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July 31, 2017

VIA ECF

Hon. Michael A. Hammer, U.S.M.J.
U.S. District Court for the District of New Jersey
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *Merck & Co., Inc. et al. v. Merck KGaA*, Civil Action No. 16-0266 (ES) (MAH)

Dear Judge Hammer:

We, along with Debevoise & Plimpton LLP, represent Defendant Merck KGaA (“Defendant”) in the above-referenced matter. We submit this letter jointly with Sidley Austin LLP and McCarter & English LLP, counsel for Plaintiffs Merck & Co., Inc. and Merck Sharp & Dohme Corp. (“Plaintiffs”), to request that the deadline for the parties’ production of documents be extended from July 31, 2017 until August 7, 2017 while the parties continue to meet and confer regarding a possible longer extension.

Defendant notified Plaintiffs on June 30, 2017 that Defendant would need an extension from the current deadline of July 31, 2017 for production of documents. The parties have since been negotiating on proposed new case deadlines, as well as various steps that could potentially speed up the process for completion of discovery, but require more time to complete their negotiations. The parties intend to jointly submit a letter to this Court by Monday, August 7, 2017, either proposing a revised schedule or bringing the dispute to the Court for resolution.

Should Your Honor have any questions or concerns, we are available to speak at the Court’s convenience. Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Stephen M. Orlofsky

STEPHEN M. ORLOFSKY

cc: All counsel of record (via ECF)