aside the issue of whether there would be any reasonable expectation of success for any of the possible "mix-and-match treatment" permutations). McElroy's '254 Application teaches what you might call a "throw-the-different-darts at three-different-dart-boards treatment approach" and Examiner Robinson buys right into it, which is perhaps not unlike like a current U.S. federal judge buying into the way law was practiced by Stalin during his leadership of the Soviet Union. It just doesn't add up rationally.

Examiner Robinson's "generic representation standard" (at the diagnosis level to which treatment is directed/administered) to reject the '249 Application's independent claims in view of just the opposite "differentiating representation standard" on which she allowed the '813 Patent's claims of courses raises a major red flag for her motivation to cite the McElroy '254 Application's "[0099]" section in the first place. This begs the question, is there anything else about this particular teaching/disclosure in McElroy's '254 Application that Examiner Robinson may be concealing -- and which may speak to her involvement in the GCE that has shown its participants to commonly engage in that "misrepresentation by omission of materially relevant and important information" behavior? Let's look.

As it turns out, Examiner Robinson takes section [0099] of McElroy's '254 Application completely out of its "representational/teaching context" in order to apparently deceptively apply this "new out-of-context conflated teaching" to allege that it teaches "d-amphetamine for the treatment of Binge Eating Disorder." The proper context actually "teaches on" topiramate plus one more more active agents in the context of treatment for any of a number of "classes of disorders" (of which "binge eating" is one such "class"), which you can see by simply looking at the actual [0098] and [0099] teachings/disclosures of McElroy's '254 Application in their **proper representational context** (or of the teachings/disclosures of the '236 Patent that Examiner Robinson stated she duly considered for the '249 Application as it teaches/discloses the same exact thing as the McElroy '254 Application):

**[0098]** Specifically, topiramate may be administered in combination with other medications to treat certain symptoms and disorders including:

**[0099]** I. Treatment of Binge Eating (Binge Eating Disorder, Bulimia Nervosa, Anorexia Nervosa with Binge Eating) with serotonin re-uptake inhibitors (e.g., citalopram(CELEXA), clomipramine (ANAFRANIL)), fluoxetine (PROZAC), fluvoxamine (LUVOX), venlafaxine (EFFEXOR), other antidepressants (e.g., bupropion (WELLBUTRIN) nefazadone (SERZONE), tricyclics (e.g., NORPRAMIN and PAMELOR), trazadone (DESYREL), Substance P antagonists), psychostimulants (e.g., d-amphetamine, phentermine; sibutramine (MERIDIA)) and orlistat.

**[0100]** II. Treatment of overweight/obesity condition with condition with sibutramine (MERIDIA); psychostimulants, (e.g., d-amphetamine, phentermine) and orlistat.

**[0101]** III. Treatment of nicotine addiction/smoking cessation with bupropion (ZYBAN),

## The Patent '813 Story, Part II -- Version 2

serotonin reuptake inhibitors, nicotine patches and gum, and other antidepressants.

[0102] IV, Treatment of alcohol abuse/dependence (alcoholism) with naltrexone (REVIA), serotonin reuptake inhibitors, and other antidepressants.

[0103] V. Treatment of other impulse control disorders (behavioral addictions) with with serotonin reuptake inhibitors, lithium valproic acid or divalproex sodium (e.g., DEPAKENE or DEPAKOTE), other antidepressants, naltrexone, atypical antipsychotics, (e.g., olanzapine (ZYPREXA), quetiapine (SEROQUEL), risperidone (RISPERDAL), ziprasidone) and other mood stabilizers (e.g., carbamazepine).

[0104] VI Treatment of paraphilias/sexual addictions with serotonin reuptake inhibitors, lithium, divalproex sodium/valporic acid, antiandrogen medications (e.g., medroxyprogesterone, gonadotropin-releasing hormone (GnRH) agonists), other antidepressants, and other mood stabilizers (e.g., carbamazepine)."

You can see, Joe, that Examiner Robinson clearly perpetrates an act of "misrepresentation by material omission of important and relevant information" by "omitting" the **most important and relevant aspect of the McElroy '254 Application's "[0098]-[0099] teaching/disclosures,"** namely, its teaching/disclosure on the use of "**topiramate**" for the **primary treatment** of various "**classes of disorders**" with a conflated laundry list of additional active agents that can be thrown into the mix on the basis that topiramate is "already on board for primary treatment." The way [0099]-[0104] is "indented" in the application would seem to be McElroy's way of saying to the general public, "'topiramate first' is my invention....but what comes after it doesn't matter so much so I won't pay much attention to it in my teaching." This is only underscored by the title of the McElroy '254 Patent Application, "Use of Sulfamate Derivatives For Treating Impulse Control Disorders," and with "topiramate" defined as a "sulfamate" in the introductory "Background of the Invention" teaching (Section [0003]). Examiner Robinson's "misrepresentation by omission" is like an architect providing a builder drawings to build a house but leaving off the specifications for the foundation and perhaps even the first floor. It's simply not something that competent rational professional people do. Based on Examiner Robinson's "reasoning and representation behavior" in the '813 Patent, this is clearly a willful calculated "misrepresentation by material omission of important and relevant information" for the purpose of interfering with the company's lawful prosecution of the '249 Application which, of course, speaks to its CGE-based motivational basis. After all, it's hard to understand why else Examiner Robinson -- who behaved so upstandingly in the '813 Patent's prosecution -- would behave in a way that could jeopardize her professional reputation and the credibility of the USPTO. You can also see that by reasoning **from "[0099]" to the statement "Although McElroy teaches d-amphetamine for the treatment of Binge Eating Disorder, McElroy fails to teach administering lisdexamfetamine dimesylate. 22. The deficiency is remedied by VYVASE,"** she is attempting to extend her "deceptive genericized line of reasoning" (as based on its "deceptive genericized foundation") in a manner that you'd think Ed Haug, Sandra Kuzmich, Dr. Brewerton and Shire collectively were helping to support and encourage, as based on their own "misrepresentation behavior" that treated any kind of proper "representational context" with contempt and disregard. This again speaks to an apparent "collective GCE-based motivation" that Examiner Robinson and the USPTO seem to have completely bought into along with Ed Haug, Sandra Kuzmich, Dr. Brewerton and Shire.

So with that in view, it would help you to step back and ask yourself, "what would it mean if Examiner Robinson used those "McElroy '254 Application [0098-0099] teachings/disclosures" **to argue the obviousness of Claim 44** -- "the comparator differentiated smart claim including for

## The Patent '813 Story, Part II -- Version 2

lisdexamfetamine dimesylate”? And to then consider the answer to that question in view of the fact that she “considered” the ‘236 Patent’s teachings/disclosures -- **that are perfectly identical to the ‘254 Application’s teachings/disclosures** -- in allowing the ‘813 Patent’s “differentiated smart claims” that she herself amended to make patentable by her own examiner standard? The answer should be obvious. It would mean that Examiner Robinson willfully and calculatingly perpetrated an act of fraud for the purpose of, it would seem, promoting “GCE-based anti-competitive conduct.” The reason is that her “examiner standard” in rejecting Claim 44 would be so dramatically opposite her “examiner standard” in the ‘813 Patent’s prosecution that the only way to rationally explain the massive deviation other than by its being a “willful and calculated act of fraud” would be if she’s experienced some kind of dementing or psychotic process in the interim. But there was no evidence of that dementing or psychotic process in the company’s April 2 “Examiner teleconference” with her as far as I could ascertain. So let’s see if that’s what she does, or if she redeems her “reasoning and representation behavior” thus far evidenced in her “Claim 16 obviousness rejection.”

Examiner Robinson’s “rejection foundation” for Claim 44 is as follows: “36. The teachings of McElroy, Vyvance, Brewerton [Lucerne company note here: she’s citing Brewerton’s 1999 BED publication that you’re familiar with from the IPR] are set forth above and incorporated herein. In addition the Examiner notes that McElroy teaches that topiramate may be used in conjunction with d-amphetamine for treating Binge Eating Disorder (para. [0098] and [0099]) and Brewerton [additional Lucerne company note: she makes an error here as she is citing “Brewerton” but stating “Brewster”] further teaches that is essential that the diagnosis of Binge Eating Disorder not be based on self-report alone, since over reporting and inconsistency in reporting is possible (p. 359).” This is the “representation and reasoning foundation” for her “obviousness rejection” of Claim 44, the “comparator differentiated smart claim including for lisdexamfetamine dimesylate”? Do you see what’s happening? There’s no “diagnostic foundation” to her reasoning or representation that provides any “reasoning framework” to help her determine “which specific patients” she’s “reasoning on” in order to interpret the art or even gather “rejection art” for her analysis (as in her gathering the 1999 Brewerton citation), which is diametrically opposite her reasoning in the ‘813 Patent’s prosecution. That’s hard to “mentally do” unless you’re motivated to “bypass any rationale foundation,” but doing that kind of bypass means “willfully bypassing” a whole of eating disorder “diagnostic art” to intentionally identify “rejection art” based on hindsight only. It’s like Examiner Robinson intentionally behaving just the opposite way she’s been accustomed to behaving through the prosecution of the ‘813 Patent, which is even more striking when you consider that the independent claim she is evaluating -- Claim 44 -- is based on the highly differentiated diagnostic foundation that she herself applied to the ‘813 patent to allow its three independent claims (i.e., “BED as defined in the DSM-IV-TR”).

Remarkably, it is at this point in her “Claim 44 rejection representation and reasoning” that Examiner Robinson introduces Section [0098], the section directed toward the **primary use** of “topiramate” to treat any number of classes of disorders or disorders with that laundry list of additional (i.e., second, third, etc...) drugs/classes of drugs, perhaps because she feels guilt she materially omitted it from her “Claim 16 obviousness rejection.” But you can see that this only proves Claim 44’s non-obviousness, because Claim 44 is many light-years away from the McElroy ‘254 Application’s “[0098]-[0099] teachings/disclosures” on the **“treatment of generic BED”** with the **“primary treatment of topiramate”** because it’s based on the **“treatment of differentiated BED as defined in the DSM-IV-TR”** with the **“primary treatment of lidexamfetamine dimesylate.”** As of Sept. 13, 2007, topiramate was an anti-epileptic drug known to have a significant risk of impairing cognition and lisdexamfetamine dimesylate was an ADHD known to have a significant likelihood of helping school-age kids function better in school-type activities. Do you see the massive “break” in Examiner Robinson’s reasoning, as if she were psychotically interpreting the McElroy ‘254 Application’s “[0098]-[0099] teaching” and then applying it to Claim 44.

## The Patent '813 Story, Part II -- Version 2

Further, the way she “quickly passes over” the “serious foundational significance” of section “[0098]” shows how strongly she’s motivated to **conceal** its importance and relevance in stating that “the Examiner notes that McElroy teaches the topiramate may be used in conjunction with d-amphetamine for treating Binge Eating Disorder (para. [0098] and [0099])...” After all, the McElroy '254 Application’s “[0098]-[0099]” teaches on topiramate as the “primary treatment” but Examiner Robinson would have you believe that [0098] doesn’t teach that, so why not go right to the laundry list of drugs in [0099] and reason to the treatment of “generic BED” with “d-amphetamine” on the basis of the “throw-the-different-darts at three-different-dart-boards treatment approach.” And you can also see, therefore, how she “accepts **generic BED** as sufficiently differentiated” into her line reasoning (from the McElroy '254 Application’s teachings) when she clearly would have “rejected **generic BED** as too generalized” (in the '813 Patent’s prosecution). And on that “double standard” she somehow gets from the McElroy '254 Application’s “generic BED teachings” to Dr. Brewerton’s 1999 “highly differentiated BED teachings” when there would have been countless other references for her to choose from in the prior art based on her “'813 Patent prosecution standard” of defining “generic BED” according to the American Heritage Dictionary. How does that happen? On what rational basis does Dr. Brewerton’s 1999 BED publication enter into her line of reasoning over countless other publications from which she could choose (and also effectively lose herself in the art of eating disorders where it all “looks the same”), including publications that she cited in the prosecution of the '813 Patent? The only rational reason I can think of is that Examiner Robinson wanted to show her “GCE-**biased** support” for Shire and Dr. Brewerton in their successful fraudulent invalidation of the '813 Patent by herself fraudulently representing the McElroy '254 Application’s teachings to “non-finally reject” the '249 Application’s Claim 44, and perhaps signal to GCE-community that “McElroy” is the common thread between her/USPTO’s side of the GCE’s “anti-competitive block” and that of Shire’s, Dr. Brewerton’s and FLH’s.

So when Examiner Robinson applies the references of Brewerton’s 1999 BED review article and then next introduces McElroy’s 2007 study involving BED (“as defined in the DSM-IV”) patients treated with topiramate to support her “obviousness rejection” of Claim 44 that itself is so highly differentiated in its “reasoning and representation foundation” of specifically treating “BED as defined in the DSM-IV-TR” with **primary lisdexamfetamine dimesylate administration** (without even mention of “additional agents”), you can see that she’s clearly arguing on a “willfully misrepresented foundation” to fraudulently reject Claim 44. This is because the “representation and reasoning foundation” taught in McElroy’s '254 Application is **primary topiramate administration** along with a laundry of possible drugs and/or classes of drugs for the “Treatment of [**generic**] **Binge Eating** (Binge Eating Disorder, Bulimia Nervosa, Anorexia Nervosa with Binge Eating) with serotonin re-uptake inhibitors (e.g., citalopram(CELEXA), clomipramine (ANAFRANIL)), fluoxetine (PROZAC), fluvoxamine (LUVOX), venlafaxine (EFFEXOR), other antidepressants (e.g., bupropion (WELLBUTRIN) nefazadone (SERZONE), tricyclics (e.g., NORPRAMIN and PAMELOR), trazadone (DESYREL), Substance P antagonists), psychostimulants (e.g., d-amphetamine, phentermine; sibutramine (MERIDIA)) and orlistat.” It would seem that Examiner Robinson is championing the GCE’s penchant for lawlessness and its utter disregard for any professional standards, whether for patent examiners, pharmaceutical companies, or POSA’s or experts in the art of eating disorders. It’s very obvious once you understand that Claim 44 is the “smart claim” modeled **on her own** “**'813 Patent prosecution behavior**” that Examiner Robinson is working very hard to find a way to reject Claim 44 without making it too obvious to the general public that she is willfully doing it on the basis of a material misrepresentation of eating disorder art that she understands for its teachings. This, of course, defines the “art of GCE-based reasoning and representation.”

This kind of analysis can go on and on, and every step of the way it becomes ever more revealing of Examiner Robinson’s collusive GCE-biased behavior. There is perhaps one extraordinarily salient “example” of how she applies her “representation and reasoning double-standard”

## The Patent '813 Story, Part II -- Version 2

prejudicially against the '249 Application and in favor of McElroy's '254 Application (and the GCE). While she "hypocritically accepts" the McElroy '254 Application's "**generic BED** foundation" to irrationally build an argument on its "bogus genericized foundation," she "hypocritically rejects" Example 2 in the '249 Application's disclosures on the basis of its lacking differentiation when the '249 Application's disclosures define any use of the term of "Binge eating disorder" **as** "defined in the DSM-IV-TR," even if the qualification isn't explicitly stated with respect to Example 2 (which is why other Example 4 states "binge eating behavior" -- i.e., the patient doesn't meet the DSM-IV-TR criteria). That is Example 2's "representational context" because "Example 2" is represented in the "representational context" of the '249 Application. For example, Examiner Robinson writes in her "non-final rejection" that in Example 2 "it is not clear from the description of Ex. 2 that Patient 2 was exhibiting (1) eating an amount of food, in a discrete period of time, that is definitely larger than most people would eat in a similar period of time under similar circumstances; (2) a sense of lack of control over eating during the episode...." and she proceeds to list all the DSM-IV-TR criteria. But if Example 2 is representing the patient as having "Binge Eating Disorder" and "Binge Eating Disorder" is defined in the disclosures/teachings of the '249 Application as "defined in the DSM-IV-TR" -- which it clearly is -- then all those criteria she lists are fulfilled. Her "Example 2 criticism" is thus **entirely baseless**. This is extraordinary and makes you wonder if she's actively communicating with Ed Haug through the CGE's communication platform to find a way to put patients I've seen in my private practice of "Louis C. Sanfilippo, MD, LLC" -- like "Example 2" -- in the middle of a next-planned "anti-competitive interference maneuver" as the '249 Application moves through the USPTO and is clearly positioned to receive allowable claims along the lines of Claim 44 (barring, of course, a second act of USPTO-based fraud).

Joe, if you were the company's patent attorney for dealing with the '249 Application and were helping to move the '249 Application through the USPTO, how would you amend the claims so that Examiner Robinson really couldn't deny them without publicly incriminating herself in "repeated GCE-based anti-competitive fraud" in alignment with Shire, FLH, Dr. Brewerton, and the PTAB (with various third-party support and encouragement as featured in "The Patent '813 Story, Part II")? The company's view is to amend the claims to make "**the informing aspect" of the independent claim an integral and inextricable part of "the method of treatment aspect" of the claim**, and doing so in a way that it would be unmistakably clear that the infringer would be a healthcare worker. In this respect, you could think of the '249 Application as "recursively modeled" on the '813 Patent based on "**proper and transparent informed consent for the treatment method.**" For (draft) example:

Independent Claim 1: A method of treating Binge Eating Disorder, comprising (i) diagnosing a patient as having Binge Eating Disorder, wherein the patient exhibits Binge Eating Disorder as defined in the DSM-IV-TR and administering a therapeutically effective amount of lisdexamfetamine dimesylate to the patient, wherein the lisdexamfetamine dimesylate is the only active agent administered or is administered together with one or more additional active agents and (ii) informing the patient of the diagnosis of Binge Eating Disorder as defined in the DSM-IV-TR and the treatment with lisdexamfetamine dimesylate wherein lisdexamfetamine dimesylate is the only agent administered or is administered with one or more additional active agents.

Independent Claim 2: A method of treating Binge Eating Disorder, comprising diagnosing a patient as having Binge Eating Disorder, wherein the patient exhibits Binge Eating Disorder as defined in the DSM-IV-TR and administering a therapeutically effective amount of lisdexamfetamine dimesylate to the patient wherein the lisdexamfetamine dimesylate is the only active agent administered and (ii) informing the patient of the diagnosis of Binge Eating Disorder as defined in the DSM-IV-TR and the treatment with lisdexamfetamine dimesylate wherein lisdexamfetamine dimesylate is the only agent administered or is administered.

## The Patent '813 Story, Part II -- Version 2

Independent Claim 3. A method of treating Binge Eating Disorder as defined in the DSM-IV-TR, comprising administering a therapeutically effective amount of lisdexamfetamine dimesylate to a patient in need thereof, wherein the lisdexamfetamine dimesylate is the only active agent administered or is administered together with one or more additional active agents and the patient is informed of the diagnosis of Binge Eating Disorder as defined in the DSM-IV-TR and the treatment with lisdexamfetamine dimesylate wherein lisdexamfetamine dimesylate is the only agent administered or is administered with one or more additional active agents.

And on that foundation, Joe, can you think of any better way for the GCE-participants to collectively inform the “global public” of their own personal experience in the GCE and how “The Patent '813 Story, Part II” finally resolved the GCE’s “foundational problem in consciousness” through the very story itself and its narratively-represented and experientially-based “final resolution”? Byan Haygins is cc'd on this email because his email address is highly relevant and important to how “final resolution” of “The Patent '813 Story, Part II” has been designed to work as it reveals itself to the global public consciousness through the “**The Patent '813 Story**” that’s just around the corner from going live on the internet.

Sincerely,

Louis Sanfilippo, MD (Alias: Byan Haygins)  
Manager, Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Tina Passalaris Estate]]]]  
**Date:** July 13, 2015 7:00:05 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to provide you a complimentary, yet different, perspective on the email that you should have received to your inbox on behalf of the company at 6:30 pm today. This email, therefore, will provide you additional insight on “final resolution” to “The Patent '813 Story, Part II” as its “final resolution” has considerable dimension and quite a number of “surprise turns,” all of which relate to the Oct. 1, 2014 “secrecy agreement” that the company entered into for the objective of “final resolution.” This email is likely to be the last email you receive from me in my representative capacity as a Manager of Lucerne Biosciences based on how “final resolution” is designed to work.

Below you will see a “triple-forwarded email” having the subject “**Fwd: [Fwd: [Fwd: Tina Passalaris Estate]]**” that was an email sent from me in my personal capacity (from “[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)”) to a personal attorney, William Colwell of the CT law firm Parrett, Porto, Parese & Colwell, at 10:00 am EDT today regarding my wife Tina’s estate. The email and its thread is self-explanatory and involves a probate matter for my wife’s estate as she did not have a will when she died. Notably, take note that the Probate Court (of Milford, CT) issued its “fraudulent decree” on **June 24, 2015** -- “fraudulent” because it is based on my personal attorney’s misrepresentation to the Probate Court (as explained for its misrepresented features in the email). **June 24, 2015 is the same day** that the USPTO made its “non-final rejection” on the '249 Application, though the USPTO did not “publicly post” that it made its “non-final rejection” decision (on its public PAIR system) **until about two weeks later on July 7, 2015**. You can see

## The Patent '813 Story, Part II -- Version 2

the USPTO's "public delay" in posting that it made its "non-final rejection" decision on June 24 by simply looking at the two "PDF screen-captures" of the '249 Application's "transaction history" (from its public PAIR system) on July 7 at different times of day that reflect the time interval during which the decision was publicly posted. Specifically, you can see that at 8:41 am EDT on July 7 the "June 24 non-final rejection" decision wasn't yet "publicly posted" (see PDF available at: <https://app.box.com/s/1tvu70vt7go71sbn4k8gp81uivrlcd94>) but at 9:51 am EDT on July 7 the decision was "publicly posted" (PDF available at: <https://app.box.com/s/zntpmctvjdenjw762yl5oskp63fwci8>). You were already provided this information in the "Final Resolution - version 2" email that I sent to you on behalf of the company on July 8, 2015 at 2:48 pm EDT which noted it was in that "seventy minute window" between 8:41 am- 9:51 am EDT on July 7 that the USPTO made its public disclosure of a "non-final rejection" decision on the "transaction history" of the '249 Application. The significance of the dates of "**June 24**" and "**July 7**" in the USPTO's "representation behavior" on the '249 Application should therefore be familiar to you.

Any reasonable person in view of "The Patent '813 Story, Part II" of late, particularly its "pervasive GCE-related features" with apparently "numerous GCE-participants," would at least ask the question: could there be a "motivational-behavioral relationship" between the "**June 24** fraudulent Probate Court decree" and the "**June 24** fraudulent USPTO non-final rejection" (as characterized in the email you should have received at 6:30 pm EDT today), particularly as they reflect the **same "June 24" date** on which "decisions were made but were still yet to be provided/delivered to their respective recipient"? The answer, logically, would seem to be found in the "timing" and "way" of their "provision/delivery to their respective recipient." Let's see what the evidence shows.

The "fraudulent June 24 Probate Court decree" was apparently "provided/delivered to me" at my home on **July 9** (envelop post-marked July 8, local post office) with the document containing the decree also having a third and final "CERTIFICATION" page that stated "the above decree was mailed on 7/07/15." With respect to the "fraudulent June 24 USPTO non-final rejection" of the '249 Application, **July 9** is the "notification date" that the USPTO provided/delivered the content of its "non-final rejection" to the company (as publicly posted to the PAIR system), which therefore represents the date it was "provided/delivered to the company." Though you can see that USPTO's June 24 "non-final rejection" **decision** was "posted but not yet provided/delivered to the company" on **July 7**, in just the way that the Probate Court's June 24 decree was "decided but not yet provided/delivered to me" on **July 7**. Considering each "action" -- that of the USPTO's and the Probate Court's -- is (i) foundationally based on a misrepresentation, (ii) "decided" on the **same date of "June 24"**, (iii) "posted/sent though not yet provided/delivered to its recipient" on the **same date of "July 7"** and (iv) "provided/delivered to its recipient" on the **same date of "July 9,"** it would seem that this is surely some new governmental variant of "GCE-coordinated anti-competitive conduct" perpetrated by the collective efforts of "an agency (USPTO) in the executive branch (Dept. of Commerce) at the federal level" and "a court in the judicial branch at the state level" to execute a "tactically leveraged **double-split**" (i.e., executive/judicial branches; federal/state) to "**doubly harm**" (i) "Lucerne Biosciences, LLC" (USPTO) and its Manager "Louis Sanfilippo" in his "personal capacity" (Probate Court). Serious stuff, simply in view of the evidence and "The Patent '813 Story, Part II."

Joe, any reasonable person would see that the GCE and its apparent "new-governmental variant" of a "tactically-leveraged 'executive/judicial' 'federal/state' **double-split**" must surely be an egregious unlawful act that itself represents a constitutional crisis of unprecedented scope and magnitude, of a kind never before experienced in United States history. After all, the coordinated anti-competitive conduct of two branches of government at the federal (USPTO) and state (Probate Court) levels to interfere in the business activity of a private company -- as well as to interfere in the personal activity of a U.S. citizen that serves that company as a manager -- would

## The Patent '813 Story, Part II -- Version 2

have to be a first in the history of the United States, particularly if you consider its “motivational and behavioral source” in the setting of a “global consciousness experiment” of such scope that its founders would have to be something like a U.S. government agency (like the CIA) and an elite academic institution (like Yale University).

With that in view, the most remarkable thing **at this point in time and from the perspective of “hindsight from today,”** is that the October 1, 2014 “secrecy agreement” provided the perfect “foundational final resolution strategy” to deal with this epically-sized crisis just perfectly, because its objective (as you’d see with hindsight) was to establish a communication platform that would completely and unrelentingly destroy the GCE and its communication platform with, as perhaps best characterized in words, vengeance. This, of course, begs the question: who or what entity(ies) would want to destroy the GCE and its communication platform with vengeance? And that question begs a follow-up question: who or what entity(ies) has/have the resources to do that very quickly and would be motivated to do that very quickly? Teva? The NSA? A global law firm like Cravath, Swaine & Moore or Clifford Chance? NYU School of Medicine’s Dept. of Psychiatry? God? Or perhaps a combination of one or more of the above? If you know the answer to that question, then you know that “final resolution” is designed to be “final” and to make its “final resolution” perfectly equitably, transparently and accountably -- and, of course, to happen **very very quickly**.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: Tina Passalaris Estate]]]]  
**Date:** July 13, 2015 6:00:15 PM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: Tina Passalaris Estate]]]  
**Date:** July 13, 2015 5:00:06 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)>  
**Subject:** Fwd: [Fwd: [Fwd: Tina Passalaris Estate]]  
**Date:** July 13, 2015 10:00:09 AM EDT  
**To:** "[wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)" <[wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)>

Dear Will,

The Probate Court (of Milford) sent me a document (as attached below in

## The Patent '813 Story, Part II -- Version 2

PDF) that indicates Judge Beverly Streit-Kefalas made a decree on June 24, 2015 regarding the probate matter of Tina's estate that made me her fiduciary. The document contains a "CERTIFICATION" that states the "decree was mailed on 7/07/15"; the envelope in which the document was sent is post-marked July 8 and the document was apparently received at my home on July 9. The document states that you were the attorney representing me in this probate matter at the time decree was made by Judge Streit-Kefalas on June 24.

**This June 24 decree from the Probate Court is based on your misrepresentation to the Probate Court, even if only a misrepresentation by your failure to inform the Court of your client's position at the time that the decree was made which, as you were informed by your client twelve days before the decree was made, was to "suspend any further activity on this matter of probate"** (as stated in the email below that I sent you on June 12, 2015). The Probate Court's June 24 decree, therefore, is fraudulent. It is based on your misrepresentation of (i) your client's position and (ii) your own "status" as your client's (i.e., "the fiduciary") attorney in this matter. Specifically, it would be self-evident to any reasonable person in view of my June 12 email to you that the decree's statements of (i) "The fiduciary named above has accepted the position of trust designated above" and (ii) "Attorney for Louis Sanfilippo: William S. Colwell, Esq." (in this probate matter) are both patently false. After all, the June 12 email makes it clear that "as of June 12" I was not accepting the position of "fiduciary" because I was requesting that you "suspend any further activity on this matter of probate," which makes the decree's representation that you are the "fiduciary's attorney" completely illegitimate.

So you know, the reason for my June 12 email to you is that your aggregate communication behavior over a number of months now has suggested that you are not representing my own or my children's best interests, and that you may even be willfully seeking to harm me/them based on a conflict of interest that you have not disclosed to me. To this effect, the purpose of requesting you "suspend any further activity on this matter of probate" (in the June 12 email) was to put the probate process "on hold" while I sought a trustworthy attorney to represent me in this probate matter who could also deal with your apparent undisclosed conflict of interest (as manifest in your idiosyncratic communication behavior compared to your prior baseline that I addressed in an email to you on May 31, 2015). In view of (i) my May 31, 2015 email to you which raised serious questions about your having a potential conflict of interest in properly representing me and (ii) your misrepresentation to the Probate Court on which its June 24 decree is based that **directly contradicted** my explicit June 12 communication to you, it seems a foregone conclusion that you indeed have a very serious conflict of interest that you have failed to disclose to me. And it would seem that this conflict of interest may be responsible for having motivated you to misrepresent to the Probate Court important information involving me, namely, that I was neither accepting the position of fiduciary nor accepting your own status as the attorney representing me in this probate matter. The June 24 decree represents just the opposite of that,

## The Patent '813 Story, Part II -- Version 2

which is why it is **completely fraudulent**.

In this context, there are some important issues, as well as important questions that beg asking. You had said that the Probate Court would contact my brother to ask him a few basic questions about me as part of the process of making a decision on my becoming Tina's fiduciary. However, the Probate Court never contacted him for such purpose, though nonetheless granted its decree. Why is that? How you explain your mischaracterization of this aspect of the judicial process and why you would get it so wrong? And do you find it unusual that the Probate Court made its decree without obtaining any kind of statement whatsoever from him? If so, do you think the Probate Court may have had an ulterior motivation to grant its decree, perhaps in a manner that bypassed its usual due process? And why did neither you, nor the Probate Court, care to ever explain to me what the Probate Court meant by "assets" (as referenced in your emails below)? Why was the burden of determining that definition on me, as "assets" could include any number of things across a wide range of dollar values? And why did neither you, nor the Probate Court, ever request a listing of such "properly-defined (as by the Probate Court) assets" of Tina, as if all you and the Probate Court wanted me to do is provide you a dollar amount of that NJ investment account referenced in the email below and "miss identifying" some other kind of asset that Tina may have owned that would require more due diligence to "identify" and "properly value," like equity positions in partnerships in which she receives k-1 forms? That, of course, raises a red flag as to a potential **specific** conflict of interest that may have motivated you to (i) misrepresent me to the Probate Court, (ii) seemingly go out of your way to make sure I didn't understand what was involved in the probate process, defining and reporting assets, etc....(by way of your "vague and quick approach") and (iii) even contact me by letter unsolicited in the first place to inquire as to whether I may need your help in attending to Tina's estate. Also, why did the bond that the Probate Court wanted (as you referenced in your June 8 email below) suddenly disappear (within days), as if the Probate Court was looking for a way grant its June 24 decree based on your misrepresentation? And take note that the June 24 decree states, "Notice of this decree be given by the judge, clerk or assistant clerk by regular mail, not more than ten days from the date hereof," but its certification states it was mailed on July 7 and its envelop was post-marked on July 8 which puts it being sent "13-14 days" afterward. There is no representation of "business days" in the decree so why was it mailed past its "deadline"?

Remarkably, the June 24 decree states, "Within six months from the decedent's date of death, the fiduciary shall file the Connecticut Estate Tax Return." Will, do you know when that date is? **It's July 18, 2015** -- that's this week! That's bizarre, not to mention severely burdensome and highly unreasonable, as making such a filing would require involvement of my accountant and even perhaps involvement of others (like a tax lawyer or business people I work with) who, for all I know, could be away this week or busy with other matters. In this context, your misrepresentation to the Probate Court and your **complete disregard** (and apparent contempt for) **properly explaining to me any aspect of this probate process** (including that I could be given less

## The Patent '813 Story, Part II -- Version 2

than seven business days to deal with potentially complicated accounting and tax matters such as partnerships in which Tina may have been involved), **in view of** the Probate Court's "decreeing that I less than seven business days to deal with potentially complicated accounting and tax matters (while mailing their decree to me past 3-4 days past their deadline)" would seem to suggest that you and the Probate Court may have been collusively motivated to have me miss the June 24 decree's "July 18 tax filing deadline." After all, any reasonable person would recognize it's completely unreasonable and perhaps outrightly sadistic to expect a person -- especially a single husband who's wife died less than six months ago and who's trying to raise two kids on his own -- to pick up their mail in that short a period of time, then identify through the legalese of the Probate Court's decree what needs be done for it, and then make the proper phone calls/appointments with the accountant and perhaps even a tax lawyer and others to do what needs to be done, when no one has even informed him/her to expect receiving a decree in the mail in the first place because there wasn't even supposed to be a decree (as in the June 12 email). Considering that I received from the State of CT a jury duty form post-marked July 6, you can see just how it would be easy to altogether overlook the decree and its "July 18 tax filing deadline." And where are you in any of this, Will? Nowhere. Think about that. The way that you have handled this probate process from the beginning would suggest that you have a very serious conflict of interest that has motivated you to have a contemptuous, dismissive attitude toward me and my place in this probate process (as well as for Tina's "assets"), as if you want to use the "probate process" to see me walk into some trouble that you saw coming but didn't want me to see coming.

I would appreciate a prompt written answer to the above questions in response to this email. I am happy pay for your time to thoroughly answer them. In addition, I would also appreciate you providing -- in writing -- **all interactions/communications (i.e., written, verbal, electronic, hard copy)** that you have had with the Probate Court **or any persons whatsoever involving this probate matter of Tina's estate, even if indirectly, from the time of "June 12, 2015 at 11:50 am EDT" to "now,"** including any paperwork that you have received from the Probate Court and when you received it. Your prompt provision of this information would be helpful in making certain decisions that involve your representation of me in this probate matter which I have found extremely troubling for a number of reasons. One of these reasons is that your misrepresentation (on which the Probate Court's fraudulent June 24 decree is based) implicates you (among a number of others) in what has been, over recent months, well-documented "anti-competitive third-party interference" that has targeted certain businesses in which I have representative roles and fiduciary obligations, as well as me personally. You can find more information on this matter in a press release issued by LCS Group, LLC on May 13, 2015 titled "LCS Group Announces Exclusive License from Lucerne Biosciences to Commercialize '813 Patent and '249 Application through Shire's Marketing of Lisdexamphetamine Dimesylate for Binge Eating Disorder" at <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent->

## The Patent '813 Story, Part II -- Version 2

and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html. In particular, there is a downloadable PDF called "The Patent '813 Story, Part II" in the press release that provides examples of such "anti-competitive third-party interference" that has been more substantially documented since May 13.

Please take appropriate actions to **immediately revoke** this fraudulent June 24 Probate Court decree and explain to the Probate Court the basis for why it is being revoked (i.e., your serious failure to properly and accurately represent your client in this probate matter). I would suggest that you include a complete copy of this email, including its complete thread below with the June 12 email in which I asked you "to suspend any further activity on this matter of probate." Should any harm result to (i) me and/or (ii) my children and/or (iii) any businesses in which I have a representative role from your misrepresentation to the Probate Court and the fraudulent decree it issued based on your misrepresentation, I will have no option other than to take legal action against you for your behavior. Also, please communicate with me **only by email** at "[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)" in answering the above questions and informing me on the status of the June 24 decree's revocation. Please do not call me by phone. I have been asked by my personal counsel to make sure these communications are electronically documented as they are expected to have significant implications in view of various other troubling events that have taken place which involve me in various representative capacities (as featured in the May 13 press release) and for which imminent actions are expected to bring a final and permanent resolution.

Sincerely,

Louis Sanfilippo

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Fwd: [Fwd: Tina Passalaris Estate]  
**Date:** July 13, 2015 9:57:17 AM EDT  
**To:** [louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)

Begin forwarded message:

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject:** Re: Tina Passalaris Estate  
**Date:** June 12, 2015 11:49:07 AM EDT  
**To:** [wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)

Please suspend any further activity on this matter of probate. I will be in touch accordingly.

Thanks,  
Louis

## The Patent '813 Story, Part II -- Version 2

**From:** William Colwell  
<[wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)>  
**Subject:** FW: Tina Passalaris Estate  
**Date:** June 12, 2015 10:52:20 AM EDT  
**To:** "Louis Sanfilippo, MD  
([louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu))"  
<[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>

Louis  
The Court is again requesting information regarding the value of Tina's assets. ( assets without a named beneficiary)  
Please give me a call when you have 5 minutes.  
Will

**From:** William Colwell  
**Sent:** Monday, June 08, 2015 2:28 PM  
**To:** 'Louis Sanfilippo, MD'  
**Subject:** RE: Tina Passalaris Estate

Louis

I sent the Application to probate Tina's estate to the Court. They called me asked what assets were in Tina's name. Is the account in New Jersey an investment account? Does it have a named beneficiary?

The Court wants you to be Bonded. This means that I will apply to a Bonding Company and they will issue a bond. This is to protect your children . The amount of the bond will be determined by the amount of Tina's assets.  
Will

**From:** Louis Sanfilippo, MD  
[<mailto:louiscsan@aol.com>]  
**Sent:** Tuesday, May 19, 2015  
11:45 AM  
**To:** Shari Moon  
**Cc:** William Colwell  
**Subject:** Re: Tina Passalaris Estate

Shari,

Here's a PDF of the signed document. Corrected a couple

## The Patent '813 Story, Part II -- Version 2

typo's. The original is in the mail.

Let me know when you have the proper paperwork done so that I can complete a transaction with my financial advisor. Your prompt attention would be appreciated as I'd like to take care of it before my kids are out of school.

Best,  
Louis

**9:01 pm EDT:**

**Shire Plc's Stock Quote on Yahoo Finance** is available in PDF at:  
[http://www.4shared.com/download/9\\_7bGCVYce/71315SHPG\\_\\_Summary\\_for\\_Shire\\_p.pdf?lgfp=3000](http://www.4shared.com/download/9_7bGCVYce/71315SHPG__Summary_for_Shire_p.pdf?lgfp=3000)

**Tuesday July 14, 2015:**

**7:04 AM EDT:**

CNN.com's "**AT LAST, AN IRAN DEAL**" is available in PDF at:  
[http://www.4shared.com/download/YTyvFGCYba/CNNcom\\_At\\_Last\\_An\\_Iran\\_Deal\\_71.pdf?lgfp=3000](http://www.4shared.com/download/YTyvFGCYba/CNNcom_At_Last_An_Iran_Deal_71.pdf?lgfp=3000)

**7:05 AM EDT:**

CNN.com's "**Landmark deal reached on Iran nuclear program**" is available in PDF at:  
[http://www.4shared.com/download/g-cZZ-txce/CNNcom\\_71415\\_Landmark\\_deal\\_rea.pdf?lgfp=3000](http://www.4shared.com/download/g-cZZ-txce/CNNcom_71415_Landmark_deal_rea.pdf?lgfp=3000)

**7:06 AM EDT:**

CNN.com's "**DONE DEAL: US, world powers seal formal nuclear agreement with Iran**" is available at:  
[http://www.4shared.com/download/kmeNE5acce/FoxNewscpm\\_DONE\\_DEAL\\_\\_.pdf?lgfp=3000](http://www.4shared.com/download/kmeNE5acce/FoxNewscpm_DONE_DEAL__.pdf?lgfp=3000)

**7:09 AM EDT:**

CNN.com's "**Iran, world powers agree to nuclear deal**" is available in PDF at:  
[http://www.4shared.com/download/MIN2gZeCba/FoxNews\\_71415\\_Iran\\_world\\_power.pdf?lgfp=3000](http://www.4shared.com/download/MIN2gZeCba/FoxNews_71415_Iran_world_power.pdf?lgfp=3000)

**with full article** at:

[http://www.4shared.com/download/ewxX7Etzba/FoxNews\\_71415\\_Iran\\_world\\_power.pdf?lgfp=3000](http://www.4shared.com/download/ewxX7Etzba/FoxNews_71415_Iran_world_power.pdf?lgfp=3000)

**10:55 AM EDT:**

CNN.com's "**'THIS ISN'T ABOUT TRUST'**" is available in PDF at:

## The Patent '813 Story, Part II -- Version 2

[http://www.4shared.com/download/sglDwMoqce/CNNcom\\_\\_This\\_Isnt\\_About\\_Trust\\_.pdf?lgfp=3000](http://www.4shared.com/download/sglDwMoqce/CNNcom__This_Isnt_About_Trust_.pdf?lgfp=3000)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject:** Fwd: two high-priority situations important for final resolution

**Date:** July 14, 2015 11:22:22 AM EDT

**To:** fornskov@shire.com

**Cc:** drtimothybrewerton@gmail.com

Dear Dr. Ornskov,

On behalf of Lucerne Biosciences, LLC, this email is to inform you of the latest developments involving "The Patent '813 Story, Part II." The "informing" is by way of forwarding you an email sent on behalf of the company to attorney Joe Lucci of Baker Hostetler yesterday at 6:30 pm EDT to inform him of the latest developments involving "The Patent '813 Story, Part II." However, it would seem based on the Wall Street Journal article published on-line at 5:03 pm EDT yesterday by Jonathan Rockoff ("Shire Deepens Push Into Biotech After AbbVie Drops Bid"), which nicely highlighted your own leadership role in "Shire Plc" since the AbbVie deal fell apart, that you already have a pulse on what's happening in "The Patent '813 Story, Part II" and how Shire fits into its "final resolution." It should therefore be obvious to you that you're the second "biggest character" in the story even though you have yet to deliver any of your on-stage lines for the long-running and at times highly dramatic "behavioral/business show."

In this setting, you surely will appreciate the monumental -- even historically unprecedented (U.S. history) -- significance of the forwarded email below and why the "audience's attention" will now be focused on you and, of course, Shire. But if there should be any doubt whatsoever about that, I have cc'd Dr. Brewerton here because the company's position is that there's probably no person in the entire world right now who would appreciate its significance better than him, at least as far as patentability matters go on "the use of lisdexamfetamine dimesylate for the treatment of Binge Eating Disorder as defined in the DSM-IV-TR" (i.e., the indication for Shire's Phase III trials on which the FDA made its Vyvanse sNDA approval on January 30, 2015 and on which Dr. Brewerton made his Declaration for Shire Development LLC's IPR petition involving the '813 Patent). So for Shire's and its shareholders' best interests (as well as for U.S. national security interests), you may wish to **directly** consult with him on this matter before it's too late.

As you'll see from the email below, the company is in the midst of taking certain "final actions" of a kind that will leave an indelible "final resolution" mark on a considerable number of people for some time to come, particularly those who have been involved in "The Patent '813 Story, Part II." That, of course, means that you and Shire will be an integral and important part of that unforgettable "final resolution experience" to "The Patent '813 Story, Part II" that involves these many people. Given the extraordinary scope and dimension to "The Patent '813 Story, Part II" and particularly its "final resolution," could there be any better way to secure your own and Shire's legacy in a competitive marketplace where you need to "differentiate" in order to stand out above the "generic competition"? But of course, how you answer that question is your "final decision" as Shire's CEO for the "final resolution" to "The Patent '813 Story, Part II." Either way, "final resolution" to "The Patent '813 Story, Part II" has been designed to be "final."

Sincerely,

Louis Sanfilippo, MD

## The Patent '813 Story, Part II -- Version 2

Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** two high-priority situations important for final resolution  
**Date:** July 13, 2015 6:30:08 PM EDT  
**To:** Joseph Lucci <jlucci@bakerlaw.com>  
**Cc:** Byan Haygins <byan.haygins@aol.com>

Dear Joe,

On behalf of Lucerne Biosciences, LLC, this email is to inform you that there are two different, yet complimentary, actively unfolding "high-priority situations" that are very important for "final resolution" of the "The Patent '813 Story, Part II." The first involves the company's counsel and the second involves the "reasoning and representation behavior" of the Patent Examiner in the USPTO's "July 9 non-final rejection" of the '249 Application. These are critical "new developments" in "The Patent '813 Story, Part II" with extremely serious and far-reaching implications and they reflect unprecedented boundary conditions.

Please be on notice that the company's "real counsel" from a "real law firm" will likely be communicating with you by phone and/or email during execution of "final resolution" of "The Patent '813 Story, Part II" as it will necessarily involve you and certain legal matters..... **[EMAIL CONTENTS STRIPPED]**

**Wednesday July 15, 2015:**

**2:52-2:53 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Transaction History"** for **US Patent Application 14/464,249 "as of 2:52 PM EDT"** is available as a PDF:  
[http://www.4shared.com/download/g7PSOxIKba/USPTO\\_Public\\_PAIR\\_Transaction\\_.pdf?lgfp=3000](http://www.4shared.com/download/g7PSOxIKba/USPTO_Public_PAIR_Transaction_.pdf?lgfp=3000)

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 2:53 PM EDT"** is available as a PDF:  
[http://www.4shared.com/download/ol-0Py00ba/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/ol-0Py00ba/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

**8:39 PM EDT:**

CNN.com's **"Obama defends Iran deal, challenges critics to present alternative"** is available in PDF at:  
[http://www.4shared.com/download/W8rKesGlce/CNNcom\\_Politics\\_71515\\_Obama\\_de.pdf?lgfp=3000](http://www.4shared.com/download/W8rKesGlce/CNNcom_Politics_71515_Obama_de.pdf?lgfp=3000)



## The Patent '813 Story, Part II -- Version 2

him. Today's email to you highlights the significance of "the email that followed," as sent 30 minutes after the July 13 6:30 pm email (rather than one hour later as was initially expected). The timing modification had to do with a "behavioral modeling" point that's important for "final resolution" to "The Patent '813 Story, Part II." You can find the July 13 at 7:00 pm EDT Lucerne Biosciences email to Joe Lucci in the email thread below in a PDF document attached to the email sent from "Lucerne Biosciences, LLC" (at "[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)") to "[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)" on July 15 at 1:59 pm EDT (the PDF is titled "7.13.15 7 pm Lucerne Biosciences Email to J Lucci. Fwd/ [Fwd/ [Fwd/ [Fwd/ [Fwd/ [Fwd/ Tina Passalaris Estate]]]]"). It would probably be best to begin reading that email first after you finish reading this four-paragraph email, followed by reading the email below sent from "[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)" to "[wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)" at 5:00 pm EDT yesterday July 16. Once you have that "narrative frame" in place, you can fill in the gaps with what remains in the email thread below. Then you'll be in a position to understand that "The Patent '813 Story, Part II" has just **massively expanded** its "narrative and experiential frame" in order to integrate a number of key themes and some new characters for its "final resolution." Things are self-evidently reaching a place that they haven't been before, though not unexpectedly from the company's view.

As you'll see in the email thread below (notably the July 16 at 5:00 pm EDT email from "[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)" to "[wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)") Shire's "collective behavior" in the IPR involving the '813 Patent is closely connected to a nutraceutical company called "Cenestra, LLC," D/B/A "Cenestra Health" (in which I have been a manager) that developed a patent-protected omega-3 formulation called "Omax3" ([www.omax3.com](http://www.omax3.com)). And as you'll also see below, at the heart of this "inter-connected story" is my **deceased** wife Tina Passalaris who has held an ownership interest in Cenestra, LLC since the time of its Connecticut LLC formation on January 13, 2006. The emails below, in their totality, effectively confirm that Shire's "fraudulent IPR" on which the company's '813 Patent was invalidated was motivated by a "behavioral/business intelligence experiment" that had its foundation in the company known as Cenestra, LLC. But that's only the surface of it because, as the emails below collectively show, underneath that surface there is overwhelming evidence which points to Yale University (its Department of Psychiatry) and the Central Intelligence Agency as the "primary source founders" of this "behavioral/business intelligence platform." But you can be the judge of that based on the evidence. And you can also be the judge of whether you think that this "foundational behavioral/business intelligence experiment" motivated my personal attorney Mr. William Colwell, a previously very trustworthy person, to now not only act negligently and untrustworthily but also rather deceptively (in the same way that the experiment clearly seems to have motivated Shire and its "IPR team" to perpetrate a fraudulent IPR against LCS Group first and then Lucerne Bioscience) -- and whether the experiment also motivated the USPTO and the Probate Court of Milford, CT to coordinate a new kind of "governmentally-based tactically leveraged split" aimed at Lucerne Biosciences, LLC and "me personally" (respectively) in what could only be described as a historically unprecedented "anti-constitutional anti-competitive double split."

You know what this all means, don't you? It means that "The Patent '813 Story, Part II" is imminently about to provide Shire one of the biggest marketing boosts conceivable to help educate the public on the use of Vyvanse to treat moderate to severe Binge Eating Disorder in adults. And that marketing boost is coming from none other than the likes of an elite academic institution (Yale University) and a premier U.S. national intelligence agency (the CIA), as well as from the federal government at the executive branch level (the USPTO, an office in the Dept. of Commerce) and state government at the judicial branch level (the Probate Court of Milford) - and also from my own personal attorney! Did you or Shire ever think it possible that you could receive this kind of broad governmental (federal/state levels; executive/judicial branches) and institutional support (Ivy League) with some "local personal flavor" to help market Vyvanse to treat Binge Eating Disorder, whether you/Shire were interested in the help or not? This is an important

## The Patent '813 Story, Part II -- Version 2

“complimentary aspect” to the “final resolution” of “The Patent '813 Story, Part II” that inextricably connects it to the “final resolution” of another very important story, “The Omax3 Story.” After all, these two stories reflect two extraordinary innovations that themselves are inextricably connected not only by what all the evidence supports is the joint foundational effort of Yale and the CIA through a “dual-pronged behavioral/business intelligence experiment” but also by their inextricably linked “final resolution.”

So hold on tight and get ready for the ride ahead, because once it begins it's not going to stop, **ever!** Cc'd here are Mr. Haug and Ms. Kuzmich, as well as Dr. Brewerton, so that they are aware of what's happening. This way when it happens they're not overwhelmingly surprised by it. Though let me say here that Mr. Haug and Ms. Kuzmich may best appreciate “The Omax3 Story” because I'd briefly mentioned it to them when I met them in a different representative capacity at the NY law offices of Frommer, Lawrence & Haug back in 2013. Also, considering this email thread is largely about my deceased wife, let me say too that FLH's offices are about fifteen blocks from where my wife spent much of her early career as an attorney working, in the Met Life building. This was in our dating years when she worked for Rogers and Wells that soon after became Clifford Chance Rogers & Wells. The firm was a place that I often visited to keep her company in her late nights working. As it turns out, she and her old law firm are rather important to “final resolution” of “The Patent '813 Story, Part II,” as well as to “final resolution” to “The Omax3 Story.” But just how is still a mystery except to the limited number of people who know how this “dual-pronged final resolution” is designed to work, though it won't be a mystery for long.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]]]]]]]  
**Date:** July 17, 2015 5:00:10 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

Begin forwarded message:

**From:** [louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]]]]]]]  
**Date:** July 16, 2015 11:59:08 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Attached in this email is a PDF of an email that was received at my gmail address from attorney Will Colwell's assistant Shari Moon at 4:26 pm EDT today that I did not see until after I sent the 6:28 pm EDT email to the company that is in the email thread below. Ms. Moon's email passes along a PDF document (which is the second PDF doc below titled "Letter to Louis and PC 7-15-15) that contains two letters in it, (1) a July 16 letter from Mr. Colwell to me that "responds" to the "July 13 10 am EDT email" I sent him from my gmail address that is the bottom of the email thread below (absent the "email thread" of five other emails that were omitted in Mr. Colwell's June 15 at 9:28 am EDT

## The Patent '813 Story, Part II -- Version 2

"response" to the July 13 at 10 am email I sent him) and (ii) a July 16 letter Mr. Colwell sent to the Probate Court's Judge.

Take note that Mr. Colwell indicates in his "letter to me" that "The Court's June 24, 2015 decree appointing me to be the Administrator of Tina's Estate would only be fraudulent if the application I signed was fraudulent." Strikingly, he **completely avoids** commenting on his own motivational intent in evaluating the email pasted immediately below (in bright blue) that I sent him from my [yale.edu](mailto:louis.sanfilippo@yale.edu) email at 11:49 am EDT on June 12 (and which he acknowledges receiving) in which I wrote, "Please suspend any further activity on this matter of probate." This June 12 email very clearly asks Mr. Colwell to take a **specific behavioral action**, which is to **"suspend further activity on this matter of probate."** But he very obviously did not take such specific "action" to "suspend further activity on this matter of probate" because the probate matter was **not** "suspended" but, to the contrary, it continued **"unsuspended"** which is why the Court granted its June 24 decree two weeks after the June 12 email. The Probate Court had no motivation whatsoever to "suspend granting the Decree" because Mr. Colwell failed to take the proper specific action "to suspend further activity on this matter of probate."

**From:** Louis Sanfilippo MD <[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)>  
**Subject: Re: Tina Passalaris Estate**  
**Date:** June 12, 2015 11:49:07 AM EDT  
**To:** [wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)

Please suspend any further activity on this matter of probate. I will be in touch accordingly.

Thanks,  
Louis

This is a perfect example of Mr. Colwell trying to make "his problem" "my problem" because he failed to take the action I requested that he take, namely, to **"suspend further activity on this matter of probate."** Clearly, I was not asking him to "suspend himself" but asking him to **"suspend any further activity on this matter of probate"** that -- had he abided by his fiduciary obligation in representing me -- would have at least sent a letter to the Probate Court Judge on June 12 of a kind not unlike the one that he sent on July 16, perhaps saying something "Dear Judge Streit-Kefalas: Please indicate in the record that my client Dr. Louis Sanfilippo has asked that I suspend further activity on this probate matter of Tina Passalaris' estate. Very Truly Yours, Will Colwell." But he didn't do that. Instead, he **completely ignored** my June 12 email **as if it didn't exist**. That he wrote an email to the Probate Court Judge on July 16 stating "I can no longer represent Dr. Sanfilippo in this matter" itself proves the "probate process" was indeed fraudulent, by virtue of his own willful negligent behavior because he clearly received my June 12 email and failed to act on it in a manner that his July 16 email shows he should have in some form or another. Which makes the June 24 Probate Court decree fraudulent, **because of his behavior**.

Take a look at the letter to the Probate Court Judge that's on page 4 of the "Letter to Louis and PC 7-15-15" PDF. Why didn't he provide the **proper context** in its **proper representational form**, which would have been to provide the Probate

## The Patent '813 Story, Part II -- Version 2

Court the June 12 email in which I asked him to "suspend any further activity on this matter of probate"? Or why doesn't he simply submit the July 13 at 10 am EDT email that I suggested he file, as doing so would put the nature of the "conflict of interest" he editorializes in his letter to the Judge in its **proper representational context**? The reason he doesn't do any of that is because it would clearly incriminate him because the communications in their **proper representational context** speak for themselves. Further, take note of how his communication to the Judge is "projective" in nature because it seeks to attribute me as "the problem" (albeit it subtly) because I'm the one who feels he has a conflict of interest that he categorically denies (and so therefore I'm the one "with the problem"), when the reality is that the very email he is providing the Judge itself speaks to his conflict of interest because it shows how Mr. Colwell reasons and that if he were acting "**without** a conflict of interest" he would have sent something like it to the Court shortly after June 12 rather than have waited until the Probate Court issued its Decree at which time I sent him a several page email explaining why, behaviorally, the June 24 Probate Court decree was fraudulent.

Mr. Colwell's behavior that "burdens me" with his own self-caused problems, mistakes and fiduciary violations is just like Shire's, Frommer, Lawrence & Haug's and Dr. Brewerton's behavior that "burdened LCS Group, LLC first" and then "burdened Lucerne Biosciences, LLC" with their own self-caused problems, mistakes and fiduciary violations. You can see how much work it takes to first have dealt with Mr. Colwell's "initial fiduciary violation" of negligently ignoring my June 12 communication in which I asked him to take specific action (i.e., "suspend further activity on this matter of probate") and then secondly to deal with his "cover-up behavior" when I point to him that he failed act properly on my behalf. In classic projective form, he asks the Judge "please remove my name from the attorney record" so that he can freely wipe his hands clean of the negligent handling of this probate matter (based on his fiduciary obligations as an attorney). This behavioral pattern is **perfectly analogous** to how much work it took LCS Group, LLC to deal with Shire's, FLH's and Dr. Brewerton's "fraudulent IPR burden" and then secondly for Lucerne Biosciences, LLC to deal with the continued "cover-up behavior" that derived from the "initial fraudulent IPR burden," after which Shire, FLH and Dr. Brewerton freely wiped their hands clean based on their successful invalidation of the '813 Patent, with the Patent Board's help in "concealing the bloody mess" as it designated the IPR in the public portal as "settled."

**The recursive behavioral re-enactments are perfectly scripted and highly predictable** which the company can further assess with its team for its final resolution implications. Needless to say, that the fraudulent re-enactments are now impacting me **personally** is a new boundary condition that the company and its counsel ought to address on a priority basis given its expanded legal implications.

### **ATTACHMENTS:**

**"7.16.15 Moon on behalf of Colwell email to LSanfilippo gmail."Tina Passalaris Estate".pdf"** is available at:

[http://www.4shared.com/download/N8yify5Rba/71615\\_Moon\\_on\\_behalf\\_of\\_Colwel.pdf?lgfp=3000](http://www.4shared.com/download/N8yify5Rba/71615_Moon_on_behalf_of_Colwel.pdf?lgfp=3000)

## The Patent '813 Story, Part II -- Version 2

**"Letter to Louis and PC 7-15-15.pdf"** is available at:

[http://www.4shared.com/download/xefk22jyba/Letter\\_to\\_Louis\\_and\\_PC\\_7-15-15.pdf?lgfp=3000](http://www.4shared.com/download/xefk22jyba/Letter_to_Louis_and_PC_7-15-15.pdf?lgfp=3000)

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]]]]  
**Date:** July 16, 2015 9:59:05 PM EDT  
**To:** [louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)

As requested, here's the thread.

Begin forwarded message:

**From:** [louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)  
**Subject:** Fwd: [Fwd: [Fwd: [Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]]]]  
**Date:** July 16, 2015 6:28:07 PM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Attached here is a PDF of a 5:41 pm EDT email I sent today to attorney Will Colwell from my gmail account that explains how he omitted quite a bit of the email thread when he responded yesterday (June 15 at 9:48 am EDT, as below) to my July 13 at 10 am email (also, as below, though absent five additional emails that were on its thread and which were "left off" his response below). His response, therefore, materially changed the "context" of our communication by omitting materially relevant and important information. The 5:41 email PDF'd below is a "direct re: reply" I made to the email he sent on July 15 at 9:48 am EDT. The 5:41 email itself contained two PDF's that are attached below for reference. This 5:41 email "reply" to Mr. Colwell is quite materially different than the email below I sent today to attorney Collwell at 5:00 pm from my gmail account which is also "a reply" to the same July 15 at 9:48 am EDT email he sent. The 5:00 pm email below is different in that it features "two additional (forwarding) communication steps" from the time of his July 15 at 9:48 am email to the "time of my (forwarded) reply to him" at 5:00 pm today, one of which featured significant additional documentation and context (the July 15 at 1:59 pm EDT email from Lucerne Biosciences, LLC to my gmail account). This present email that I'm writing the last sentence of now is designed to "complete the picture in one email" what has been "splintered apart" by the material omission made by attorney Colwell in his "July 15 at 9:48 am EDT response email" to me.

### **ATTACHMENTS:**

**"7.16.15 louis.c.sanfilippo@gmail.com 5:41 pm Email to WColwell."Re/ [RE/ [Fwd/ [Fwd/ Tina Passalaris**

## The Patent '813 Story, Part II -- Version 2

[Estate\]\]\]\]".pdf"](http://www.4shared.com/download/-aAgX34Mce/71615_louiscsanfilippogmailcom.pdf?lgfp=3000) is available at:  
[http://www.4shared.com/download/-aAgX34Mce/71615\\_louiscsanfilippogmailcom.pdf?lgfp=3000](http://www.4shared.com/download/-aAgX34Mce/71615_louiscsanfilippogmailcom.pdf?lgfp=3000)

["7.13.15 10 am louis.c.sanfilippo@gmail.com Email to Will Collwell. "Fwd/ \[Fwd/ \[Fwd/ Tina Passalaris Estate\]\]\]"](http://www.4shared.com/download/Qv4-i_MCce/71315_10_am_louiscsanfilippogm.pdf?lgfp=3000).pdf" is available at: [http://www.4shared.com/download/Qv4-i\\_MCce/71315\\_10\\_am\\_louiscsanfilippogm.pdf?lgfp=3000](http://www.4shared.com/download/Qv4-i_MCce/71315_10_am_louiscsanfilippogm.pdf?lgfp=3000)

["Probate Court 6.24.15 Decree.pdf": STRIPPED](#)

Begin forwarded message:

**From:** Louis Sanfilippo MD  
<louis.c.sanfilippo@gmail.com>  
**Subject:** Fwd: [Fwd: [Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]]]  
**Date:** July 16, 2015 5:00:06 PM EDT  
**To:** [wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)

Dear Will,

Thank you for your response and attention on this probate matter involving Tina's estate. So that you have the proper context for understanding why I brought this matter to your attention as I did, please see the two PDF attachments contained in the 1:59 pm EDT email yesterday (below in the email thread) that was sent from Lucerne Biosciences, LLC to my gmail email at "louis.c.sanfilippo@gmail.com." These two PDF'd documents are emails that I sent to attorney Joe Lucci of Baker Hostetler LLP on behalf of that company (in my representative role as a manager of it) on Monday July 13, 2015 at 6:30 pm and 7:00 pm EDT respectively (as identified by the specific time in the title each PDF doc) in connection with a "high-priority situation" that involves an extraordinary set of circumstances at the heart of which is (i) a patent (U.S. Patent No. 8,318,813) Lucerne Biosciences owns for the treatment of Binge Eating Disorder with lisdexamfetamine dimesylate (Vyvanse®) that was invalidated on June 4, 2015 by the USPTO's Patent Trial & Appeal Board when the company failed to follow the Board's procedural rules in an *inter partes* review ("IPR") proceeding and (ii) a patent application (U.S. 14/464,249) Lucerne Biosciences owns that was recently "non-finally rejected" by the USPTO for claims premised on the same treatment methods of the '813 Patent. As you may know, lisdexamfetamine dimesylate/Vyvanse® was FDA-approved for the treatment of moderate to severe Binge Eating Disorder in adults on January 30, 2015 based on controlled clinical trials of the drug in patients diagnosed with Binge Eating Disorder as defined in the DSM-IV-TR. The drug

## The Patent '813 Story, Part II -- Version 2

is marketed by Shire U.S. Inc. (see: [http: vyvanse.com](http://vyvanse.com), the section on “Moderate to Severe Binge Eating Disorder in Adults”).

As the overwhelming well-documented evidence to date would support, the invalidation of the '813 Patent was itself based on a fraudulent *inter partes* review petition initiated (May 9, 2014) and maintained by Shire Development LLC against LCS Group, LLC first and then Lucerne Biosciences, LLC, the two respective patent owners of the '813 Patent during the IPR proceeding. You can find details on this IPR proceeding in “The Patent '813 Story, Part II,” a PDF document featured in the May 13, 2015 LCS Group press release I informed you of in the last email I sent you below (available by hyperlink in the business inquiries section of the press release). When you read it, it's easy to see that by the time of LCS Group's May 13 press release it had become quite obvious that Shire's fraudulent IPR wasn't your run-of-the-mill pharmaceutical company fraud because it was clear that there was an ulterior motivation besides greed for the countless and repeated misrepresentations made by the company, its outside counsel of Frommer, Lawrence & Haug and eating disorder expert declarant Dr. Timothy Brewerton. In this light, all the evidence in “The Patent '813 Story, Part II” would strongly support that the Shire “IPR fraud” was motivated by a “dual-pronged behavioral/business intelligence experiment” jointly founded and supported by two “primary source perpetrators,” such as a federally supported intelligence agency and an elite academic institution. The two PDF'd July 13 Lucerne Biosciences emails below, as read in view of each other (and “The Patent '813 Story, Part II”), are designed to help you see just how expansive this “behavioral/business intelligence experiment” has become, now apparently involving this probate matter of Tina's estate. This, of course, speaks to just how expansive its “final resolution” has become as well, which is why I am writing this email to you from my gmail account that itself features an email in its thread that's been forwarded, with attached PDF documents, from Lucerne Biosciences, LLC that itself is tied to the probate matter. After all, it would seem on the surface that this probate matter of Tina's estate should have no connection to Shire's fraudulent IPR involving the '813 Patent and its most recent patent owner Lucerne Biosciences, the “behavioral/business intelligence experiment” behind it, or the patent prosecution of the '249 Application that Lucerne Biosciences also owns. Yet it's this probate matter involving Tina's estate that, remarkably, rather perfectly reveals their inextricable linkage.

## The Patent '813 Story, Part II -- Version 2

With respect to the two PDF'd emails, the "6:30 pm Lucerne Biosciences" email relates to the USPTO's "non-final rejection" of the '249 Application apparently made on June 24, 2015 but whose "decision" wasn't posted in the application's transaction history until July 7 and wasn't "delivered to the company" (for its "content") until July 9 via its public posting on the USPTO's "PAIR" system. This "6:30 pm Lucerne Biosciences" email provides a well-reasoned and objectively-supported explanation as to why the USPTO's "non-final rejection" was tantamount to an act of fraud perpetrated by the USPTO (an agency within the U.S. Dept. of Commerce) of a kind similar to that perpetrated by Shire and its "IPR/'813 Patent invalidation support team." It therefore explains the motivational link between the "dual-pronged behavioral/business intelligence experiment" (referenced in the email as the "GCE" i.e., "Global Consciousness Experiment") that seems to have strongly supported both Shire's "fraudulent IPR behavior" (on which the '813 Patent was invalidated) and the USPTO's "fraudulent non-final rejection behavior" (regarding the '249 Application). For a person with your aptitude and quickness, it wouldn't take you long to see why Lucerne Biosciences argues this position and how it provides overwhelming evidentiary support to reason to this highly disturbing conclusion.

The PDF'd "7:00 pm Lucerne Biosciences email" to Mr. Lucci draws on the "6:30 pm Lucerne Biosciences email" to highlight the significance and implications of the USPTO's "June 24 fraudulent non-final rejection" and its "July 7-9 delivery sequence" in view of the Probate Court's "June 24 fraudulent decree" and its "July 7-9 delivery sequence." By itself, it stands to reason that this striking "temporal correlation" of events taking place in the USPTO (at the federal level) and Probate Court of Milford (at the state) level would be coincidental, albeit of that rare type of coincidence because of its rather perfect "synchronized timing." However, in view of (i) the June 12 email that I sent you (below) and (ii) all the "misrepresentation and third-party interference for anti-competitive conduct" behavior evidenced in "The Patent '813 Story, Part II," the "synchronized timing" actually seems to be quite logical and well-reasoned, even expected by someone closely following the details and trajectory of the story and understanding the basis of the "GCE" (aka, "global consciousness experiment," "behavioral/business intelligence experiment"). This "logical and well-reasoned connection" between decisions being made at the USPTO and Probate Court, of course, relies on their being a "secretive communication infrastructure" allowing USPTO representatives at the federal level (i.e., "Patent

## The Patent '813 Story, Part II -- Version 2

Examiner”) with Probate Court representatives at the state level (“Probate Court Judge”) to “synchronize” their decisions, recordings, deliveries, etc... This “USPTO/Probate Court synchronized ‘June 24/July 7-9’ timing connection” in view of its specific content and all the “synchronized third-party interference behavior” featured in “The Patent ‘813 Story, Part II” that rather perfectly correlated with the prosecution of the ‘249 Application effectively confirms the existence of a “secretive communication infrastructure.” It also affirms its nature to be rather high-tech and limited to the involvement of a rather discrete pool of influential people, companies, and institutions, as well as judicial and executive branch governmental entities at the state and federal level (i.e., USPTO - executive/federal - Dept. Commerce; Probate Court of Milford, CT - state/judicial), having some kind of connection to “Louis Sanfilippo.”

With this in view, consider the following: (i) all the “misrepresentation for anti-competitive conduct” by Shire and its “IPR/’813 Patent invalidation support team” evidenced in “The Patent ‘813 Story, Part II” would appear to be rather perfectly “behaviorally modeled” on a 2013 research study published in the “Journal of National Security” whose objective was to evaluate techniques for “deception detection” (for bio-threat) by having one group of “role play scientists” tell the truth and another group lie and having “real law enforcement officers” make determinations on which subjects they thought were lying vs. telling the truth (see page 244-245 of “The Patent ‘813 Story, Part II” for a characterization and PDF of the study), except that no one would have provided “me” any “informed consent” for the experimental protocol (and therefore wouldn’t have provided LCS Group or Lucerne Biosciences any “informed consent” either as I am the only representative publicly associated with either company), (ii) two of the five authors of this 2013 “deception detection” intelligence study were at the time (and to my knowledge still are) Yale Dept. of Psychiatry voluntary faculty persons that I personally have known for nearly twenty years, one of whom has been a manager in a local (New Haven) private company called Cenestra, LLC (D/B/A “Cenestra Health”) in which I and another Yale-affiliated psychiatrist also have been managers (as publicly known) while another of whom is well-known publicly for his “behavioral intelligence work” for the CIA (among other intelligence organizations) and was instrumental in helping Cenestra Health earn its first patent (U.S. Patent No. 7,652,068) for “omega-3 fatty acid formulations” (through a supporting affidavit filed on June 17, 2009 to support the application, as publicly posted on the USPTO’s PAIR system), (iii) Tina has had an equity

## The Patent '813 Story, Part II -- Version 2

interest in “Cenestra, LLC” since its LLC formation on January 13, 2006 (as publicly made available in CT’s Concorde system) and (iv) Prevention Pharmaceuticals Inc., the company that markets the omega-3 product developed by Cenestra Health called “Omax3,” features “Yale” all over its “Team Omax3” web page (see <http://www.omax3.com/about-us/team-omax3/>) and its Board Chairman back in 2011 (as providing information to a reporter for an article) apparently stated that “Omax was developed at Yale....” (see <http://www.bizjournals.com/boston/blog/mass-high-tech/2011/01/yale-nutraceutical-spinout-prevention.html>), as if “Yale” were claiming ownership to the “Omax3” product itself and the intellectual property behind it through Prevention Pharmaceuticals and its Board Chairman.

Do you see the significance of these four points in view of the two PDF’d July 13 emails on behalf of Lucerne Biosciences to Joe Lucci of Baker Hostetler? Any reasonable person would see that there’s clearly a “motivational and behavioral connection” between Shire’s “fraudulent IPR behavior” (on which the ‘813 Patent was invalidated), the USPTO’s “fraudulent June 24 non-final rejection of the ‘249 Application,” the Probate Court’s “fraudulent June 24 decree,” “behavioral intelligence research” (as in the 2013 “deception detection” intelligence study published in the Journal of National Security), Yale University (notably its Dept. of Psychiatry), Prevention Pharmaceuticals, Inc. (notably through its on-line marketing representations and its Board Chairman, as quoted above), and Cenestra Health -- **all of which is “centrally linked” by Tina and I!**

Then consider all of that in view of how you understand people, Yale’s presence in New Haven and its surrounding towns, and your own professional work as an attorney who’s been practicing in town for quite some time. You can see how Tina’s equity interest in Cenestra could be profoundly important to Yale and to people in this local community, especially in the setting of Yale’s involvement in a “behavioral/business intelligence experiment” that seems only to support and encourage people, businesses, government offices and courts to not only act lawlessly and against their fiduciary roles but to do it in a manner of such historically unprecedented scope that it could seriously shake the very constitutional foundation of our country. This, of course, would help explain why the National Security Agency has been involved in “The Patent ‘813 Story, Part II” (the details of which I’ve been made aware and cleared to communicate to you in this email, as

## The Patent '813 Story, Part II -- Version 2

follows). For example, I (from my yale email of "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)") discreetly provided Shire Plc's CEO Dr. Flemming Ornskov, as well as a host of others, documentation (on June 14, 2015) that the National Security Agency appeared to have been the first "organization" to "hit" (i.e., page view) Lucerne Biosciences' June 13, 2015 press release that announced the PTAB's invalidation of its own wholly owned patent. And I also (again, from my yale email) provided Shire's outside counsel Ed Haug (of Frommer, Lawrence & Haug) documentation (on June 15) that that National Security Agency clearly had de-optimized the on-line presence of the June 13 Lucerne Biosciences' press release by generating a massive 6300 web-crawler hits in 24 hours (with hardly any page-views) that the company's earlier March 6 press release, now over four months later, hadn't even reached 50 percent of "as of today" with its mere 3044 web crawler hits. In this context, you can see why a "secretive communication infrastructure" that maintained its "secrecy from the public" (even using government resources for such purpose) could effectively be used to try to harm me "personally" and/or in my representative role as a "manager" for Lucerne Biosciences, LLC and/or Cenestra Health but whose harm would be "secretly mediated and leveraged" by those involved in the "secret communication infrastructure." Any reasonably-minded U.S. citizen would see that this is very scary and serious stuff, especially if federal and state offices are involved at both executive and judicial levels.

In view of the four points above, considering that Cenestra, LLC was founded in 2006 (January 13) and the provisional patent application that led to "Omax3" was filed in 2005 (December 20), both of which were well before the time of the filing of the provisional patent application that led to the '813 Patent, it stands to reason that the "behavioral/business intelligence experiment" on which Shire's "fraudulent IPR" was motivated must have derived from the "foundational behavioral/business intelligence experiment" on which "Cenestra, LLC" was founded. After all, the evidence strongly supports that these are inter-related and that their inter-relationship would surely have to be based on some kind of "secrecy agreement" between by Yale and a federal intelligence agency having an interest in "willful deception" (i.e. the premier spy agency in the U.S., the Central Intelligence Agency) that could be developed, implemented and expanded under "the cover of business(es)." And if that were the case, people like you (a well-respected prominent attorney figure in town who clearly has connections to Yale and can be discreet) and the Probate Court Judge (who sure must fit the same profile)

## The Patent '813 Story, Part II -- Version 2

could reasonably be expected to know about some of its details, as well as its very far-reaching and profoundly serious implications. That, of course, could explain why you ignored my June 12 email, namely, so that I could be “artificially positioned” (outside my own volition and view) to “have to make decisions” on Tina’s equity interest in Cenestra as “her fiduciary” at such time that Yale, the CIA, the USPTO and/or whoever else has been acting “badly” in this story collectively decided it was time to put their “final anti-competitive squeeze” on “me” and/or any business in which I would have a representative role. Think about that. It would be like a pre-meditated act of the most egregious “anti-constitutional anti-competitive crime” in the history of the United States of America.

As it has turned out, I have pursued my own “personal investigation” on this probate matter since emailing you on June 12. Yesterday I had a productive conversation with a “dual attorney/finance expert” on a range of topics related to this probate matter. Not surprisingly, the issue of Tina’s “equity asset” in Cenestra Health came up. In your fiduciary role as my attorney in this probate matter, the first thing that you should have done in communicating with me on this probate matter should have been to clarify what you and the Probate Court meant by the term “asset.” That’s exactly what he did. Though the communication record shows that you seemed to be motivated to do everything possible to avoid doing that, as if you were trying to have me provide you financial numbers on investment-type accounts without even understanding what you meant by the term “assets” and their “value.”

In this regard, you massively failed your fiduciary obligation to me as my attorney in a way that any attorney or reasonable person would understand for its implications. In terms of valuing Tina’s “equity asset” in Cenestra Health, there’s quite some dimension to it and had you provided me any opportunity to even consider discussing it as one of her “assets” (without a beneficiary) we could have spent a couple hours talking on the “valuation matter” alone because its value is highly subjective and falls in a very broad range. For instance, Tina (who as you know practiced as an attorney) would have told you in the time-frame of her recurrence with breast cancer (which ultimately led to her death) that her equity in Cenestra Health was completely valueless because she felt the company was “a company born in evil” that “continued in its evil,” to the point that being “tied to its evil” as a principal was like having a curse hanging over one’s head. To this effect, she expressed her wish on numerous occasions that the

## The Patent '813 Story, Part II -- Version 2

company “crash and burn” and that its investors burn in the fiery destruction. The “born in evil” and “crash and burn” statements were direct quotes from her which I’ve documented from statements that she made in 2013.

So from Tina’s perspective, the equity value of her “asset” in Cenestra was “zero” because she perceived the company not only as valueless but also as source of “evil” that therefore gave it “negative value.” In this respect, you can see that she effectively was violating her own fiduciary role as an owner of the company because she had contempt for her ownership and, if anything, only hoped for the company’s destruction. So if I were acting as “her fiduciary” in this “Cenestra asset matter” in the way she perceived her fiduciary role as having the “Cenestra asset,” I would seek to destroy Cenestra and take its investors down with it. However, while I agreed in principal with Tina that Cenestra was a source of what I’d call “pretty bad behavior” from its founding (my own included for awhile until I had my own awakening in 2012 that life is too short for such nonsense), my view of its value has been diametrically opposite that of Tina’s. That’s because my view has been -- and still is -- that the company is going to soar to unimaginable heights, redeemed by its own “final resolution” and seen in its commercial success and visibility. To my view, it may just be the single best investment that anyone could have a stake in. In this light, acting as Tina’s “fiduciary” on this “Cenestra asset matter” in the manner that Tina would have desired could only harm the company and therefore be in violation of the company’s fiduciary role for its members. This is direct contrast to what I want to see for the company, namely, to see it succeed as perhaps no other company has ever succeeded in U.S. business history. So you can see, there would be a conflict of interest to act as Tina’s “fiduciary” according to her own concept of her fiduciary role as an owner in Cenestra. After all, the fiduciary role of an owner in a business isn’t to support the company’s destruction but rather to help support its business success.

Now here’s an important part of the “final resolution” of the “Cenestra Omega-3 Story” and it’s highly relevant and important for the “final resolution” of “The Patent '813 Story, Part II.” During Tina’s illness, particularly during and after the fall of 2013, I told her quite a number of times that I had great faith that Cenestra Health would be unimaginably successful. But she was always perplexed as to how this would or could even happen, perhaps because her own perception of the company was that it was already “dead in the evil in which it was born” back in 2006. But she knew that I did something

## The Patent '813 Story, Part II -- Version 2

very serious and important between July 31 and September 20, 2013 that was inextricably related to my faith in the company's success. Yet she just didn't know what I did until I told her the night before she died, because had I told her at any point before then it would have likely "psychologically destabilized" her. After all, she wanted to see the company burn in hell while I wanted to see it shine in the brightness of its "finally resolved" successful commercial light.

In this respect, what I did during those fifty days in 2013 was so disproportionately extreme by anyone's standard that it's hard to put in words, but one way of thinking about it might best be like this. What if I signed a contingency agreement with a reputable law firm in which their personal representation of me (in dealing with internal Cenestra matters) was perfectly aligned with my interest in LCS Group and Lucerne Biosciences (in dealing with the "'813 Patent-related platform matters"), with contingency-type distribution of proceeds for any scenario and a requirement that I do everything asked of me in whichever particular representative capacities I was asked to do them. Any reasonable person, in that scenario, would say why would you involve one platform having high potential to earn significant money for a prospective FDA-approved drug indication with another platform that involves a small nutraceutical company with a single product that's really quite small in comparison? The reason I would do something like that is that Cenestra is far more important to me than the "'813 Patent platform" which, in view of "The Patent '813 Story, Part II," should be rather obvious because the "'813 Patent platform" has been "used" as the path to bring "final resolution" to the "Cenestra Omega-3 Story." In other words, I consider my fiduciary role as a manager of Cenestra Health as just about the most important in my life, which may be why Tina seemed to resent her ownership in the company from the time it was founded. Very few people know what I did between July 31 and September 20, 2013 but what I did was to obtain **very formidable help** of a kind that would not even seem conceivable unless you knew its reality and the circumstances of how it happened. To this effect, "final resolution" and its "support team" for the "Cenestra Omega-3 Story" -- as foundationally established in 2013 -- itself became the foundation for the "final resolution" and its "support team" for "The Patent '813 Story, Part II." This itself is remarkable in view of the fact that all the evidence supports that the "behavioral/business intelligence experiment" that motivated Shire's "fraudulent IPR" and what followed, including the invalidation of the '813 Patent, had its "foundation" on what surely must have been the

## The Patent '813 Story, Part II -- Version 2

“behavioral/business intelligence experiment” centrally involving Cenestra, as jointly founded and supported by a federal intelligence agency and an elite academic institution.

In this context, any reasonable person would surely ask you, Will, whether you were consciously aware of Tina’s equity interest in the New Haven-based company of “Cenestra, LLC” when you were asking me what the value of her “assets” were in your emails below? And if so, (i) why were failing to identify clarify “assets” as such in your communications and (ii) what did you know about “Cenestra, LLC” at the time of emailing me (as below)? But put that aside for the moment. How would you value Tina’s equity asset in Cenestra knowing what you know now? Based on what I know about “final resolution” to the “Cenestra Omega-3 Story” as well as the “The Patent '813 Story, Part II,” and who has supported its “dually-based” preparation and imminent execution, I would value Tina’s “equity interest” in Cenestra at \$33,333,333 (which is a \$100 Million dollar company valuation split three-ways across the three female owners who you can find publicly listed as principals on the CT Concorde system for “Cenestra, LLC”). The reason is that Cenestra Health is poised to change the entire landscape of omega-3 supplements through a paradigm-shifting marketing platform that will make the company very successful financially. But this \$100 million “company valuation”/\$33,333,333 Tina “equity valuation,” to my view, is the value “as of now.” There’s another aspect to the company’s financial value which, by my own estimates, can stand to increase the value of the company to 100 times that amount in but a very short period of time based on proprietary intellectual property that is the midst of being developed by “me” in my fiduciary role as a manager of the company to ensure its success and integrity as a business. In other words, Cenestra Health has some very important intellectual property assets to help support its business that certain motivated investors, under the right circumstances, would surely be interested in paying “big money” for, in the range of about \$10 Billion in its “matured form” (per my analysis). There aren’t many companies or institutions that have that kind of money, though, as you know, Yale surely does and historically has been known to make excellent investment decisions.

So in a most extraordinary way, the “final resolution” of “The Patent '813 Story, Part II” is inextricably linked to the “final resolution” of the “Cenestra Omega-3 Story.” But the amazing thing is that this is all inextricably related to important events that took place in 2013, one

## The Patent '813 Story, Part II -- Version 2

of which was on January 13, 2013 - the seven year anniversary of the formation of "Cenestra, LLC." And the other amazing thing is that this "dually-based final resolution" is entirely based on acting appropriately in one's "fiduciary role," without any conflict of interest whatsoever. But perhaps even more extraordinary is that this "dually-based final resolution" is inextricably linked to you, Will, the attorney who -- in his fiduciary role -- helped Tina and I purchase our first home in Connecticut that I am confident will never be sold because it's a remembrance of Tina's very important role in both stories. That makes you one of the most important characters in the "final resolution" of both the "Cenestra Omega-3 Story" and "The Patent '813 Story, Part II," two extraordinary inter-related stories that are imminently about to shake the U.S. national public consciousness perhaps unlike any other story (or dual set of stories) in recent time. Could you have imagined that your involvement in this probate matter on Tina's estate would take you to such a place? But if you think this "inter-related real-life story" is big "as of right now," then let me assure you that it's still quite small because the surprises of which I know (for each respective "final resolution") -- but very few others do except those with the proper "security clearance" -- are going to expand the "experiential frame" of each story to places that you wouldn't believe are possible. Then again, look back on "The Patent '813 Story, Part II" and follow its trajectory: who would have thought it could be where it is now to involve what is perhaps best called "The Omax3 Story"?

Sincerely,

Louis Sanfilippo

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC"  
<[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: [Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]]  
**Date:** July 15, 2015 1:59:09 PM EDT  
**To:** [louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)

Attached here are the two Lucerne Biosciences emails to Joe Lucci on July 13, 2015, at 6:30 pm and 7:00 pm EDT.

**ATTACHMENTS:**

**"7.13.15 6:30 pm Lucerne Biosciences Email**

## The Patent '813 Story, Part II -- Version 2

**J Lucci. \\\\"two high-priority situations important for final resolution\\\\".pdf"** is

available at:

[http://www.4shared.com/download/l5rZFeuYba/71315\\_630\\_pm\\_Lucerne\\_Bioscienc.pdf?lgfp=3000](http://www.4shared.com/download/l5rZFeuYba/71315_630_pm_Lucerne_Bioscienc.pdf?lgfp=3000)

**"7.13.15 7 pm Lucerne Biosciences Email to J Lucci. Fwd/ [Fwd/ [Fwd/ [Fwd/ [Fwd/ [Fwd/ Tina Passalaris Estate]]]]].pdf"** is available at:

[http://www.4shared.com/download/pDvShvs8ba/71315\\_7\\_pm\\_Lucerne\\_Biosciences.pdf?lgfp=3000](http://www.4shared.com/download/pDvShvs8ba/71315_7_pm_Lucerne_Biosciences.pdf?lgfp=3000)

Begin forwarded message:

**From:** Louis Sanfilippo MD  
<[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)>  
**Subject:** Fwd: [RE: [Fwd: [Fwd: Tina Passalaris Estate]]]  
**Date:** July 15, 2015 10:23:57 AM EDT  
**To:** [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)

Begin forwarded message:

**From:** William Colwell  
<[wcolwell@pppclaw.com](mailto:wcolwell@pppclaw.com)>  
**Subject:** RE: [Fwd: [Fwd: Tina Passalaris Estate]]  
**Date:** July 15, 2015 9:48:18 AM EDT  
**To:** Louis Sanfilippo MD  
<[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)>

I received your e-mail. I am reviewing the file and I will respond, in greater length, in the next few days.

**From:** Louis Sanfilippo MD  
[<mailto:louis.c.sanfilippo@gmail.com>]  
**Sent:** Monday, July 13, 2015 10:00 AM  
**To:** William Colwell  
**Subject:** Fwd: [Fwd: [Fwd: Tina Passalaris Estate]]

Dear Will,  
The Probate Court (of Milford) sent me a document (as attached below in PDF) that indicates Judge Beverly Streit-

## The Patent '813 Story, Part II -- Version 2

Kefalas made a decree on June 24, 2015 regarding the probate matter of Tina's estate that made me her fiduciary. The document contains a "CERTIFICATION" that states the "decree was mailed on 7/07/15"; the envelope in which the document was sent is post-marked July 8 and the document was apparently received at my home on July 9. The document states that you were the attorney representing me in this probate matter at the time decree was made by Judge Streit-Kefalas on June 24.

**This June 24 decree from the Probate Court is based on your misrepresentation to the Probate Court, even if only a misrepresentation by your failure to inform the Court of your client's position at the time that the decree was made which, as you were informed by your client twelve days before the decree was made, was to "suspend any further activity on this matter of probate"** (as stated in the email below that I sent you on June 12, 2015). The Probate Court's June 24 decree, therefore, is fraudulent. It is based on your misrepresentation of (i) your client's position and (ii) your own "status" as your client's (i.e., "the fiduciary") attorney in this matter. Specifically, it would be self-evident to any reasonable person in view of my June 12 email to you that the decree's statements of (i) "The fiduciary named above has accepted the position of trust designated above" and (ii) "Attorney for Louis Sanfilippo: William S. Colwell, Esq." (in this probate

## The Patent '813 Story, Part II -- Version 2

matter) are both patently false. After all, the June 12 email makes it clear that "as of June 12" I was not accepting the position of "fiduciary" because I was requesting that you "suspend any further activity on this matter of probate," which makes the decree's representation that you are the "fiduciary's attorney" completely illegitimate.

So you know, the reason for my June 12 email to you is that your aggregate communication behavior over a number of months now has suggested that you are not representing my own or my children's best interests, and that you may even be willfully seeking to harm me/them based on a conflict of interest that you have not disclosed to me. To this effect, the purpose of requesting you "suspend any further activity on this matter of probate" (in the June 12 email) was to put the probate process "on hold" while I sought a trustworthy attorney to represent me in this probate matter who could also deal with your apparent undisclosed conflict of interest (as manifest in your idiosyncratic communication behavior compared to your prior baseline that I addressed in an email to you on May 31, 2015). In view of (i) my May 31, 2015 email to you which raised serious questions about your having a potential conflict of interest in properly representing me and (ii) your misrepresentation to the Probate Court on which its June 24 decree is based that **directly contradicted** my explicit June 12 communication to you, it seems a foregone conclusion that you indeed have a very serious conflict of interest that

## The Patent '813 Story, Part II -- Version 2

you have failed to disclose to me. And it would seem that this conflict of interest may be responsible for having motivated you to misrepresent to the Probate Court important information involving me, namely, that I was neither accepting the position of fiduciary nor accepting your own status as the attorney representing me in this probate matter. The June 24 decree represents just the opposite of that, which is why it is **completely fraudulent.**

In this context, there are some important issues, as well as important questions that beg asking. You had said that the Probate Court would contact my brother to ask him a few basic questions about me as part of the process of making a decision on my becoming Tina's fiduciary. However, the Probate Court never contacted him for such purpose, though nonetheless granted its decree. Why is that? How you explain your mischaracterization of this aspect of the judicial process and why you would get it so wrong? And do you find it unusual that the Probate Court made its decree without obtaining any kind of statement whatsoever from him? If so, do you think the Probate Court may have had an ulterior motivation to grant its decree, perhaps in a manner that bypassed its usual due process? And why did neither you, nor the Probate Court, care to ever explain to me what the Probate Court meant by "assets" (as referenced in your emails below)? Why was the burden of determining that definition on me, as "assets" could include any number of things across a wide range of dollar

## The Patent '813 Story, Part II -- Version 2

values? And why did neither you, nor the Probate Court, ever request a listing of such “properly-defined (as by the Probate Court) assets” of Tina, as if all you and the Probate Court wanted me to do is provide you a dollar amount of that NJ investment account referenced in the email below and “miss identifying” some other kind of asset that Tina may have owned that would require more due diligence to “identify” and “properly value,” like equity positions in partnerships in which she receives k-1 forms? That, of course, raises a red flag as to a potential **specific** conflict of interest that may have motivated you to (i) misrepresent me to the Probate Court, (ii) seemingly go out of your way to make sure I didn't understand what was involved in the probate process, defining and reporting assets, etc....(by way of your “vague and quick approach”) and (iii) even contact me by letter unsolicited in the first place to inquire as to whether I may need your help in attending to Tina's estate. Also, why did the bond that the Probate Court wanted (as you referenced in your June 8 email below) suddenly disappear (within days), as if the Probate Court was looking for a way grant its June 24 decree based on your misrepresentation? And take note that the June 24 decree states, “Notice of this decree be given by the judge, clerk or assistant clerk by regular mail, not more than ten days from the date hereof,” but its certification states it was mailed on July 7 and its envelop was post-marked on July 8 which puts it being sent “13-14 days”

## The Patent '813 Story, Part II -- Version 2

afterward. There is no representation of “business days” in the decree so why was it mailed past its “deadline”? Remarkably, the June 24 decree states, “Within six months from the decedent’s date of death, the fiduciary shall file the Connecticut Estate Tax Return.” Will, do you know when that date is? **It’s July 18, 2015** -- that’s this week! That’s bizarre, not to mention severely burdensome and highly unreasonable, as making such a filing would require involvement of my accountant and even perhaps involvement of others (like a tax lawyer or business people I work with) who, for all I know, could be away this week or busy with other matters. In this context, your misrepresentation to the Probate Court and your **complete disregard** (and apparent contempt for) **properly explaining to me any aspect of this probate process** (including that I could be given less than seven business days to deal with potentially complicated accounting and tax matters such as partnerships in which Tina may have been involved), **in view of** the Probate Court’s “decreeing that I less than seven business days to deal with potentially complicated accounting and tax matters (while mailing their decree to me past 3-4 days past their deadline)” would seem to suggest that you and the Probate Court may have been collusively motivated to have me miss the June 24 decree’s “July 18 tax filing deadline.” After all, any reasonable person would recognize it’s completely unreasonable and perhaps outrightly sadistic to expect a

## The Patent '813 Story, Part II -- Version 2

person -- especially a single husband who's wife died less than six months ago and who's trying to raise two kids on his own -- to pick up their mail in that short a period of time, then identify through the legalese of the Probate Court's decree what needs be done for it, and then make the proper phone calls/appointments with the accountant and perhaps even a tax lawyer and others to do what needs to be done, when no one has even informed him/her to expect receiving a decree in the mail in the first place because there wasn't even supposed to be a decree (as in the June 12 email). Considering that I received from the State of CT a jury duty form post-marked July 6, you can see just how it would be easy to altogether overlook the decree and its "July 18 tax filing deadline." And where are you in any of this, Will? Nowhere. Think about that. The way that you have handled this probate process from the beginning would suggest that you have a very serious conflict of interest that has motivated you to have a contemptuous, dismissive attitude toward me and my place in this probate process (as well as for Tina's "assets"), as if you want to use the "probate process" to see me walk into some trouble that you saw coming but didn't want me to see coming.

I would appreciate a prompt written answer to the above questions in response to this email. I am happy pay for your time to thoroughly answer them. In addition, I would also appreciate you providing -- in writing -- **all interactions/communications**

## The Patent '813 Story, Part II -- Version 2

**(i.e., written, verbal, electronic, hard copy)** that you have had with the Probate Court **or any persons whatsoever involving this probate matter of Tina's estate, even if indirectly, from the time of "June 12, 2015 at 11:50 am EDT" to "now,"** including any paperwork that you have received from the Probate Court and when you received it. Your prompt provision of this information would be helpful in making certain decisions that involve your representation of me in this probate matter which I have found extremely troubling for a number of reasons. One of these reasons is that your misrepresentation (on which the Probate Court's fraudulent June 24 decree is based) implicates you (among a number of others) in what has been, over recent months, well-documented "anti-competitive third-party interference" that has targeted certain businesses in which I have representative roles and fiduciary obligations, as well as me personally. You can find more information on this matter in a press release issued by LCS Group, LLC on May 13, 2015 titled "LCS Group Announces Exclusive License from Lucerne Biosciences to Commercialize '813 Patent and '249 Application through Shire's Marketing of Lisdexamfetamine Dimesylate for Binge Eating Disorder" at <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>. In

## The Patent '813 Story, Part II -- Version 2

particular, there is a downloadable PDF called "The Patent '813 Story, Part II" in the press release that provides examples of such "anti-competitive third-party interference" that has been more substantially documented since May 13.

Please take appropriate actions to **immediately revoke** this fraudulent June 24 Probate Court decree and explain to the Probate Court the basis for why it is being revoked (i.e., your serious failure to properly and accurately represent your client in this probate matter). I would suggest that you include a complete copy of this email, including its complete thread below with the June 12 email in which I asked you "to suspend any further activity on this matter of probate." Should any harm result to (i) me and/or (ii) my children and/or (iii) any businesses in which I have a representative role from your misrepresentation to the Probate Court and the fraudulent decree it issued based on your misrepresentation, I will have no option other than to take legal action against you for your behavior. Also, please communicate with me **only by email** at "[louis.c.sanfilippo@gmail.com](mailto:louis.c.sanfilippo@gmail.com)" in answering the above questions and informing me on the status of the June 24 decree's revocation. Please do not call me by phone. I have been asked by my personal counsel to make sure these communications are electronically documented as they are expected to have significant implications in view of various other troubling events

## The Patent '813 Story, Part II -- Version 2

that have taken place which involve me in various representative capacities (as featured in the May 13 press release) and for which imminent actions are expected to bring a final and permanent resolution.

Sincerely,  
Louis Sanfilippo

### 3:31 PM EDT:

USPTO's Public Patent Application Information Retrieval ("PAIR") **"Image File Wrapper"** for **US Patent Application 14/464,249 "as of 3:31 PM EDT"** is available as a PDF:  
[http://www.4shared.com/download/ljsMRWq1ba/USPTO\\_Public\\_PAIR\\_Image\\_File\\_W.pdf?lgfp=3000](http://www.4shared.com/download/ljsMRWq1ba/USPTO_Public_PAIR_Image_File_W.pdf?lgfp=3000)

### Saturday July 18, 2015:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** Fwd: [Fwd: SECURITY ACTION REQUIRED: A New Vulnerability in Adobe Flash]  
**Date:** July 18, 2015 7:00:09 AM EDT  
**To:** drtimothybrewerton@gmail.com  
**Cc:** fornskov@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>

Dear Dr. Brewerton,

On behalf of Lucerne Biosciences, LLC, I'd like to provide you some additional perspective on "final resolution" of "The Patent '813 Story, Part II" beyond what you may have gathered from the email sent to Dr. Ornskov yesterday morning at 6:00 am EDT that cc'd you (and Mr. Haug and Ms. Kuzmich) and also see if you might have any comments to make in response. It's the company's view that you are in a particularly privileged position in "The Patent '813 Story, Part II" to see how things work from "both sides" of the "behavioral/business intelligence experiment" (as referenced for certain of its features in various parts of yesterday morning's 6:00 am EDT email). You are clearly a very intelligent man and your contributions to the eating disorder art would suggest that you have a high aptitude for synthesizing a lot of information quickly. This is another reason why your written feedback in response to this email would be appreciated, however loosely or specific you would wish to be. The company is most interested in understanding how the "behavioral/business intelligence experiment," as jointly founded and supported by what surely must be Yale University and most likely the Central Intelligence Agency (in view of all the evidence thus far with yet more presented here), motivated you to misrepresent your Declaration on which Shire's misrepresented IPR petition was based. As the company obtains more and more information with its collaborators on this apparent joint Yale-CIA "behavioral/business intelligence experiment" in order to completely expose and therefore terminate it (given its serious, even alarming, psychological and behavioral effects on its

## The Patent '813 Story, Part II -- Version 2

participants), the company is developing its own proprietary "intelligence technology" for both humanitarian and business reasons. To this effect, you can help the company help a considerable number of people by providing feedback.

But let me first provide you some context that may help you see how deep and extensive the "motivational, perceptual and behavioral implications" of this apparent Yale-CIA founded "behavioral/business intelligence experiment" actually are and how its "experimental secret communication infrastructure" must have unduly shaped **your own motivations and perceptions** to prepare the fraudulent IPR Declaration on which Shire's fraudulent IPR was based. As the evidence to date strongly supports (as characterized to some extent in yesterday morning's 6:00 am email but further documented in communications made on behalf of the company to Mr. Lucci of late), your own fraudulent Declaration and Shire's fraudulent IPR that involved the '813 Patent apparently was based on a "**foundational** behavioral/business intelligence experiment" with its own "secret communication platform." This "foundational platform," as later applied by Shire and its "IPR support team" (of Frommer, Lawrence & Haug and you), thus fraudulently supported the invalidation of the '813 Patent though still without the public-at-large knowing of the IPR's "secret dirty circumstances."

In this light, all the evidence (of which new evidence is provided below) supports that you been privy to certain "electronic communications" on which this "behavioral/business intelligence experiment" was -- and continues to be - based. While these "electronic communications" have evidently directly involved me, I've never been provided any "informed consent" by the "behavioral researchers" behind the experiment, nor have I ever been accountably informed that there was ever an experiment in the first place or that communications involving me and/or "to/from me" were being distributed without my consent for behavioral research purposes. Nor have I ever been given any "informed consent" about an obvious feature of the experimental protocol that supports and encourages willfully misrepresented electronic communications "**to me.**" Despite apparently being the "unconsented individual subject" to this "behavioral/business intelligence experiment" whose "communication platform" has supported repeated acts of deception and misrepresentation, one company objective for this email is to provide you (and the others cc'd) evidence that confirms "Yale's" direct involvement in the "foundational behavioral/business intelligence experiment" that preceded "The Patent '813 Story, Part II" but on which all the "anti-competitive misrepresentation behavior" featured in the story (including your "Declaration misrepresentation behavior") has taken place. And in keeping with that objective, to also show you how "Yale's" direct involvement in the "secret communication infrastructure" of the "behavioral/business intelligence experiment" may have significantly driven a distortion in your perception of reality and unduly influenced your motivation in a manner that encouraged you to "willfully misrepresent and lie" in your Declaration arguing the obviousness of the '813 Patent. In other words, the company's objective here is to peel back more of the "deception" on which this "foundational behavioral/intelligence experiment" was "psychologically and behaviorally premised." This includes identifying the experimental methodologies implemented by its "founders" that have apparently significantly impacted you. But to most effectively do that it would help if you've read through the email from 6 am yesterday (on which you were cc'd) because it provides important context for that omega-3 company "Cenestra Health" that developed the product "Omax3" now marketed by Prevention Pharmaceuticals, Inc.

In this context of the publicly known "Cenestra omega-3 story," as referenced in various parts of yesterday's 6 am email, take note that Cenestra Health was founded on January 13, 2006. Yesterday morning's email provided you evidentiary support that "Cenestra Health" was the "foundational behavioral/business intelligence platform" on which Shire's "fraudulent IPR" was based that itself derived from your fraudulent IPR Declaration. The purpose of this email isn't so much to repeat what's already been characterized in different parts of that 6 am email but to look more closely at certain details important to "The Cenestra omega-3 story" as it relates to "The

## The Patent '813 Story, Part II -- Version 2

Patent '813 Story, Part II" for the purpose of conclusively identifying certain methodologies in the experiment and their "root-cause source(s)." This, of course, warrants an investigation into the kind of evidence that would convincingly identify Yale's **direct involvement** in developing a "secretive communication platform" on which its "behavioral researchers" would, or could, "observe" their "profiled unconsented experimental subject" (that would be "me") while supporting and encouraging deception and misrepresentation targeting "him" ("me") through various venues like, for instance, the *inter partes* review for which you made your Declaration. Considering that "Shire's IPR obviousness planning" wouldn't or couldn't have begun anytime before 2013, if for no other reason that the '813 Patent did not issue until November 2012, investigating Cenestra Health's earlier "temporal history" in connection to evidence that might support Yale's direct involvement in developing a "secretive communication platform" promoting misrepresentation and deception for "intelligence purposes" would seem particularly important.

As "Cenestra, LLC" was incorporated on January 13, 2006, 2006 certainly would be an important year for investigating Yale's communication behavior "**to me.**" A logical person in view of recent well-documented events in "The Patent '813 Story, Part II," particularly those featured in the email thread of yesterday morning's 6 am email, might likely start in 2006, if for no other reason than that 2006 was the year "Cenestra, LLC" was publicly recognized by the state of CT to have been formed as an "LLC" business entity. While the 2006 time-frame is very important (based on public information of Cenestra's founding), late 2005 would also be very important because the provisional patent application for the omega-3 formulations on which "Omax3" was developed (and now is "patent protected") was filed on December 20, 2005 (also public information). But 2006 is important for another reason too. It's the year that I left (permanently) what was, at the time, my part-time 20-hour per week Yale Health Plan "staff psychiatrist position" in order to enter into "full-time private practice" while keeping my "voluntary faculty appointment" with Yale's Department of Psychiatry (which, by the way, I no longer have because I intentionally let it lapse in order to take care of "final resolution matters" without any conflict of interest). As it would be, June 30, 2006 would have been my "last day" of "part-time staff psychiatrist work" at the Yale Health Plan.

In this context, you can see that if Yale was "personally targeting me" as an "unconsented subject" in a "foundational behavioral/business intelligence experiment" involving the nutraceutical company "Cenestra Health," it stands to reason that Yale would likely have sought to build up its "secret communication infrastructure" in the temporal vicinity of Cenestra's "LLC founding" (Jan. 2006) and at a time when Yale perceived me as becoming "less visible" to my colleagues, such as when I transitioned **from** "20 hours part time at the Yale Health Plan" in which I'd be running into colleagues a fair bit of the time **to** "virtually no time at the Yale Health Plan" in which I might not even run into colleagues at all in a given week except on my way to teaching commitments. To be sure, the last thing anyone at Yale would want in the setting of a "behavioral/business intelligence experiment" targeting me as its "unconsented experimental subject" would be for me to walk unannounced into someone's office to see an "electronic communication platform" on their computer monitor involving "communications about me" and "to/from me," and then for me to start asking questions like "what the hell is this?"

To this effect, Lucerne Biosciences and its collaborators have extensively reviewed "Yale's email communication behavior" to "[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)" in that "2005-2006 time period," as well as the nearly decade-long time period thereafter, to investigate whether there is evidence of Yale's direct involvement in a "secret communication infrastructure," of a kind that would have supported and encouraged the "misrepresentation and lies" on which your fraudulent Declaration was based and on which the many other extraordinary and pervasive "misrepresentation behaviors" featured in "The Patent '813 Story, Part II" could also be based.

What became immediately remarkable during this email investigation is that **Yale's primary**

## The Patent '813 Story, Part II -- Version 2

**electronic communication behavior “to me” at my “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” email address apparently entered into a very unique “new pattern” (not previously evidenced) on June 2, 2006** in an email from Robert P. Schwartz to “[All Faculty and Staff](#)” having the subject “Open House with University Leaders.” While the content could be worth discussing here, the purpose of this email is to highlight its “delivery features” in view of the Yale’s “email communication behavior” that follows. This June 2, 2006 “Yale Open House email” identifies its “**TO recipients**” as “All Faculty and Staff.” But you can peak underneath the “TO header’s representation” of “All Faculty and Staff” to see the electronic list serve “**TO which**” the “Open House with University Leaders” email is being delivered. The “**TO electronic list serve**” for this June 2, 2006 Yale “Open House” email that I received at my “yale.edu” address was “**TO [itscomm2@yale.edu](mailto:itscomm2@yale.edu).**” Keep in mind that from available searched emails that extend to before June 2, 2006, this is apparently Yale’s first-ever “**TO [itscomm2@yale.edu](mailto:itscomm2@yale.edu) email**” to me at my “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” email address and its “new appearance” takes place about four weeks before I planned to leave my part-time 20 hour per week “staff psychiatrist position” at the Yale Health Plan, after which my “Yale behavioral expert colleagues” (at the Yale Health Plan) might not see that much of me in my “new free-of-Yale-except-for-4-voluntary-teachings-hours-per-week.”

So what do you think followed June 2, 2006 in terms of Yale’s “primary electronic communication behavior” to me at my “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” email address? It would appear, based on a thorough analysis of a rather long history of well-kept email records, that “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” very soon became Yale’s “primary electronic communication platform” to communicate with “me” at my “yale.edu” address. In the remaining 2006 calendar year, for instance, the email analysis identifies perhaps 10 or so such Yale “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” communications though still with some coming off the pre-June 2, 2006 list serve standard of “[psychiatryfac-list@BIOMED.MED.YALE.EDU](mailto:psychiatryfac-list@BIOMED.MED.YALE.EDU),” with a doubling of the Yale “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” emails to me at my “yale.edu” address to just over 20 emails in 2007 with continued increases reaching approximately 100 emails in 2011 and even more annually in 2012, 2013, 2014 and 2015. For example, there were 30 such Yale “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” emails to my “yale.edu” address in the two months of October and November 2012, which was the temporal vicinity when the ‘813 Patent issued, and there were 27 such “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” last month, June 2015, which may be the highest number of all to my “yale.edu” address (though not verified as of yet). But in isolation this doesn’t tell you all that much. The information that’s far more revealing is that over the **nearly ten years from June 2, 2006 to the present** -- during which I have had no paid or identifiable position with Yale University or its School of Medicine whatsoever **except** that of a “Voluntary Assistant Clinical Professor” faculty position in the School of Medicine’s “Department of Psychiatry” -- a veritable Yale “Who’s Who” list **“FROM”** Yale Presidents, Yale Vice Presidents, Yale Deans (of various schools, among other titles of senior people), Yale Departments of all kinds, Yale Security and IT people, Yale this etc...Yale that etc... (as it’s a long list of Yale’s leadership over the years) have communicated by email **“TO”** the following “**represented groups**” through “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” of which “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” has self-evidently been included (with the “represented groups” featured directly in the “TO headers” of these Yale “[itscomm2@yale.edu](mailto:itscomm2@yale.edu)” emails):

Yale Faculty  
Yale News Subscribers  
All Faculty, Staff and Students  
YSM (Yale School of Medicine) Community  
YSM Community and Alumni  
YSM Faculty, Staff and Students  
Members of the Yale Community  
Members of the Faculty and Staff  
Yale Faculty and Staff

## The Patent '813 Story, Part II -- Version 2

Weekly Digest Recipients  
Yale Medicine Readers  
Department of Psychiatry  
Faculty and Staff - Psychiatry  
Faculty - Psychiatry  
The Yale Community  
All Yale Staff Members  
Yale Community Members  
Yale Psychiatry Alumni  
Yale University Faculty  
Faculty  
All Faculty and Staff  
All Yale Faculty, Students & Staff  
Selected YaleConnect Account Holders  
Selected Members of the YSM Community  
Selected Members of the Yale Community  
Recipient List  
All Yale Employees  
Benefits Eligible Employees  
Eligible YSM Faculty  
YSM and YSPH Faculty, Staff and Students  
Colleagues  
Faculty, Staff and G&P Students  
YMG Faculty and Staff  
Faculty and Staff in the Medical Area  
Selected VPN Clients  
Building Occupants  
Yale Clinical Faculty and Staff  
Yale Clinical Faculty  
Invited Guests

**In other words, all the “represented groups” above for over the last nearly ten years, as represented by “Yale” to “me” in its emails’ “TO header representations” in the emails that I have received at my “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” address, are perfectly identical and synonymous with each other as they are identified by the same exact electronic list serve named “[itscomm2@yale.edu](mailto:itscomm2@yale.edu).”** But you can see that this doesn’t make any sense. It’s completely irrational. There are groups that while having perhaps some “minor overlap” would clearly be more likely to have “little overlap” than “more overlap,” like “Yale Psychiatry Alumni” and “All Faculty, Staff and Students.” **Yet they are identified as identically the same by virtue of their “TO list serve electronic delivery platform of ‘itscomm2@yale.edu.’”** Further, think about a communication in which “Yale’s Department of Psychiatry” might send an email to “Yale Psychiatry Alumni” that might, for instance, feature a survey about “psychiatrist anti-depressant prescribing habits” -- as it did in an email that I received from the Dept. on June 8, 2015 at 12:45 pm EDT. Such an email would be completely inappropriate to send to “Yale Students” and might even be a cause for “Yale students” to take legal “class action” against Yale’s Department of Psychiatry for communicating to them this way because that kind of email could really be quite psychologically troubling to an undergraduate student, especially a young 17 or 18 year old one with a serious family psychiatric history. Any reasonable person would appreciate that. But that “June 8, 2015 at 12:45 pm EDT Yale Dept. of Psychiatry email” -- which you should have received on June 9, 2015 at 8:13 pm EDT in an email from “Lucerne Biosciences, LLC” (along with many other persons who were on the email’s TO and CC delivery platform) -- was represented to me at my “[louis.sanfilippo@yale.edu](mailto:louis.sanfilippo@yale.edu)” email **as being sent**

## The Patent '813 Story, Part II -- Version 2

**“to: itscomm2@yale.edu.”** From the “groups” listed above, as documented from the company’s and its collaborators’ analysis of Yale email communications to me at my [yale.edu](mailto:itscomm2@yale.edu) email over the last nearly ten years, it’s unequivocally clear that Yale’s represented groups of “All Faculty, Staff and Students” and “Yale Psychiatry Alumni” **are delivered to the same exact “group” of “itscomm2@yale.edu.”** So Yale’s Department of Psychiatry here is **either** exercising some of the worst psychiatric judgment conceivable by emailing (unsolicited) Yale undergraduates a clinician drug prescribing survey **or** willfully lying to me. Of course, the answer is obvious as to what they are doing. And you and I know that “Yale” -- beyond its Department of Psychiatry as evidenced in this June 8, 2015 email example -- isn’t that stupid to conflate every Yale-connected person and group under the sun into one generic pool of **“itscomm2@yale.edu”** for nearly a decade straight. After all, Yale is an elite Ivy League institution that produces U.S. Presidents, global business leaders, top educators, technology innovators and the list goes on and on; Yale would not want to be associated as an institution that supports and encourages “generic bland non-differentiated reasoning and representation” where everything is “essentially the same,” including the unique identities of its own students, faculty and alumni and the varied contributions they make to society.

Let me ask you a question here, Dr. Brewerton: does Yale’s longstanding **“generic undifferentiated conflationary electronic communication behavior”** to me at my [yale.edu](mailto:itscomm2@yale.edu) email address, via its [“itscomm2@yale.edu”](mailto:itscomm2@yale.edu) list serve, sound at all familiar to you? After all, any reasonable person would see that the sine quo non of your Declaration is that it’s the “essential sameness” of generic “binge eating” in Binge Eating Disorder and Bulimia Nervosa which reasonably guides treatment for either disorder with “stimulants” which, of course, is how you get to the “obviousness” of treating “Binge Eating as defined in the DSM-IV-TR” with the amphetamine prodrug stimulant “lisdexamfetamine dimesylate.” Yet any reasonable person would also see that your Declaration’s Yale-style “generic undifferentiated conflationary representations” are diametrically opposite the way your own many contributions to the eating disorder art have been reasoned and represented in your peer-reviewed and peer-read publications (as repeatedly demonstrated in “The Patent ‘813 Story, Part II”). So any reasonable person in view of (i) Yale’s nearly decade-long history of “electronic communication behavior” to me at my “yale.edu” address vis-à-vis [“itscomm2@yale.edu as any generic Yale group regardless of its specifically represented identity”](mailto:itscomm2@yale.edu) and (ii) your “IPR Declaration behavior” involving the “essential sameness of binge eating to guide treatment regardless of any diagnostic context in which binge eating would exist” would see a very obvious pattern that closely connected you and Yale on the basis of willful misrepresentations of the “conflated blur-any-important-distinctions” kind. Not only that but any reasonable person would appreciate that “entities” like “Yale” and “you - an eating disorder expert” don’t typically seek to misrepresent themselves repeatedly, as if that were a key objective. That you and Yale have clearly done so affirms the existence of a “secret communication infrastructure” supporting and encouraging this kind of “willful misrepresentation behavior” which appears to have been developed by Yale in the vicinity of June 2006 for the purpose of conducting what could only be a “behavioral/business intelligence experiment” that personally targeted “me” through its experimental protocol to “willfully deceive” and likely “profile and research.” Considering the provisional patent application for the ‘813 Patent was still over a year from being filed “as of June 2, 2006,” the “primary experimental behavioral/business intelligence platform” surely must have been Cenestra Health. That, of course, isn’t surprising for all the reasons cited throughout parts of yesterday’s 6 am EDT email.

That laundry list of **“Yale represented groups”** above, of course, must mean that all those “Yale represented groups” are the “intelligence product” of a willfully and highly calculated “deception platform” (by Yale) because they would logically seem to only “actually represent” and “be synonymous with” [“louis.sanfilippo@yale.edu”](mailto:louis.sanfilippo@yale.edu) vis-à-vis [“itscomm2@yale.edu.”](mailto:itscomm2@yale.edu) And that clearly means that “Yale University” has spent the last decade or so, **since at least June 2, 2006, basically willfully and repeatedly lying to me and trying to deceive me.** Does that

## The Patent '813 Story, Part II -- Version 2

sound familiar to you, Dr. Brewerton, in connection to your own behavior in putting together your IPR Declaration and/or what you know of Shire and its outside counsel in handling the IPR proceeding? Now one has to ask, why would Yale University be so motivated to willfully and repeatedly lie to me over that long a period of time? And why would “the lying” and “the deception” seem to begin in June 2006 four weeks before I was to become what you might call a “completely freed-from-Yale-man” without that part-time 20 hour per week job (except for a few hours a week of voluntary teaching to keep my “voluntary clinical faculty appointment)? The answers to those two questions are obvious in view of the 6 am email from yesterday morning, namely, that Yale had its “lying and deceptive hand” in a “behavioral/business intelligence platform” that was interested in developing and applying “deception-based intelligence technology” vis-à-vis “Cenestra Health” -- and “I, Louis Sanfilippo” was its “unconsented experimental guinea pig” that Yale needed to electronically track in order to implement the experimental protocol as I wouldn't be “hanging around Yale” as much in my “full-time private practice role.”

But for that “experimental behavioral/business intelligence platform” to even marginally function, you can see that Yale required a “secret communication infrastructure” in which Yale could (i) propagate its willful lying and deceit on me, (ii) recruit and deploy its willful liars and deceivers (such as you, Mr. Haug and Ms. Kuzmich), (iii) make and communicate “hidden behavioral research observations” (i.e., outside my view) among its “behavioral expert researchers” and (iv) have a “baseline record” of what was being communicated “to me” at my “yale.edu” address for whatever “behavioral intelligence research,” “anti-competitive,” and/or “extortion” purposes Yale might seek in order to keep it all secret from me. This broad “deception-based intelligence platform,” of course, is the kind of thing that would particularly interest a “premier spy agency” like the Central Intelligence Agency, which makes it Yale's most likely “founding partner.” It couldn't be any more obvious with hindsight. And in this “hindsight-based light,” it's obvious that your own “deceptive IPR Declaration behavior” must surely have been motivated on this “foundational behavioral/business intelligence platform” and its “secret communication infrastructure,” as jointly supported by Yale and what surely must have been (and still is) the CIA.

This, of course, makes it increasingly clear for any reasonable person to understand what someone like you -- or someone at Yale or the CIA or at any of the “third-party interference sites” featured in “The Patent '813 Story, Part II” -- would “see” on your computer screen in what I've previously referenced in emails (mostly to Joe Lucci in my representative capacity as a manager of Lucerne Biosciences) as the Global Consciousness Experiment's (“GCE's”) “communication platform” (“CP”). This “GCE-CP” is the **“secret communication infrastructure”** that would perfectly and rationally explain all the extraordinary and pervasive “misrepresentation for anti-competitive conduct behavior” in “The Patent '813 Story, Part II,” as well as its remarkably well-coordinated timing of late as in the example of the USPTO's and the Probate Court's “synchronized June 24/July 7-9 decision-making sequence” in yesterday's 6 am EDT email. It would also perfectly and rationally explain the escalation of those “third-party interference emails” during the company's prosecution of the '249 Application that clearly sought to “target me personally” (as amply documented in “The Patent '813 Story, Part II”).

In this regard, any reasonable person would readily appreciate that if a “GCE-participant” (presumably like you) were following “Louis Sanfilippo's to/from electronically profiled communications” via the GCE's “secret communication platform,” these “misrepresented and deceptive Yale ‘ittscomm2@yale.edu’ emails” to “Louis Sanfilippo” at his “yale.edu email” would be ubiquitous, especially of late (27 in just June 2015 alone). They could therefore really warp and distort the GCE-participant's perception of reality and even their motivation and behavior, as they'd be inundated by repeatedly perceiving all those “lying, deceiving and misrepresented Yale emails” to “Louis Sanfilippo” at his “yale.edu” email, as would be presumably “dropped into the secret communication network” in “real-time.” Think about it. Yale's “lying and deceiving

## The Patent '813 Story, Part II -- Version 2

communication behavior” to me would seem to be supporting and encouraging a “perceptually lawless” way to “see reality” and “interact with people.” A well-trained psychiatrist like you ought to appreciate that such a long history of outright and willful “Yale lies, misrepresentations and deceit” on the GCE’s communication platform, vis-à-vis Yale’s deceitful and lying electronic communications to me at “itscomm2@yale.edu,” could even be reasonably expected to induce sociopathy in some GCE-participants who might “perceptually rely” on these communications in their dealings with “Louis Sanfilippo,” whether for their respective “behavioral intelligence research” purposes, “Cenestra business dealings,” and/or “lisdexamfetamine patent and legal matters.” I don’t have to tell you how profoundly disturbing this is because you’re clearly a bright psychiatrist. But why would you Dr. Brewerton, a respected “eating disorder expert,” participate in such a deception-based “behavioral/business intelligence experiment” that couldn’t seem to be any more ill-conceived, unlawful and unethical? Any reasonable person would see that this kind of experimental communication platform would be, at best, like raising a house full of children on TV and computer video games without giving them a chance to “see or understand reality.” At its worst, the experimental platform would be permission for professionals like you to act unlawfully and even sociopathically in order to poison the very profession you’ve worked so hard to build while possibly even harming patients, physicians and their families along the way.

In this context, the “consciousness frame of reference” on which your Declaration’s “eating disorder reasoning and representations” are based is virtually “psychotically essentially the same.” It’s generic, undifferentiated, primitive and lacking any sophistication. It’s the eating disorder art before there was even an art. This, strikingly, is nearly **perfectly analogous** to the “consciousness frame of reference” on which this “GCE behavioral/business intelligence experiment” is surely based because “Yale’s communication behavior” as it relates to “me” is “self-referentially” built on “lies, deceit and misrepresentations” that virtually “psychotically identifies me” as essentially the same (aka, “itscomm2@yale.edu”) regardless of the “represented group” whom Yale is identifying or that I accurately belong to (as I would not have been a “Yale employee” or “All Yale Staff Members” between July 1, 2006 to the present time as Yale identifies me). In view of “The Patent '813 Story, Part II” or your own involvement in Shire’s IPR, could it be any more predictable how Shire and its outside counsel would have behaved in an actual business negotiation involving the '813 Patent had the patent not been invalidated? Clearly, Shire and its outside counsel would have exploited all these Yale “lies and deceptions” because they would have known about them through the GCE’s “secret communication infrastructure,” and thus try to “artificially position” Yale in all the behavioral chaos to harm the appropriately involved company and me. While that would certainly be egregious “anti-competitive conduct,” a better characterization for that behavior would seem to be “frank sociopathy.” Fortunately, the circumstances in which that behavior would predictably have been confirmed, based on “past behavior” being predictive of “future behavior,” never happened.

The company would be interested in your written feedback to this email in order to advance its “final resolution” to “The Patent '813 Story, Part II” which, based on rapidly unfolding events (some of which you may see and others that you simply can’t because they’re on the company’s and its collaborators’ “side of things”), can be expected imminently. Further, the company’s view is that you’re actually a victim of sorts -- a **“third-party exploitee” -- of what has to be the stupidest, most ill-conceived and potentially severely harmful “behavioral/business intelligence experiment” in the history of humankind.** In this light, the company is trying to help you (and others) see that there are better-designed “behavioral/business intelligence platforms” than the Yale-supported one that appears to now be in its tenth decade without any good final results but only a massive and unprecedented set of problems, liabilities and consequences that only gets worse as a function of time and with psychological denial that any problem even exists. The “originating Yale email” below, sent to me vis-a-vis “itscomm2@yale.edu” at my “yale.edu” email yesterday from Yale’s IT Department, speaks for itself and is yet more testimony to how Yale continues to try to communicate with “me,”

## The Patent '813 Story, Part II -- Version 2

namely, **on the basis of willful misrepresentations, lies and deceit without any apparent interest to be accountable and responsible for what they're doing and have done for nearly a decade now.**

So let me ask you this Dr. Brewerton: doesn't "Yale" see that I have absolutely no interest whatsoever in communicating with them in any representative capacity because they've spent the last ten years intentionally lying to me and trying to deceive me, while quite evidently massively interfering in every aspect of my business, professional, legal and personal life? On top of that, with hindsight, it's easy to see that Yale bears **heavy responsibility** for causing my deceased wife great anguish and pain because of all the "evil" associated with that omega-3 company (per yesterday's 6 am email) which surely must have been motivationally and behaviorally connected to this "behavioral/business intelligence experiment" that has targeted me personally (and which therefore affected her "personally")? And that Yale also bears **heavy responsibility** for supporting and encouraging all that "third-party interference" targeting me shortly after my wife's passing, as well as for supporting and encouraging your own and Shire's and FLH's "lying and deceitful behavior" in the IPR that targeted "me" in any number of representative roles, as documented for any reasonable person to read in "The Patent '813 Story, Part II." You'd think that Yale may have even been happy to see my wife ill with cancer and even happier to see her ready to die during the course of the IPR when LCS Group owned the '813 Patent, because it would seem to have provided the institution a perfect opportunity to support and encourage the powerhouse team of Shire, FLH and you (vis-à-vis the "secret communication infrastructure") to steamroll LCS Group. That, of course, would help them get away with their exploitative ten-year history of lying and deceptive behavior that secretly supported and encouraged your own and Shire's "fraudulent IPR behavior," without "my even noticing it."

Dr. Brewerton, doesn't Yale see that I'd rather communicate with you, because you're not "the source" of this profoundly disturbing, epically-sized "willful deception problem" but rather its exploited "third-party victim"?

Let me ask you something else: would you trust Yale after a nearly ten year history of virtually weekly misrepresentations, lies and deceit that -- if anything -- has only increased and hardened as a function of time, as evidenced by the emails I've received from "Yale" to my "yale.edu" address vis-à-vis "[itscomm2@yale.edu](mailto:itscomm2@yale.edu)"?

Dr. Brewerton: do you know where this story is going? You may be in the best position to understand the answer of anyone receiving this email, which is why it was sent "to" you. If you choose not to respond to this email, you may at least wish to communicate your insights to Dr. Ornskov, Mr. Haug and/or Ms. Kuzmich. Yet where the story is going already has been transparently communicated in the story because the story is about itself.

Sincerely,

Louis Sanfilippo, MD  
Manager, Lucerne Biosciences, LLC

Begin forwarded message:

**From:** "Lucerne Biosciences, LLC" <[lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com)>  
**Subject:** Fwd: **SECURITY ACTION REQUIRED: A New Vulnerability in Adobe Flash**  
**Date:** July 17, 2015 9:28:10 AM EDT  
**To:** [lsanfilippo@lucernebio.com](mailto:lsanfilippo@lucernebio.com)

## The Patent '813 Story, Part II -- Version 2

Begin forwarded message:

**From:** "Sanfilippo, Louis" <louis.sanfilippo@yale.edu>  
**Subject:** Fwd: **SECURITY ACTION REQUIRED: A New Vulnerability in Adobe Flash**  
**Date:** July 17, 2015 8:57:49 AM EDT  
**To:** "Lucerne Biosciences, LLC" <lucernebio@lucernebio.com>

Sent from my iPhone

Begin forwarded message:

**From:** Yale ITS <itscomm2@yale.edu>  
**Date:** July 17, 2015 at 8:43:38 AM EDT  
**To:** Yale Faculty and Staff <itscomm2@yale.edu>  
**Subject:** **SECURITY ACTION REQUIRED: A New Vulnerability in Adobe Flash**  
**Reply-To:** ITS Help Desk <helpdesk@yale.edu>

To: Yale Faculty and Staff

Due to another security vulnerability in Adobe Flash Player this week, Yale ITS recommends all computers (including home computers) are updated to run Adobe Flash Player version 18.0.0.209 as soon as possible. This vulnerability is actively being exploited and categorized as critical.

ITS will begin updating all computers managed by ITS immediately.

### How to get the patch

#### Managed Workstations & other computers managed by ITS:

- Managed Workstations and other computers **managed by ITS** will be automatically upgraded and patched within the next 24 hours.
- Upon completion of the software update installation, a prompt will appear requesting you take action to complete the update.  
Please accept the BigFix message as soon as the notification appears.  
All work should be saved and any applications running should be closed prior to starting the upgrade process.
- Please be aware that if your computer is restarted without your interaction, the following may occur:  
If your computer is encrypted with PGP and restarted without your interaction, you may not be able to remotely access your computer.  
Any jobs in progress will be terminated, and data will be lost.  
Any unsaved work from open programs will be lost.

#### Computers NOT managed by ITS:

Faculty and staff **not using an ITS managed computer** are advised to

## The Patent '813 Story, Part II -- Version 2

update their version of Adobe Flash Player as soon as possible.

- Visit [adobe.com](http://adobe.com) to update your Flash Player.

### How long will the upgrade take?

- The updates should take less than a minute but may take up to five minutes to complete.
- Computer hardware and network connection speeds will impact the time needed to complete the upgrade.

**Need help?** If you have any questions or need assistance, please contact the ITS Help Desk at 203-432-9000 or email [helpdesk@yale.edu](mailto:helpdesk@yale.edu). You may also visit one of the [Walk-In Computer Support Centers](#) or contact your [local support provider](#).

Richard D. Mikelinich Chief Information Security Officer ITS Information Security, Policy & Compliance 203-436-5872 [ciso@yale.edu](mailto:ciso@yale.edu)

Jeff Capuano Associate CIO ITS Campus Technology Services 203-737-4172 [jeff.capuano@yale.edu](mailto:jeff.capuano@yale.edu)

Yale University Official Message

NOTE: This official Yale ITS message can also be viewed at: <https://messages.yale.edu/messages/ITS/itsmsgs/detail/123825>

### **August 12, 2015 at 9:36 PM EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 9:36 PM EDT"** is available as a merged PDF at: <https://app.box.com/s/evkx4spqnxsvkfaaf74jliodzki3ri3u>

### **August 18, 2015 at 3:42 pm EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of 3:42 PM EDT"** is available as a merged PDF at: <https://app.box.com/s/7e4x5jziuqw768osl1if51l5xq2gq6xc>

### **August 22, 2015 at 12:52 pm EDT:**

USPTO's Public Patent Application Information Retrieval ("PAIR") "**Transaction History**" and "**Image File Wrapper**" for **US Patent Application 14/464,249 "as of August 22, 2015 at 12:52 AM EDT"** is available as a merged PDF at: <https://app.box.com/s/tbexk8ddyw5lnt709eyjtp05s1txngot>

NOTE PDF IDENTIFIED AS BEING FILED ON **AUGUST 12, 2015** (Not present on August 12 and August 18, 2015 Image File Wrappers, titled "**Conclise Description of Revelance**" (at: <https://app.box.com/s/qpxp2f5krtp5r4ow27uhxnk2p08mrz4j>).

## The Patent '813 Story, Part II -- Version 2

### August 31, 2015 at 9:10 am EDT:

Transaction History that states, for August 31, 2015, that “**Application Ready for PDX Access by Foreign Parties**” (at: <https://app.box.com/s/6k5apo8bqgz7nzma62xl5kao5yq0sisj>).

### December 17, 2015 at 9:26 am EDT:

Transaction History that states “**Mail Petition Decision - Dismissed**” with a date of December 14, 2015; however now notation of it in Image File Wrapper as of December 17, 2015, at: <https://app.box.com/s/crjxlr6cgu0esbnq4uvv9nkxeb6rsmqf> (Note: Letter is above)

### January 6, 2016:

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** **Are You Ready for the Imminent Confluence of Networks (Final Resolution)?**  
**Date:** January 6, 2016 6:00:25 AM EST  
**To:** drtimothybrewerton@gmail.com  
**Cc:** fornskov@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>

Dear Dr. Brewerton,

On behalf of Lucerne Biosciences, LLC, this email is to inform you that “**The Patent '813 Story, Part II,**” in which you have played an important part, is ***extremely imminently*** about to take a **highly dramatic and unexpected public turn for you and many others**. The reason is this email and its disclosure of what you might call a **confluence of networks**. While I, in my representative role as the company’s manager, have been authorized to be the signatory for this email on behalf of the company, it won’t take long for you to see that it’s been written in close collaboration with, and support from, other entities and an elite counter-intelligence team skilled in information systems and analysis, including “IP (Internet Protocol) profiling.” This email has been written to serve several purposes, one of which is to provide you a “frame expansion in consciousness,” that is, the lens by which you perceive the real-life story that you have been involved in. There’s ***a lot more to the story*** than it would seem on its surface, and it involves the Internet.....

**CONTENTS OF EMAIL STRIPPED:** Full Email in PDF at: (at: <https://app.box.com/s/nb4nsf0h39ce9puk6f16w2j6h45ecffb>)

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject:** **Re: Are You Ready for the Imminent Confluence of Networks (Final Resolution)?**  
**Date:** January 6, 2016 7:00:22 AM EST  
**To:** drtimothybrewerton@gmail.com  
**Cc:** fornskov@shire.com, Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell

## The Patent '813 Story, Part II -- Version 2

<AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>

Dear Dr. Brewerton,

On behalf of Lucerne Biosciences, LLC. this email is to provide you a PDF of the substantive content (including hyperlinks) that comprise the "body" of an email sent to you at 6 am EST today, also on behalf of the company. The 1,645-page PDF is titled "Are You Ready for the Imminent Confluence of Networks (Final Resolution)?" and is publicly available to download (at: <https://app.box.com/s/89bnw8lk5htji6an53oezeg7ei2ham2u>).

Sincerely,

Louis Sanfilippo,  
Manager, Lucerne Biosciences, LLC

### **January 8, 2016:**

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: a highly time-sensitive decision for Cantor Colburn (24 hours)**  
**Date:** January 8, 2016 8:49:01 PM EST  
**To:** Anne Maxwell <AMaxwell@CantorColburn.com>  
**Cc:** Derek Denhart <DDenhart@CantorColburn.com>, Michael Cantor <MCantor@CantorColburn.com>, pcolburn@cantorcolburn.com

Dear Anne,

On behalf Lucerne Biosciences, LLC I am requesting that you/Cantor Colburn LLP **immediately file a continuation application for U.S. Application No. 14/464,249 before it abandons**; the six-month absolute deadline is tomorrow, **January 9, 2016** -- and that you/Cantor Colburn do it as a representative of Lucerne Biosciences, LLC. .....

**CONTENTS OF EMAIL STRIPPED: Full Email in PDF at:**  
<https://app.box.com/s/5swxugug8yxoxtwf5exxx0t5shne4pj>

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>  
**Subject: (PDF- version) Lucerne Biosciences, LLC/ a highly time sensitive decision for Cantor Colburn (24 hours)**  
**Date:** January 8, 2016 9:12:23 PM EST  
**To:** Anne Maxwell <AMaxwell@CantorColburn.com>  
**Cc:** Derek Denhart <DDenhart@CantorColburn.com>, Michael Cantor <MCantor@CantorColburn.com>, pcolburn@cantorcolburn.com

Dear Anne,

On behalf of Lucerne Biosciences, LLC, a PDF version is attached that reflects the body of the email just sent to you.

**ATTACHMENT Stripped: "Lucerne Biosciences, LLC - a highly time sensitive decision for Cantor Colburn.pdf"** (available at: <https://app.box.com/s/hgug051n08km5i8i3orvprobcimdg5nn>)

## The Patent '813 Story, Part II -- Version 2

Sincerely,

Louis Sanfilippo,  
Lucerne Biosciences, LLC

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: Are You Ready....Today?**

**Date:** January 11, 2016 6:23:42 AM EST

**To:** fornskov@shire.com

**Cc:** Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>

Dear Ornskov,

On behalf of Lucerne Biosciences, LLC, this email is to inform you and "Shire" (as broadly defined) that you/Shire have **until 7:00 pm EST today, January 11, 2016**, to take **action of some kind** to bring about "final resolution" to what surely has been among the most sustained acts of calculated, highly coordinated and unmitigated deception ever waged against the American taxpayer-at-large, with broad support (financial included) from the US government. Any reasonable would appreciate that from "**The Patent '813 Story, Part II, Version 2**" (available in its most updated, 700-plus-page version at <https://app.box.com/s/ncjize75gxs0hgoa5n7y06m9xmmdans6>). The **absence of such action** will surely have catastrophic and irreparable consequences on Shire and its shareholders -- **simply based on the truth of the matter.....**

**[EMAIL CONTENT STRIPPED. ENTIRE EMAIL AVAILABLE IN PDF AT:**

<https://app.box.com/s/3vhzs8nofgc9t9thckfgywykqulszowz>]

**From:** Louis Sanfilippo <lsanfilippo@lucernebio.com>

**Subject: (PDF Version) Are You Ready .... Today?**

**Date:** January 11, 2016 6:39:05 AM EST

**To:** fornskov@shire.com

**Cc:** Ed Haug <EHaug@flhlaw.com>, Sandra Kuzmich <SKuzmich@flhlaw.com>, drtimothybrewerton@gmail.com, jharrington@shire.com, dbanchik@shire.com, tmay@shire.com, Joseph Lucci <jlucci@bakerlaw.com>, David Farsiou <dfarsiou@bakerlaw.com>, Anne Maxwell <AMaxwell@CantorColburn.com>, Derek Denhart <DDenhart@CantorColburn.com>

Dear Dr. Ornskov,

On behalf of Lucerne Biosciences, LLC, below is a hyperlink to a PDF of the email just sent to you having the subject "Are You Ready....Today?" This is in keeping with the recursive nature of the story. It's all there, accessible from one document. That's deployment ready.

## The Patent '813 Story, Part II -- Version 2

Email sent from lsanfilippo@lucernebio.com at 6:23 am EST, to fornskov@shire.com; multiple cc's; in PDF at:  
<https://app.box.com/s/3vhzs8nofgc9t9thckfgywykqulszowz>

Sincerely,

Louis Sanfilippo,  
Manager, Lucerne Biosciences, LLC

## The Patent '813 Story, Part II -- Version 2

### Part II: Section 3 (of 3)

**January 11, 2016 at 10:00 PM EDT:**

#### **Lucerne Biosciences Completes Sourcing Investigation into Shire's IPR that Led to the Invalidation of the '813 Patent; Begins Accelerated Multi-Party Public Expansion Phase of its Counter-Intelligence Technology**

WILMINGTON, Del., Jan. 11, 2016 /PRNewswire/ -- Lucerne Biosciences, LLC announced today that it has completed a sourcing investigation into the U.S. Patent Trial & Appeal Board's invalidation of U.S. Patent 8,318,813 titled Method of Treating Binge Eating Disorder and is now beginning an accelerated multi-party public expansion phase to introduce its counter-intelligence technology to the American and global public-at-large. The company's '813 Patent was invalidated on June 4, 2015 based on an *Inter Partes Review* petition filed by Shire Development LLC on May 9, 2014, supported by law firm Frommer, Lawrence & Haug, LLP and Eating Disorder Expert Timothy Brewerton, M.D. Prior investigation by the company and its collaborators determined Shire's IPR, and the Brewerton Declaration on which it was based, advanced a platform of anti-competitive trade practice, the motivations of which were initially unclear.

The results of the sourcing investigation are publicly available for download in a 1645-page PDF document titled "***Are You Ready for the Imminent Confluence of Networks (Final Resolution)?***," including approximately 4000 hyperlinked references and extensive electronic and representational profiling using counter-intelligence techniques such as temporally-weighted profiling and sequential expanded analysis

(at: <https://app.box.com/s/89bnw8lk5htji6an53oezeg7ei2ham2u>). On January 6, 2016, Lucerne Biosciences provided results of the sourcing investigation to Shire executives, including CEO Dr. Flemming Ornskov, Frommer, Lawrence & Haug attorneys Ed Haug and Sandra Kuzmich, Dr. Timothy Brewerton (to whom the letter was addressed) and various other attorneys involved in the matter. This was in expectation of Lucerne Biosciences' accelerated public expansion phase designed to bring broad public attention to what occurred through the company's counter-intelligence technology that uses publicly available information on the Internet to establish "layered composite profiling" at the person, corporate, governmental and/or electronic levels "to explain the story for any reasonable person to understand" (1-6-2016 communication available in PDF at: <https://app.box.com/s/nb4nsf0h39ce9puk6f16w2j6h45ecffb>).

Lucerne Biosciences' Manager Louis Sanfilippo stated, "This is an extraordinary story that you wouldn't believe possible until you see the evidence. Then it becomes very obvious it's real and also what it's all about, namely, the Internet

## The Patent '813 Story, Part II -- Version 2

and how its infrastructure was built at the level of name servers, IPv4 address allocation and Autonomous System Numbers, among other things. The sourcing investigation originally stemmed from trying to explain an unusually high degree of representational exploitation and deception in the IPR proceeding, more than you would expect from the kinds of professionals involved. This included the Patent Trial & Appeal Board which showcased a record 40-75% misrepresentation rate, depending on how you count, in identifying the owner of the '813 Patent for its face-page represented Orders during Lucerne's slice of the proceeding. Additional USPTO representational problems, like Director Ms. Lee's misrepresentation of a patent number in its Certificate of Correction for a Yale University 'sensor network patent' whose claims could be exploited to advance the very deception platform later seen in the IPR proceeding, drew high suspicion on account of its timing just before the first '813 patent owner LCS Group, LLC filed its preliminary response. That's what opened the door to further investigation."

The sourcing investigation identified two known intelligence tactics that were repeatedly and extensively exploited across multiple-parties in a highly coordinated tactical manner, including by the PTAB. One such tactic is called "disruptive technology," historically associated in the public space with the US National Security Agency (NSA). The other, called "onion routing," is a tactic used to securely move data through communication networks and has its historical roots in the Naval Research Laboratory (NRL). Sanfilippo added, "The composite profile strongly supports a massively scaled 'invite-only, collaboratively-based Virtual Private Network (VPN)' designed to bring attention to the Internet among a trusted network while, at the same time, high-tech defense contractors and even US intelligence agencies could electronically exploit the platform to develop new surveillance, data-gathering/interception and secure overlay communication technologies. Things appear to have gotten derailed when Shire merged the disruptively represented VPN platform with a disruptively represented IPR petition, in effect seeking to leverage a fraudulent IPR proceeding against the patent's first owner LCS Group while at the same time in a confidentiality disclosure agreement with LCS Group to acquire rights to the patent. Shire probably thought it would end well and quietly if it could exert enough muscle on all sides, including from the USPTO and supporters of the VPN. Remarkably, the investigation into Shire's conduct strongly supports that this massively-scaled VPN was a secondary platform, the first of which was originally designed to build the Internet's infrastructure through highly-coordinated private communications among a 'trusted network.' An organization called the Intelligence Science Board, chartered in August 2002, drew high suspicion in the sourcing investigation because it stood in-between both platforms on multiple levels, including its connection to shared contacts involving 'me' ."

The sourcing investigation includes government entities like the NSF, CIA, NSA, DoD, Commerce, and DoE, as well as high tech academic centers like MIT and

## The Patent '813 Story, Part II -- Version 2

USC's Information Sciences Institute, and corporations that were central to the development of the Internet like BBN Corporation (as formerly known 1995-2000), IBM, AT&T, GTE, Bechtel, and Level 3 Communications, across their various corporate forms. Raytheon Company, a defense contractor whose former headquarters sits amidst the campus of Shire's current Lexington, Mass. global center, is extensively investigated for its potential role in advancing the technology. "It's a big story and seems to get bigger at every turn," said Sanfilippo, "and at the center of the onion, you might say, is a series of companies called Genuity Inc. That may be the most remarkable feature of this secret story that's been concealed from the American and global public-at-large."

### About Lucerne Biosciences, LLC

Lucerne Biosciences is a counter-intelligence technology development company involved in deception detection methodology, resolution management and electronic Internet Protocol profiling based on publicly available information from the Internet. The company's policy is broad public distribution of its technology once it has been determined effective and safe for broad public application. Communications can be made to [lucernebio@lucernebio.com](mailto:lucernebio@lucernebio.com).

### Additional, Related Information

**The Patent '813 Story, Part II, Version 2** (updated January 11, 2016) at: <https://app.box.com/s/f4gcdmbmxhpdncu9yn4x1oqq4bsmwfa6>

**PTAB Invalidates Lucerne Biosciences' '813 Patent for the Treatment of Binge Eating Disorder with Lisdexamfetamine Dimesylate** (June 13, 2015) at: <http://www.prnewswire.com/news-releases/ptab-invalidates-lucerne-biosciences-813-patent-for-the-treatment-of-binge-eating-disorder-with-lisdexamfetamine-dimesylate-300098752.html>

**Lucerne Biosciences Announces Publication of Claimed Methods for Treating Binge Eating Disorder with Lisdexamfetamine Dimesylate** (March 6, 2015) at: <http://www.prnewswire.com/news-releases/lucerne-biosciences-announces-publication-of-claimed-methods-for-treating-binge-eating-disorder-with-lisdexamfetamine-dimesylate-300046271.html>

**LCS Group Announces Exclusive License from Lucerne Biosciences to Commercialize '813 Patent and '249 Application through Shire's Marketing of Lisdexamfetamine Dimesylate for Binge Eating Disorder** (May 13, 2015) at: <http://www.prnewswire.com/news-releases/lcs-group-announces-exclusive-license-from-lucerne-biosciences-to-commercialize-813-patent-and-249-application-through-shires-marketing-of-lisdexamfetamine-dimesylate-for-binge-eating-disorder-300083124.html>

## The Patent '813 Story, Part II -- Version 2

**LCS Therapeutics and Lucerne Biosciences to Commercialize '813 Patent for Lisdexamfetamine Dimesylate in the Treatment of Binge Eating Disorder** (December 26, 2014) at: <http://www.prnewswire.com/news-releases/lcs-therapeutics-and-lucerne-biosciences-to-commercialize-813-patent-for-lisdexamfetamine-dimesylate-in-the-treatment-of-binge-eating-disorder-300013986.html>

Media Contact:

Louis Sanfilippo, MD  
203-362-8919

SOURCE LCS Group, LLC

**January 13, 2016:**

**LCS Group Accelerates Commercialization of its Exclusively Licensed '813 Patent to Treat Binge Eating Disorder with Lisdexamfetamine Dimesylate Using the '813 Patent Owner's "Deception Detection Technology," Now Freely Available Online to the Global Public-at-large**