



**GREINES, MARTIN, STEIN & RICHLAND LLP**  
**APPELLATE LAWYERS**

Law Offices  
50 California Street, Suite 1500  
San Francisco, California 94111  
(415) 315-1774  
www.gmsr.com

Email: [lhepler@gmsr.com](mailto:lhepler@gmsr.com)

May 21, 2020

Chief Justice Tani Cantil-Sakauye and Associate Justices  
Supreme Court of California  
350 McAllister Street, Fourth Floor  
San Francisco, California

Re: **Ixchel Pharma, LLC v. Biogen, Inc., Case No. S256927**  
New authority – Oral Argument on June 3, 2020  
Intentional Interference With At-Will Contract issue

Your Honors:

I will argue for Biogen, Inc. on June 3. We call to the Court's attention a recent precedent relevant to the argument at page 43 of our Answer Brief on the Merits.

In *Nelson v. Tucker Ellis, LLP* (Cal. Ct. App., May 5, 2020) 2020 WL 2123913, the First District Court of Appeal discussed *Reeves v. Hanlon* (2004) 33 Cal.4th 1140 and *Popescu v. Apple Inc.* (2016) 1 Cal.App.5th 39, noting: "We respectfully disagree with our *Popescu* colleagues' reasoning."

Respectfully submitted,

*/s/ Laurie Hepler*

Laurie J. Hepler

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 5900 Wilshire Boulevard, 12th Floor, Los Angeles, California 90036.

On May 21, 2020, I served the foregoing document described as:  
**RESPONDENT BIOGEN, INC.'S SUPPLEMENTAL AUTHORITY LETTER**  
on the parties in this action by serving:

Christopher Banys  
cdb@banyspc.com  
**BANYS, P.C.**  
567 Marsh Street  
San Luis Obispo, CA 93401

*Counsel for Petitioner*  
**IXCHEL PHARMA, LLC**

Jeremy B. Rosen  
jrosen@horvitzlevy.com  
Robert H. Wright  
rwright@horvitzlevy.com  
Horvitz & Levy LLP  
3601 West Olive Avenue, 8th Floor  
Burbank, CA 91505

*Counsel for Amicus Curiae*  
**QUIDEL CORPORATION**

Sean P. Gates  
sgates@charislex.com  
Charis Lex P.C.  
301 North Lake Avenue, Suite 1100  
Pasadena, CA 91101

Anna-Rose Mathieson  
Greg Wolff  
California Appellate Law Group LLP  
96 Jessie Street  
San Francisco, CA 94105

Timothy S. Blackford  
tim@behmerblackford.com  
Behmer & Blackford, LLP  
12526 High Bluff Drive, Suite 300  
San Diego, CA 92130

*Counsel for Amicus Curiae*  
**BECKMAN COULTER, INC.**

John E. Schmidlein  
jschmidlein@wc.com  
Carl R. Metz  
cmetz@wc.com  
Williams & Connelly LLP  
725 Twelfth Street, N.W.  
Washington, DC 20005

Kenneth James Weatherwax  
weatherwax@lowensteinweatherwax.com  
Lowenstein & Weatherwax LLP  
1880 Century Park E Suite 815  
Los Angeles, CA 90067-1627

*Counsel for Amicus Curiae*  
**AMICUS SCHOLARS**

Ronald C. Cohen  
rcohen@levatolaw.com  
Levato Law, LLP  
2029 Century Park East, Suite 420  
Los Angeles, CA 90067

*Counsel for Amicus Curiae*  
**CALIFORNIA BUSINESS ROUNDTABLE**

Thomas G. Hungar  
thungar@gibsondunn.com  
Rachel S. Brass  
rbrass@gibsondunn.com  
Caeli A. Higney  
chigney@gibsondunn.com  
Gibson Dunn & Crutcher LLP  
555 Mission Street, Suite 3000  
San Francisco, CA 94105-0921

*Counsel for Amicus Curiae*  
**CALIFORNIA CHAMBER OF COMMERCE**

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Executed on May 21, 2020, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

*/s/ Leslie Y. Barela*

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Leslie Y. Barela

**STATE OF CALIFORNIA**  
Supreme Court of California

***PROOF OF SERVICE***

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **IXCHEL PHARMA v. BIOGEN**

Case Number: **S256927**

Lower Court Case Number:

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Connie Christopher Horvitz & Levy LLP	cchristopher@horvitzlevy.com	e-Serve	5/21/2020 12:15:21 PM
Kenneth Weatherwax Lowenstein & Weatherwax LLP 218612	weatherwax@lowensteinweatherwax.com	e-Serve	5/21/2020 12:15:21 PM
Rocky Tsai Ropes & Gary LLP 221452	rocky.tsai@ropesgray.com	e-Serve	5/21/2020 12:15:21 PM
Sean Gates Charis Lex P.C. 186247	sgates@charislex.com	e-Serve	5/21/2020 12:15:21 PM
Timothy Blackford Behmer & Blackford LLP	tim@behmerblackford.com	e-Serve	5/21/2020 12:15:21 PM
Anna-Rose Mathieson California Appellate Law Group LLP 231770	annarose.mathieson@calapplaw.com	e-Serve	5/21/2020 12:15:21 PM
Valerie Worrell Greines Martin Stein & Richland	vworrell@gmsr.com	e-Serve	5/21/2020 12:15:21 PM
Carl Metz Williams & Connolly LLP 6280621	cmetz@wc.com	e-Serve	5/21/2020 12:15:21 PM
Christopher Banys Banys, P.C. 230038	cdb@banyspc.com	e-Serve	5/21/2020 12:15:21 PM
Mark Popofsky Ropes & Gray LLP	Mark.Popofsky@ropesgray.com	e-Serve	5/21/2020 12:15:21

175476			PM
Robert Wright Horvitz & Levy 155489	rwright@horvitzlevy.com	e-Serve	5/21/2020 12:15:21 PM
Thomas Hungar Gibson Dunn & Crutcher LLP 144956	thungar@gibsondunn.com	e-Serve	5/21/2020 12:15:21 PM
Ronald Cohen LevatoLaw, LLP	rcohen@levatolaw.com	e-Serve	5/21/2020 12:15:21 PM
Rocky Tsai Ropes & Gary LLP	rtsai@orrick.com	e-Serve	5/21/2020 12:15:21 PM
Richard Lin Banys, P.C. 209233	rcl@banyspc.com	e-Serve	5/21/2020 12:15:21 PM
Laurie Hepler Greines, Martin, Stein & Richland LLP 160884	lhepler@gmsr.com	e-Serve	5/21/2020 12:15:21 PM
John Schmidlein Williams & Connolly LLP 163520	jschmidlein@wc.com	e-Serve	5/21/2020 12:15:21 PM
Jeremy Rosen Horvitz & Levy LLP 192473	jrosen@horvitzlevy.com	e-Serve	5/21/2020 12:15:21 PM
Rachel S. Brass  219301	rbrass@gibsondunn.com	e-Serve	5/21/2020 12:15:21 PM
Caeli A. Higney	chigney@gibsondunn.com	e-Serve	5/21/2020 12:15:21 PM
Greg Wolff  78626	greg.wolff@calapplaw.com	e-Serve	5/21/2020 12:15:21 PM

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

5/21/2020

Date

/s/Leslie Barela

Signature

Hepler, Laurie (160884)

Last Name, First Name (PNum)

Greines Martin Stein & Richland LLP

