EXHIBIT A

AO 89 (Rev. 08/09) Subpoena to Testify at a Hearing or Trial in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America
v.
Guoqing Cao
Defendant

Case No. 1:13-CR-00150 WTL-TAB

SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE

To: Eli Lilly & Company
c/o JP Hanlon
FAEGRE BAKER DANIELS
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204-1754

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance: Pence Hensel, LLC	Courtroom No.:
	Date and Time: July 7, 2014

You must also bring with you the following documents, electronically stored information, or objects *(blank if not applicable)*:

See Attachment A

(SEAL)

Date: MAY 19 2014

CLERK OF COURT CLERK

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing *(name of party)* Guoqing Cao, who requests this subpoena, are:

David J. Hensel
PENCE HENSEL LLC
135 N. Pennsylvania Street, Suite 1600
Indianapolis, IN 46204
Telephone: 317-833-1111
Email: dhensel@pencehensel.com

Case No. 1:13-CR-00150 WTL-TAB

PROOF OF SERVICE

This subpoena for *(name of individual and title, if any)* _____

was received by me on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc:

Attachment A to Eli Lilly & Company Subpoena

Definitions

"Communications" includes verbal statements either recorded or summarized in any form; correspondence; memoranda; emails; text messages; or other writings.

"Cost" in relation to Eli Lilly, and as used in Section F herein, means expenditures for research and development as codified in the current Generally Accepted Accounting Principles, Section 730-10-20.

"Defendant" or "Defendants" refer to Guoqing Cao and/or Shuyu "Dan" Li, unless one defendant or the other is specified in the request.

"Initial Indictment," "Superseding Indictment," and "Second Superseding Indictment" refer to the pleadings so designated and filed in Case No. 1:13-cr-00150 (WTL-TAB).

"Records" when used in conjunction with Eli Lilly include electronic data and any reports, studies, emails, correspondence, memoranda, or other writings.

"Representatives of Eli Lilly" include (a) any director, officer, employee, agent or representative of the company; (b) any third party consultant, vendor, or contractor which communicated on the company's behalf; and (c) any outside counsel of the company.

"Representatives of the Government" include (a) any employee of the U.S. Attorney's Office for the Southern District of Indiana; (b) any employee of any law enforcement agency of the United States; and (c) any employee of the U.S. Department of Justice.

Headings

Section headings are used herein for the convenience of the respondent and the Court, are not substantive in purpose or intent, and do not serve to modify, amend, or limit the specific document requests herein.

A. Interaction between the government and Eli Lilly relating to allegations

1. any communications between representatives of Eli Lilly and representatives of the Government at any time up to and including March 12, 2014 concerning any of the allegations appearing in the Initial Indictment, Superseding Indictment, or Second Superseding Indictment or in draft versions of the same provided by representatives of the Government;

2. any communications between representatives of Eli Lilly and representatives of the Government between June 1, 2012 and March 12, 2014 in any way concerning the acts or omissions of either defendant alleged by Eli Lilly to have caused harm or injury to Eli Lilly;

3. any records reflecting the substance of any of the communications set forth in #(A)(1) and (A)(2) above;

4. any memoranda or notes taken or created by representatives of Eli Lilly reflecting factual statements made in any of the communications set forth in #(A)(1) and (A)(2) above;

5. any records reflecting comments, analyses, studies, suggestions, changes, or modifications provided by, proposed by, or offered by any representatives of Eli Lilly to any representatives of the Government at any time up to and including March 12, 2014 concerning any of the allegations appearing in the Initial Indictment, Superseding Indictment, or Second Superseding Indictment, or in draft versions of the same provided by representatives of the Government;

6. any records reflecting communications from representatives of Eli Lilly to representatives of the Government at any time up to and including March 12, 2014 providing, proposing, or offering language, phraseology, inserts, information, or allegations for inclusion in the Initial Indictment, Superseding Indictment, or Second Superseding Indictment, whether or not such was ultimately included in the filed versions of those documents;

7. any records of any drafts of the Initial Indictment, Superseding Indictment, or Second Superseding Indictment in the possession, custody or control of any employee, contractor (including, but not limited to legal and accounting professionals), or agent of Eli Lilly;

8. any records provided by Eli Lilly to the Government at any time, whether voluntarily or pursuant to court order or subpoena, concerning any of the allegations appearing in the Initial Indictment, Superseding Indictment, or Second Superseding Indictment;

9. any records of any agreements with the Government concerning the debriefing or interview in this matter of any representatives of Eli Lilly;

10. any records of any agreements with the Government concerning the use or treatment permitted, or confidentiality accorded, any documents provided in this matter by Eli Lilly to the Government; and

11. any records of any agreements with the Government concerning the grand jury or prospective trial testimony in this matter of any representative of Eli Lilly, including but not limited to immunity or non-prosecution agreements.

B. <u>Records of Eli Lilly and Company specific to defendants and colleagues</u>

1. any records reflecting any awards or commendations provided to either defendant;

2. any records reflecting any bonuses paid at any time to either defendant;

3. any records reflecting the manner in which any bonus identified in section #(B)(2) above was calculated;

4. any record defining and describing the operation of any Eli Lilly deferred compensation, retirement benefits, and pension provisions as they relate(d) to either defendant;

5. any records reflecting, at all times between January 1, 2006 and May 31, 2013, the departments, groups or units within Eli Lilly's Lilly Research Laboratories (Indianapolis, IN location);

6. any records reflecting, at all times between January 1, 2006 and May 31, 2013, the departments, groups or units within Eli Lilly's Lilly Corporate Center (Indianapolis, IN location);

7. any records reflecting, at all times between January 1, 2006 and May 31, 2013, the departments, groups or units within Eli Lilly in which each defendant was employed, and the supervisors and managers of each;

8. any records of Eli Lilly policies or guidelines in effect at any time between January 1, 2006 and May 31, 2013 regarding official travel for company purposes by any representatives of Eli Lilly holding the positions which were held at any time during this period by each defendant, including approval processes and permissible rates and modes of travel;

9. any records concerning travel overseas by either defendant for purposes of Eli Lilly business at any time between January 1, 2006 and May 31, 2013;

10. as to defendant Guoqing Cao, any records of approval or authorization communicated to Mr. Cao regarding his attendance at or participation in any conference or other public forum from January 1, 2006 through December 31, 2011;

11. as to defendant Guoqing Cao, any records of approval or authorization communicated to Mr. Cao regarding his presentation of information at any conference or public forum from January 1, 2006 through December 31, 2011, including copies of any materials the presentation of which was approved or authorized;

12. as to defendant Guoqing Cao, any records of the denial of approval or authorization communicated to Mr. Cao for his attendance at or participation in any conference or other public forum from January 1, 2006 through December 31, 2011;

13. as to defendant Guoqing Cao, any records of the denial of approval or authorization communicated to Mr. Cao regarding his presentation of information at any conference or public forum from January 1, 2006 through December 31, 2011, including copies of any materials the presentation of which was denied approval or authorization;

14. as to defendant Guoqing Cao, any records of the denial of approval or authorization communicated to Mr. Cao for submission for consideration, submission for publication, or publication of any article in any journal from January 1, 2006 through December 31, 2011,

including copies of any materials the submission or publication of which was denied approval or authorization;

15. any records reflecting any "Lilly Confidentiality and Invention Agreement" executed by any defendant at any time;

16. any records reflecting any confidentiality agreement or material transfer agreement in effect at any time in 2010-2012 between Eli Lilly and SUNY Downstate Medical Center in New York;

17. any records reflecting any confidentiality agreement or material transfer agreement in effect at any time in 2010-2012 between Eli Lilly and Dr. Xian-Cheng Jiang of the State University of New York;

18. any records reflecting any Red Book training concerning Eli Lilly Standards of Business Conduct policies and procedures completed by any defendant, including the date(s) of training; evidence that the particular defendant participated in the training; and the specific content of any such training;

19. any training materials provided, administered, or shared with either defendant at any time which defined the meanings of the terms Eli Lilly "trade secrets," Eli Lilly confidential information, Eli Lilly proprietary information, and/or Eli Lilly business plans;

20. any corporate documents or records which at any time defined the meanings of the terms Eli Lilly "trade secrets," Eli Lilly "confidential information," Eli Lilly "proprietary information," and/or Eli Lilly "business plans";

21. any records reflecting any "Employee Nondisclosure and Developments Agreement" executed or entered into by any defendant at any time;

22. any records reflecting any agreement or contract executed or signed by any defendant at any time the effect of which was, in whole or in part, to control or limit the uses which the signee could make of, or extent to which the signee could put, information learned while employed at Eli Lilly after he was no longer employed at Eli Lilly;

23. any emails sent to or from defendant Guoqing Cao from January 1, 2006 through January 30, 2012 utilizing either his Eli Lilly email address/account or a personal email address/account accessed through his Eli Lilly computer;

24. any emails sent to or from defendant Shuyu Li from January 1, 2006 through May 31, 2013 utilizing either his Eli Lilly email address/account or a personal email address/account accessed through his Eli Lilly computer;

25. any records tending to establish whether or not the activities performed by defendant Guoqing Cao for Eli Lilly fell within, or without, each of the following steps in the drug discovery and development process:

a) establishing the disease state

b) identifying the targets of interest: generating hypotheses regarding points of intervention and proposing pharmacological targets that may be relevant to treatment

c) validating the targets: performing experiments and developing tests that demonstrate whether the proposed target may be pharmacologically modified to influence a disease state

d) testing selected molecules to identify hits

e) designing and preparing future analysis (leads) based on the hits

f) refining and evaluating the leads to determine margin of safety and identifying compounds of interest

g) further refinement to identify a candidate molecule for clinical trials

h) identifying candidates that meet safety and efficacy criteria to advance to human clinical trials

26. any records relating to whether or not the activities performed by defendant Shuyu Li for Eli Lilly fell within, or without, each of the following steps in the drug discovery and development process:

a) establishing the disease state

b) identifying the targets of interest: generating hypotheses regarding points of intervention and proposing pharmacological targets that may be relevant to treatment

c) validating the targets: performing experiments and developing tests that demonstrate whether the proposed target may be pharmacologically modified to influence a disease state

d) testing selected molecules to identify hits

e) designing and preparing future analysis (leads) based on the hits

f) refining and evaluating the leads to determine margin of safety and identifying compounds of interest

g) further refinement to identify a candidate molecule for clinical trials

h) identifying candidates that meet safety and efficacy criteria to advance to human clinical trials

27. any procedures or protocols which, according to Eli Lilly policies and procedures in effect at the time, defendant Guoqing Cao was required to employ to state or disclose to Eli Lilly in 2010 or 2011:

a) that he had been in communication with any other company concerning possible employment;

b) that he had received an offer of employment with any other company; or

c) that he had accepted an offer of employment with any other company.

28. any records reflecting communications or advice, if any, provided by Eli Lilly on or after January 1, 2012 to its employees in Indianapolis concerning defendant Guoqing Cao and any responses which could, should, or must be made to communications sent from him;

29. any records reflecting the date and the means by which Eli Lilly became aware that defendant Guoqing Cao had received via email or transmitted via email an employment offer, contract or agreement with Jiangsu Hengrui Medicine Co.;

30. any records reflecting any communication or direction to Patrick Gorsuch of Eli Lilly in April 2012 concerning an examination or analysis of any computer used by defendant Guoqing Cao;

31. any records reflecting any actions taken by Patrick Gorsuch or other representatives of Eli Lilly after April 2012 concerning the examination or analysis of any computer used by defendant Guoqing Cao;

32. any journal notes created by Patrick Gorsuch relating to his examination or analysis in 2012-2014 of any computer used by defendant Guoqing Cao;

33. any records relating to the transfer of defendant Shuyu Li to the Shanghai operations of Eli Lilly, including communications to defendant Li regarding the effect of such transfer on his career at Eli Lilly; and

34. as to any of the following persons, if they are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers:

a) David Bredt

b) Karin Briner

c) Henry Bryant

d) Yan Chen

e) William Chin

f) Jiannong Dai

g) Patrick Eacho

h) Gary Deng

i) Gopi Gangi

j) Zorina Galis

k) Larry Gelbert

l) August Gustafson

m) Mark Heiman

n) Xiaodi Huang

o) Shu-Guang Huang

p) Nancy Jackson

q) Van Jackson

r) Sotirios Karathanasis

s) Raymont Kaufman

t) Lisha Keolo

u) Philip Larsen

v) Guosheng Liang

w) Deshun Lu

x) Jin Lun

y) Kaplana Merchant

z) David Moller

aa) Brian Mullaney

bb) Mathias N'Cho

cc) Kudeep Neote

dd) Steven Paul

ee) Christof Reinhard

ff) Weiqun Shen

gg) Joe Shih

hh) Jianyong Shou

ii) Jaipal Singh

jj) Susie Stephens

kk) Chen-Xian Suen

ll) Greg Tucker-Kellogg

mm) Jian Wang

nn) May Q. Wang

oo) Xiaohua Xin

pp) Liangzhen Yan

qq) Wei Jeniffer Yang

rr) Jonathan Yinling

ss) Youyan Zhang

tt) Faming Zhang

uu) Boyu Zhang

C. Records of Eli Lilly and Company regarding information technology

1. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether the defendants' Eli Lilly-issued computers or any network drives accessible to the defendants were encrypted and, if so, describing the type of encryption;

2. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether the defendants' Eli Lilly-issued computers or any network drives accessible to the defendants were backed up, and, if so, describing the backup schedule and the duration of the time during which those backups were maintained;

3. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting the type(s) of email server used at the Indianapolis, IN location of Eli Lilly (e.g., Exchange, Lotus Notes);

4. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether the IT policy in effect at the Indianapolis, IN location of Eli Lilly allowed users of Eli Lilly-issued computers to send or receive email from personal email accounts through Eli Lilly-issued computers and, if so, the permissible terms and conditions of such use;

5. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether emails sent or received through the Eli Lilly email server at the Indianapolis, IN location of Eli Lilly using Eli Lilly-issued computers were archived in any location;

6. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether emails sent or received through personal email service providers (e.g., gmail, hotmail, aol) at the Indianapolis, IN location of Eli Lilly using Eli Lilly-issued computers were archived in any location;

7. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether the IT policy in effect at the Indianapolis, IN location of Eli Lilly allowed users of Eli Lilly-issued computers to remotely access internal Eli Lilly databases and, if so, the permissible terms and conditions of such use;

8. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether the IT policy in effect at any location of Eli Lilly worldwide allowed Eli Lilly representatives to copy, download, transfer to a storage device, or email files or data of Eli Lilly and, if so, reflecting the permissible terms and conditions of such actions;

9. for the period January 1, 2006 through May 31, 2013 inclusive, any records reflecting whether users of Eli Lilly-issued computers at the Indianapolis, IN location of Eli Lilly were allocated space on an Eli Lilly file server, shared storage device, FTP server, or database server, and, if so, the particular size and location of the allocations made for the benefit of the defendants;

10. any records of any maintenance performed at any time between January 1, 2006 and January 31, 2012 on the Eli Lilly-provided computer(s) or network drive(s) utilized by Guoqing Cao, including details of any steps taken to investigate performance issues relating to such computer(s) or network drive(s); details of any steps taken to effect or attempt repairs of such computer(s) or network drive(s); and records of any user complaints about such computer(s) or network drive(s);

11. any records, including but not limited to file names and MD5 Hash Values, of any files downloaded to or from, uploaded to or from, transferred to or from, or copied to or from any Eli Lilly-provided computer(s) or network drive(s) utilized by Guoqing Cao at any time between January 1, 2006 and May 31, 2013;

12. any records, including but not limited to file names and MD5 Hash Values, reflecting the nature, identity, or type of Eli Lilly files or data alleged to have been copied, downloaded,

transferred to an external storage device, or emailed by either defendant on any occasion between January 1, 2006 and May 31, 2013;

13. any Eli Lilly security protocols in effect at any time in 2011 through 2013 at the Indianapolis, IN location of Eli Lilly concerning the preservation of computer hardware subject to any internal or external investigation or which was used by an employee under internal or external investigation;

14. for the period 2011 through 2013, Eli Lilly's written standards for its digital forensic analysis program and any other policies or procedures regarding digital forensics, e-mail retention, document preservation, and network security at the Indianapolis, IN location of Eli Lilly;

15. any records reflecting the identity of any individuals employed in Eli Lilly's security department involved in any internal investigation of either defendant during the period from 2011 through 2013 and, if any are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers;

16. any forensic imaging reports – including any Encase reports -- regarding any image taken by representatives of Eli Lilly in April 2011 of the hard drive of any computer used by defendant Guoqing Cao or of any network drive accessible by Mr. Cao;

17. any forensic imaging reports – including any Encase reports -- regarding any image taken by representatives of Eli Lilly after April 2011 of the hard drive of any computer used by defendant Guoqing Cao or of any network drive accessible by Mr. Cao;

18. any records of any external storage devices provided by Eli Lilly to defendant Cao at any time between January 1, 2006 and January 31, 2012;

19. any records of any Eli Lilly approval sought by defendant Guoqing Cao, or provided to Mr. Cao, at any time between January 1, 2006 and January 31, 2012 for his use of external devices in connection with any Eli Lilly-issued computer;

20. any records or data used or examined by Patrick (Butch) M. Gorsuch in connection with his investigation and/or reporting of computer or user activities regarding defendant Guoqing Cao;

21. any thumb drives, flash drives, external hardware, CDs/other computer media, laptop, or home business computer returned by defendant Guoqing Cao to Eli Lilly representatives as indicated on a "US Employee Asset Checklist – Non-Field Based Workforce" checklist signed by Mr. Cao in or around January 2012 (LYCAO_00011864);

22. any records reflecting any forensic analyses of the items set forth in section #(C)(21) above;

23. any records reflecting any visit by defendant Guoqing Cao in January 2012 to the Eli Lilly "Employee Exit Site" internal website/protocol, including records of any entries made or acknowledged by Mr. Cao and any advice or guidance provided there and at that time to Mr. Cao;

24. any records reflecting any visit by Mark Kowala in January 2012 to the Eli Lilly "Exit Site for Supervisors" internal website/protocol related to the separation from Eli Lilly at that time of defendant Guoqing Cao, including records of any entries made or acknowledged by Mr. Kowala and any advice or guidance provided there and at that time to Mr. Kowala;

25. any records reflecting any notes or memoranda created, dictated, or caused to be prepared by Mark Kowala in or after January 2012 concerning the separation from Eli Lilly of defendant Guoqing Cao, including any communications in January 2012 with Mr. Cao;

26. complete forensic images of any and all network drive(s) accessible to either defendant during the period from January 1, 2006 through May 31, 2013 inclusive; and

27. any records reflecting user names or other unique personal identifiers assigned to either defendant for us in accessing the Eli Lilly computer(s) or network drive(s) used by either defendant from January 1, 2006 through May 31, 2013 inclusive.

D. Records of Eli Lilly and Company regarding certain internal practices

1. any records identifying the activities, goal(s), scope, and/or purpose(s) between January 1, 2006 and May 31, 2013 of a project or employee group called "Team Lilly," including records showing date(s) of initiation of the project or group;

2. any records identifying the officers or other persons employed at Eli Lilly who had any oversight or management responsibility for "Team Lilly" at any time between January 1, 2006 and May 31, 2013 and, if they are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers;

3. any records identifying the goal(s), scope, and/or purpose(s) at any time between January 1, 2006 and May 31, 2013 of the "Competitive Intelligence" group within Eli Lilly, including records showing date(s) of initiation of the project or group;

4. any records identifying the officers or other persons employed at Eli Lilly who had any oversight or management responsibility for the activities of any "Competitive Intelligence" group between January 1, 2006 and May 31, 2013 and, if they are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers;

5. any records concerning a program at Eli Lilly called "Protect Lilly," which identify the goal(s), scope, and/or purpose(s) of the project; the date of initiation; and the changes made by the project, if any, to then-existing Eli Lilly practices and policies;

6. any records identifying the officers or other persons employed at Eli Lilly who had any oversight or management responsibility for the "Protect Lilly" program at that location at any time between January 1, 2006 and May 31, 2013 and, if they are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers;

7. any records concerning a program at Eli Lilly called "Open Innovation Drug Discovery," which identify the goal(s), scope, and/or purpose of the program; the date of initiation; and the changes made by the program, if any, to then-existing Eli Lilly practices and policies;

8. any records identifying the officers or other persons employed by Eli Lilly (any location) who had oversight or management responsibility for the "Open Innovation Drug Discovery" program at any time between January 1, 2006 and May 31, 2013 and, if they are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers:

9. any records concerning an Eli Lilly group called "Lilly-China Access Group," which identify the goal(s), scope, and/or purpose(s) of the group and the date of its initiation;

10. any records identifying the officers or other persons employed by Eli Lilly (any location) who had oversight or management responsibility for the "Lilly-China Access Group" at any time between January 1, 2006 and May 31, 2013 and, if they are not currently employed by Eli Lilly, any records reflecting their last known physical addresses, email addresses and telephone numbers;

11. for the period January 1, 2006 through the present, any records regarding any actions taken to discipline, sanction, punish, sue, or refer for criminal investigation any former or current employees of Eli Lilly for disclosing or appropriating any proprietary, confidential, or trade secret information of Eli Lilly;

12. for the period January 1, 2006 through May 31, 2013, any records identifying Eli Lilly-maintained databases containing either public-domain or confidential or proprietary scientific data and, if so, identifying the name, location, and general content of each database;

13. as to each database for which responsive records are identified in response to section #(D)(12) above, and for the period January 1, 2006 through May 31, 2013, any records reflecting:

a) as to each database, whether a password, passcode, or log in authority was required for any Lilly employee to gain access thereto;

b) as to each database, the level of auditing or security logs enabled or in effect for each;

c) as to each database, the name and location for each;

d) as to each database, whether there were restriction levels for user access;

e) as to each database, whether audit logs were maintained;

f) as to each database, the date and time when either defendant accessed the database;

g) as to each database, the activity in which either defendant engaged on any occasion when they accessed the database;

h) as to each database, the files or data copied, downloaded, transferred to a storage device, or emailed by either defendant on any occasion when they accessed the database.

14. for the period January 1, 2006 through May 31, 2013, any records relating to any Eli Lilly-maintained database containing data regarding research and development activities being conducted by other pharmaceutical companies and, as to any such database, identify the name, location, and general content of each database;

15. for the period from January 1, 2006 through May 31, 2013, any records relating to any effort by any persons or group within Eli Lilly to collect data regarding research and development activities being conducted by other pharmaceutical companies and, as to any such effort, identify the name, location, and general objective of such persons or group;

16. for the period January 1, 2006 through May 31, 2013, any records reflecting the results of any information and data security review, analysis, report or study performed by, or at the direction of, Eli Lilly concerning the access by any defendants to: (a) any Lilly-maintained database, or (b) any Eli Lilly-issued computers at any location;

17. any versions of the Eli Lilly "Global Policy on Company and External Party Information Assets" in effect at any time between January 1, 2001 and May 31, 2013 (except version 1.0);

18. any versions of the Eli Lilly "Global Policy on Records Management" in effect at any time between January 1, 2001 and May 31, 2013;

19. any versions of the Eli Lilly "Global Policy on External Communications" in effect at any time between January 1, 2001 and May 31, 2013 (except version 3.1);

20. any versions of the Eli Lilly "Global Policy on Scientific Disclosure" in effect at any time between January 1, 2001 and May 31, 2013 (except version 3.1);

21. any versions of the Eli Lilly "Lilly Philosophy and Principles on Scientific Disclosure" in effect at any time between January 1, 2001 and May 31, 2013 (except version 1.1);

22. any versions of the Eli Lilly "Global Policy on Records Management" in effect at any time between January 1, 2001 and May 31, 2013 (except version 3.0);

23. any versions of the Eli Lilly "Company Policy on Asset Protection" in effect at any time between January 1, 2001 and May 31, 2013;

24. any versions of the Eli Lilly "Company Information Asset Protection Policies (IAPP)" in effect at any time between January 1, 2001 and May 31, 2013;

25. any versions of the Eli Lilly "Global Policy on Information Asset Protection" in effect at any time between January 1, 2001 and May 31, 2013;

26. any versions of the Eli Lilly "Global Policy on Protecting Information Assets" in effect at any time between January 1, 2001 and May 31, 2013;

27. any versions of the Eli Lilly "Company Policy on Confidential Information and Inventions" in effect at any time between January 1, 2001 and May 31, 2013;

28. any versions of the Eli Lilly "Company Policy on Publications and Presentations" in effect at any time between January 1, 2001 and May 31, 2013;

29. any versions of the Eli Lilly "Global Policy on Appropriate Use of Electronic Resources" in effect at any time between January 1, 2001 and May 31, 2013 (except version 3.0);

30. any versions of the Eli Lilly "Global Policy on Product Protection" in effect at any time between January 1, 2001 and May 31, 2013;

31. any versions of the Eli Lilly "Global Records Retention Policy" in effect at any time between January 1, 2001 and May 31, 2013;

32. any versions of the Eli Lilly "Principles of Medical Research" in effect at any time between January 1, 2001 and May 31, 2013;

33. any versions of the Eli Lilly "Global Policy on Ethical Interactions with Third Parties" in effect at any time between January 1, 2001 and May 31, 2013;

34. any versions of the Eli Lilly "Global Policy on Privacy and Data Protection" in effect at any time between January 1, 2001 and May 31, 2013;

35. any versions of the Eli Lilly "Global Standards on Promotional and Educational Materials" in effect at any time between January 1, 2001 and May 31, 2013;

36. any versions of the Eli Lilly "Global Standards on Use of Social Media for Personal Purposes" in effect at any time between January 1, 2001 and May 31, 2013;

37. any versions of the Eli Lilly "Global Procedure on Scientific Disclosure Planning and Approval" in effect at any time between January 1, 2001 and May 31, 2013;

38. any versions of the Eli Lilly "Global Security LillyNet Site" in effect at any time between January 1, 2001 and May 31, 2013;

39. any versions of the Eli Lilly "Protect Lilly: It's Your Business" guidelines or directives in effect at any time between January 1, 2001 and May 31, 2013;

40. any versions of the Eli Lilly "Global Procedure on Scientific Disclosure Planning and Approval" in effect at any time between January 1, 2001 and May 31, 2013 (except version 3.1);

41. any versions of the Eli Lilly "Global Medical Policy and Procedures" in effect at any time between January 1, 2001 and May 31, 2013;

42. any versions of the Eli Lilly "LRL Process for Investigating Scientific Integrity Issues" in effect at any time between January 1, 2001 and May 31, 2013;

43. any versions of the Eli Lilly "Global Policy and Standards Glossary" in effect at any time between January 1, 2001 and May 31, 2013;

44. any versions of the Eli Lilly "Discovery Research and Clinical Investigation Policy" in effect at any time between January 1, 2001 and May 31, 2013 (except for the version with an effective date of January 4, 2010);

45. any versions of the Eli Lilly "Company Policy on Conduct in the Workplace" in effect at any time between January 1, 2001 and May 31, 2013;

46. any versions of the Eli Lilly "Company Policy on Conflicts of Interest" in effect at any time between January 1, 2001 and May 31, 2013;

47. any versions of the Eli Lilly "Global Procedure on Conflict of Interest Evaluations," in effect at any time between January 1, 2006 and May 31, 2013;

48. any approved Scientific Disclosure Plans in effect at any time between January 1, 2001 and May 31, 2013 which related to the work performed by any employee unit, group or division which included Guoqing Cao or Shuyu Li;

49. any records of Scientific Disclosure Approval forms submitted by either defendant to representatives of Eli Lilly at any time between January 1, 2006 and May 31, 2013;

50. any records of submissions between January 1, 2006 and May 31, 2013 by applicants seeking positions in Eli Lilly's Indianapolis research and development operations in the nature of draft or manuscript scientific papers concerning targets for drug development; and

51. any Eli Lilly document and email retention/destruction policies in effect at the Indianapolis located at any time during the period from January 1, 2006 to May 31, 2013.

E. Records of Eli Lilly and Company – alleged Eli Lily trade secrets and proprietary/confidential information

1. any records of any material transfer agreements, confidential information agreements, or other confidentiality agreements in place between Eli Lilly and any persons not then employed by Eli Lilly at any time from January 1, 2006 to present concerning any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

2. the identity – to include name, position(s) held, home address and telephone number – of any representatives fired, terminated, or otherwise released from employment by Eli Lilly between January 1, 2006 and the present who at any time had access to or knowledge of any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

3. any records reflecting the measures, if any, taken by Eli Lilly between January 1, 2006 and the present to maintain the secrecy of any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information, prior to the alleged date of disclosure of such item or data by any defendant;

4. any records reflecting whether or not and, if so, how any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information derived independent economic value from not being known to the public and not being readily ascertainable through proper means by the public;

5. any records reflecting whether or not "on average [at Eli Lilly, the drug discovery and development] process takes ten to fifteen years and requires the examination of between 5,000 to 10,000 compounds to gain approval of a single drug for patient use;"

6. any records reflecting whether or not "disclosure of Eli Lilly's strategic focus and interest in a research target at any stage of the drug discovery and development process impairs Eli Lilly's competitive advantage in significant ways;"

7. any records reflecting whether or not "nearly half of Eli Lilly's mid-to-late stage pipeline assets are found in its Bio-Medicines area [and that] Eli Lilly has invested significant resources towards the development of clinical candidates in the area of cardiovascular disease prevention and treatment;"

8. any records reflecting whether or not "in 2006, Eli Lilly scientists validated a prime target protein that reduces low-density lipoprotein cholesterol for cardiovascular disease prevention and treatment;"

9. any records reflecting whether or not "the development of an antibody to this prime target protein [identified in section #(E)(8) above] by Eli Lilly scientists was first publicly disclosed by Eli Lilly in October 2012;"

10. any records reflecting whether or not "in 2008, Eli Lilly made advancements towards the development of a small molecule Inhibitor, explored as a 'target of interest' for managing dietary fat absorption and resulting in a new approach to the treatment of diabetes, dyslipidemia, and obesity;"

11. any records reflecting whether or not "Eli Lilly's expansive research and development involved in the pursuit of this 'target of interest' [identified in section #(E)(10) above] culminated in a selection of a compound for human clinical trials in or around July 2011;"

12. any records reflecting whether or not "in 2004, Eli Lilly identified a member of the nuclear receptor family of transcription factors as a 'target of interest,' explored for the treatment of dyslipidemia (abnormal cholesterol levels in the blood);"

13. any records reflecting whether or not "in or around 2010, after six years of dedicated research and development [into the data identified in section #(E)(12) above], Eli Lilly scientists discovered toxicity and its research was discontinued;"

14. any records reflecting whether or not "the toxicity discovered, however, [in relation to the data identified in section #(E)(12) above] propelled Eli Lilly's research forward and streamlined the company's efforts to identify drugs that would be used to prevent and treat dyslipidemia, an important marker for metabolic syndrome;"

15. any records reflecting whether or not "in May 2009, Eli Lilly conducted genetic knockout testing on living organisms in an effort to identify enhanced treatments of metabolic disorders;"

16. any records reflecting whether or not "in May 2009, Eli Lilly compared heterozygous and homozygous living organism genomes (the complete copy of the organism's gene instructions) to wild type genomes in an effort to further their efforts to combat metabolic syndrome;"

17. any records reflecting whether or not "in October 2011, Eli Lilly validated a nuclear orphan receptor as an Antibody Drug Conjugate (ADC) 'target of interest' for its role in the metastasis of cancer cells;"

18. any records reflecting whether or not "Eli Lilly is currently in the hit to lead stage seeking new molecules to be developed as cancer treatments;"

19. any records reflecting whether or not "Eli Lilly has identified a cell surface receptor protein expressed in many tissues with unknown functionality (orphan genes) as a 'target of interest' for drug development within its oncology platform;"

20. any records reflecting whether or not "in December 2011, Eli Lilly validated a protein-coding gene as an ADC 'target of interest' within their oncology platform;"

21. any records reflecting whether or not "Eli Lilly's comprehensive research involved in the pursuit of this 'target of interest' [referred to in section #(E)(20) above] in the identification of a candidate for clinical development in February 2013;"

22. any records reflecting whether or not Eli Lilly employed "several layers of security to preserve and maintain confidentiality and to prevent unauthorized use or disclosure of its trade secrets at both its headquarter offices in Indianapolis, IN and its offices in the People's Republic of China;"

23. any records reflecting whether or not Eli Lilly employed any of the following measures to preserve and maintain the confidentiality of, and to prevent unauthorized use or disclosure of, any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information: (i) advising Eli Lilly representatives of the existence of any such information; (ii) limiting access to any such information; (iii) controlling access to any such information; and (iv) use of , or failure to use, password access to databases containing any such information;

24. any records reflecting whether or not any Investigational New Drug filing was made by Eli Lilly at any time concerning drugs developed by Eli Lilly based on any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

25. any records reflecting whether or not any FDA or other federal agency approvals were obtained at any time of any clinical trials concerning drugs developed by Eli Lilly based on any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

26. any records reflecting whether or not any clinical trials were conducted at any time by Eli Lilly of any drugs developed by Eli Lilly based on any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

27. any records reflecting whether or not any FDA or other federal agency approvals were obtained at any time of the marketing of any drugs developed by Eli Lilly based on any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

28. any records reflecting whether or not any adverse results, conclusions, or data were derived by Eli Lilly at any time from the testing of any drugs developed by Eli Lilly based on any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

29. any records of any search for, or location of, published or otherwise public sources of information relating to any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information, which sources date from a time prior to any alleged disclosure by any defendant;

30. any records of any effort undertaken by any group, unit, or division within Eli Lilly at any time between January 1, 2006 and May 31, 2013 to search or review non-Eli Lilly sources of information and databases for data concerning research and development being conducted by other pharmaceutical companies;

31. any records, including screenshots, reflecting the display by Eli Lilly at any time on its website any information about research and development efforts at the company involving any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which information was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information, including records showing the date(s) of such display;

32. any records of any Eli Lilly-sponsored or Eli Lilly-approved presentations in any public forum – including but not limited to conferences and medical education settings – of any research and development efforts at the company involving any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which information was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information, including records showing the date(s) of such display;

33. any records of any Eli Lilly-sponsored or Eli Lilly-approved articles published in any journal of any research and development efforts at the company involving any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which information was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information, including records showing the date(s) of such display;

34. any records reflecting whether any portion of a certain PowerPoint document called "Insilico ADC Target Assessment and Identification," the first page of which is attached hereto as Schedule 1, was on any occasion presented, approved for presentation by, or disclosed by

representatives of Eli Lilly in any public forum, including but not limited to conferences and medical education settings;

35. any records reflecting the status of any research and development activities within Eli Lilly at any time after August 2011 concerning any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information;

36. as to any information allegedly disclosed by any defendant without permission or authority of Eli Lilly which was considered by Eli Lilly to comprise its trade secret, confidential or proprietary information, any of the following records from any time between January 1, 2006 and the present:

a) any records relating to synthesis of small-molecule drug candidates for development;

b) any records relating to preparation of large-molecule biologics (e.g., protein, antibody, or nucleic acid) or drug candidates for development;

c) any records relating to screening of small and/or large-molecules as drug candidates for development;

d) any records relating to identification of lead compounds or compositions as drug candidates for development;

e) any records relating to characterization of any small or large-molecule drug candidates developed;

f) any records relating to pre-clinical study of any small or large-molecule drug candidates;

g) any records relating to any toxicity study of any small or large-molecule drug candidates, including, without limitation, safety assessment and toxicity study report(s), and certificate(s) of analysis (COA) for drug substance batches and drug product batches used for safety studies;

h) any records relating to any Clinical Trial Application (CTA) filing with the U.S. Food and Drug Administration (FDA) made by Eli Lilly, including any Investigational New Drug (IND) applications and amendments supporting documents, and written communications with the FDA;

i) any records relating to any Clinical Trial Application (CTA) filing with any foreign regulatory agencies, including any Investigational Medicinal Product Dossier (IMPD) filing in European Union (EU) and any Quality Overall Summary (QOS) filing in Canada, made by Eli Lilly including, for example,

IMPD or QOS applications and amendments, supporting documents, and communications with the foreign regulatory agencies;

j) any records relating to any Phase I clinical trials on any drug candidates conducted by Eli Lilly or its contractors, including but not limited to project development plans, clinical study protocols, clinical trial contracts with clinical trial service organizations, investigator's brochures, clinical study results summaries, and records of meeting(s) with drug regulatory agencies, inquiries or requests by regulatory agencies, and Eli Lilly's responses thereto;

k) any records relating to any Phase II clinical trials on any drug candidate conducted by Eli Lilly or its contractors, including but not limited to project development plans, clinical study protocols, clinical trial contract with clinical trial service organizations, investigator's brochures, clinical study results summaries, and records of meeting(s) with drug regulatory agencies, inquiries or requests by regulatory agencies, and Eli Lilly's responses thereto;

l) any records relating to any Phase III clinical trials on any drug candidate conducted by Eli Lilly or its contractors, including but not limited to project development plans, clinical study protocols, clinical trial contract with clinical trial service organizations, investigator's brochures, clinical study results summaries, and records of meeting(s) with drug regulatory agencies, inquiries or requests by regulatory agencies, and Eli Lilly's responses thereto;

m) any records relating to any New Drug Application filings with the U.S. Food and Drug Administration (FDA) on any drug candidates conducted by Lilly or its contractors, including but not limited to registration dossier, supporting documents, and records of meeting with drug regulatory agencies, inquiries or requests by regulatory agencies, and Eli Lilly's responses thereto;

n) any records relating to any Marketing Authorization Application filings with any foreign regulatory agencies on any drug candidates studied by Eli Lilly or its contractors, including but not limited to registration dossier, supporting documents, records of meeting with drug regulatory agencies, inquiries or requests by foreign regulatory agencies and Eli Lilly's responses thereto;

o) any records relating to the evaluation by Eli Lilly of any drug development processes;

p) any records relating to termination of development by Eli Lilly of any drug candidates;

q) any records relating to out-licensing by Eli Lilly of any drug candidates;

r) any records relating to any patents or patent applications filed by Eli Lilly for any compounds;

s) any records relating to any patents or patent applications filed by Eli Lilly for synthetic methods and process development on any compounds synthesized;

t) any records relating to any patents or patent applications filed by Eli Lilly for any drug formulations;

u) any records relating to any patents or patent applications filed by Eli Lilly on method of treatment;

v) any records relating to any patents or patent applications filed by Eli Lilly on methods of screening drug candidates developed; and

w) any records relating to market forecast on any therapeutic methodology or drug candidates developed.

F. <u>Records of Eli Lilly and Company – alleged loss/harm to Eli Lilly</u>

1. any records relating to the computation, calculation, support, contradiction or corroboration of the claim made in the bail hearing testimony of William J. Heath of Eli Lilly in the present criminal matter that the company had invested more than $55 million in the research and development of the "trade secrets" then alleged to have been misappropriated by the defendants (Oct. 8, 2013, p. 45, lines 17-21);

2. any records, summaries, articles, reports, studies, accounting reports, ledger sheets, account analyses or other documents or information relied upon by William J. Heath of Eli Lilly in connection with calculating the $55 million figure used in the testimony referred to in section #(F)(1) above;

3. any records relating to any impedance or delay to Eli Lilly's ability to further any research or development in relation to any target considered by Eli Lilly to constitute a trade secret or confidential or proprietary information, which impedance or delay was caused by any acts or omissions of any defendant;

4. any records relating to any impedance or delay to Eli Lilly's ability to advance the development, testing or marketing of commercialized medicines in relation to any target considered by Eli Lilly to constitute a trade secret or confidential or proprietary information, which impedance or delay was caused by any acts or omissions of any defendant;

5. for the period January 1, 2010 through the present, any records, summaries, articles, reports, studies, accounting reports, ledger sheets, account analyses or other documents or information used by Eli Lilly to measure and/or report the cost of any trade secret, or any confidential or proprietary information, identified in connection with section #(F)(1) above;

6. for the period January 1, 2010 through the present, (a) federal income tax Forms 3800, 6765, 8820 and Schedule J of Form 1120 filed by Eli Lilly related to research and development tax credits, and (b) any supporting worksheets prepared for purposes of filing the foregoing;

7. for the period January 1, 2010 through the present, all correspondence between the Eli Lilly audit committee and Lilly's outside auditors related to accounting for research and development costs;

8. for the period January 1, 2010 through the present, any internal audit report prepared in relation to accounting controls concerning research and development costs;

9. the Eli Lilly accounting manual section in effect at any time during the period January 1, 2010 through the present inclusive which concerns accounting for research and development costs;

10. any official guidance used or relied upon by Eli Lilly at any time during the period January 1, 2010 through the present for the purpose of tracking research and development costs;

11. any press releases or press advisories or public statements issued, caused to be issued, or approved for issuance by Eli Lilly at any time relating to this criminal case;

12. the text, date, and circulation of any Eli Lilly publication, including in-house corporate communications, e-mail "blasts," or newsletters, referring in any way to the instant case and/or the investigation that preceded it, including but not limited to the origin, the scope, and the import of the investigation; and

13. any statements of any representative of Eli Lilly relating to this criminal case which was issued, caused to be issued, or approved for issuance by Eli Lilly at any time.

G. Email exchanges between Lianshan Zhang and other Lilly employees

1. any emails to/from Lianshan Zhang (using email addresses/accounts lianshan@marcadiabiotech or zhang_lianshan@shhrp.com or oxyntomodulin@gmail.com or lianshan.shang@hengruiusa.com or lianshan_zhang@yahoo.com) to/from the following representatives of Eli Lilly during the period from January 1, 2010 through the present, whether using the representatives' Eli Lilly email addresses/accounts or their private email addresses/accounts accessed through Eli Lilly-issued computers:

a) Jordi Alsina-Fernandez

b) Yanyun Chen

c) Robert Cummins

d) Lihua Huang

e) Shun Li

f) Jirong Lu

g) Ethan Luo

h) John Mayer

2. for the period January 1, 2010 through the present inclusive, any records regarding any actions taken to discipline, sanction, punish, sue, or refer for criminal investigation any of the Eli Lilly representatives identified in section #(G)(1) above in connection with their communications with Lianshan Zhang; and

3. if not currently employed by Eli Lilly, the current or last known addresses and telephone numbers for the Eli Lilly representatives identified in section #(G)(1) above.

H. Eli Lilly's China-related activities

1. any Eli Lilly policies, practices, guidance or warnings provided between January 1, 2006 and May 31, 2013 to Eli Lilly's representatives based in its China facilities concerning the following:

a) any communications, by any means, with representatives of other pharmaceutical companies in China;

b) any communications, by any means, with representatives of non-pharmaceutical companies in China;

2. any Eli Lilly policies, practices, guidance or warnings provided between January 1, 2006 and May 31, 2013 to Eli Lilly's representatives based in its China facilities which were not also provided to representatives based in the company's Indianapolis, IN facilities during the same time period;

3. any records of collaborative scientific, research or pharmaceutical-related activities conducted between January 1, 2006 and May 31, 2013 involving Eli Lilly and Nanjing Medical University, including any material transfer agreements, confidential information agreements, or other confidentiality agreements;

4. any records of collaborative scientific, research or pharmaceutical-related activities conducted between January 1, 2006 and May 31, 2013 involving Eli Lilly and Novast Laboratories, including any material transfer agreements, confidential information agreements, or other confidentiality agreements;

5. any records of collaborative scientific, research or pharmaceutical-related activities conducted between January 1, 2006 and May 31, 2013 involving Eli Lilly and Renming Hospital, including any material transfer agreements, confidential information agreements, or other confidentiality agreements;

6. any records of collaborative scientific, research or pharmaceutical-related activities conducted between January 1, 2006 and May 31, 2013 in the People's Republic of China (PRC), involving Eli Lilly and any PRC-based academic entity(ies), including any material transfer agreements, confidential information agreements, or other confidentiality agreement;

7. any records of collaborative scientific, research or pharmaceutical-related activities conducted between January 1, 2006 and May 31, 2013 in the People's Republic of China, involving Eli Lilly and any other company(ies), including any material transfer agreements, confidential information agreements, or other confidentiality agreements;

8. any records of collaborative scientific, research or pharmaceutical-related activities conducted between January 1, 2006 and May 31, 2013 at any place and involving Eli Lilly and the Asian Cancer Research Group, including any material transfer agreements, confidential information agreements, or other confidentiality agreements;

9. any records relating to business or strategic plans of Eli Lilly, developed at any time, concerning collaborative or potentially collaborative activity with Jiangsu Hengrui Medicine;

10. any records from January 1, 2006 to May 31, 2013 relating to any proposed business or strategic plan or internally-discussed consideration of Eli Lilly entering into a collaboration or joint venture agreement with Jiangsu Hengrui Medicine;

11. any records of any meeting in 2012 between David Moller or any other representative of Eli Lilly and any representative of Jiangsu Hengrui Medicine for any purpose; and

12. any records for the period from January 1, 2006 to present regarding the quantity of annual sales by volume and dollars by Eli Lilly and any affiliated or subsidiary entities in the People's Republic of China of medicines intended for human use.

I. Employment-related allegations

1. any records reflecting complaints or communications made between January 1, 2006 and the present made in writing or orally to Eli Lilly personnel by Asian or Asian-American employees of Eli Lilly relating to alleged discrimination or disparate treatment or promotion;

2. any records reflecting the identity and caption of any lawsuits filed against Eli Lilly between January 1, 2006 and the present alleging discrimination or disparate treatment or promotion by Asian or Asian-American plaintiffs who were employed at Eli Lilly;

3. any records reflecting complaints or communications made between January 1, 2006 and the present in writing or orally to Eli Lilly personnel by Asian or Asian-American employees about any conduct, actions, statements or omissions by Mark Kowala;

4. any record reflecting complaints or communications of any kind made by former Eli Lilly employee Jian Wang at any time in writing or orally to Eli Lilly representatives about Mark Kowala;

5. any records developed in any internal Eli Lilly investigation conducted between January 1, 2006 and the present of Mark Kowala reflecting factual statements made by Eli Lilly representatives about Mr. Kowala's conduct or statements as a supervisor at Eli Lilly at any time; and

6. the number of Asian-Americans promoted by Eli Lilly from positions as researchers and scientists to the position of supervisor or higher between January 1, 2006 and the present.