

From: [REDACTED]
To: [REDACTED] (SJ); [REDACTED]@modernatx.com; [REDACTED]@modernatx.com
Cc: GALLINA Sandra (SANTE); [REDACTED] (SANTE); [REDACTED] (SG-RECOVER); [REDACTED] (SANTE); [REDACTED] (SJ); [REDACTED] (SJ); [REDACTED] (SJ); [REDACTED]
Subject: RE: Our comments
Date: mardi 24 novembre 2020 19:04:36
Attachments: [Annex 8 - APA GENERAL DRAFT CONTRACT REV \(Clean Version 11.24.20\).DOCX](#)
[Annex 8 - APA GENERAL DRAFT CONTRACT REV 11.24.20\).DOCX](#)

[REDACTED]

Thank you for your email. I apologize for the oversight. Updated version along with a new clean version attached. Please let me know if I may be of any further assistance.

Kind regards,

[REDACTED]

From: [REDACTED]@ec.europa.eu [REDACTED]@ec.europa.eu>
Sent: Tuesday, November 24, 2020 12:50 PM
To: [REDACTED]@modernatx.com;
[REDACTED]@modernatx.com
Cc: [REDACTED]@ec.europa.eu; [REDACTED]@ec.europa.eu;
[REDACTED]@ec.europa.eu; [REDACTED]@ec.europa.eu; [REDACTED]@ec.europa.eu;
[REDACTED]@ec.europa.eu; [REDACTED]
Subject: RE: Our comments

Thank you [REDACTED] I spotted a final thing: footnotes 3, 4 and 8 seem to be notes to draft so I think we should remove them. Would you mind doing this and sending us a version without them, which will also change the numbering of the footnotes? Your language on [REDACTED] is perfect [REDACTED]

From: [REDACTED]
Sent: Tuesday, November 24, 2020 6:37 PM
To: [REDACTED] (SJ) [REDACTED]@ec.europa.eu>;
[REDACTED]@modernatx.com; [REDACTED]@modernatx.com
Cc: GALLINA Sandra (SANTE) <[REDACTED]@ec.europa.eu>; [REDACTED] (SANTE)
[REDACTED]@ec.europa.eu>; [REDACTED] (SG-RECOVER)
[REDACTED]@ec.europa.eu>; [REDACTED] (SANTE)
[REDACTED]@ec.europa.eu>; [REDACTED] (SJ) [REDACTED]@ec.europa.eu>;
[REDACTED] (SJ) <[REDACTED]@ec.europa.eu>; [REDACTED]
[REDACTED]
Subject: RE: Our comments

Dear colleagues:

Please find attached the following documents:

1. Revised draft of the APA with the following proposed minor edits:

a. Article [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

b. [REDACTED]
[REDACTED]

c. Annex V:

2. Clean version of the APA

We remain available at your request to address any questions or concerns you may have.
Thank you for the tremendous effort to finalize today!

Kind regards,

From: [REDACTED] <[REDACTED]@ec.europa.eu> <[REDACTED]@ec.europa.eu>
Sent: Tuesday, November 24, 2020 11:37 AM
To: [REDACTED] <[REDACTED]@modernatx.com>;
[REDACTED] <[REDACTED]@modernatx.com>
Cc: [REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] <[REDACTED]@ec.europa.eu>;
[REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] <[REDACTED]@ec.europa.eu>;
[REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED]
[REDACTED]
Subject: RE: Our comments

Dear colleagues,

Please find enclosed our final comments on the draft. All your edits are accepted including the [REDACTED]. In our discussion today with the Member States [REDACTED]. We have only added some edits on the vaccine order form (filling instructions and cross references). Apart from that our inter service process brought about [REDACTED]. As already mentioned to [REDACTED] during our phone call earlier today, we would need a clean version from ideally within the next two hours to secure early adoption by the Commission tomorrow morning and subsequent notification to the Member States still in the afternoon. It appears that two Member States have a public holiday which means that we have to wait six working days instead of five to be able to proceed to signature.

Thank you for the excellent cooperation!

[REDACTED] Team

From: [REDACTED]
Sent: Tuesday, November 24, 2020 2:33 AM
To: [REDACTED] (SJ) <[REDACTED]@ec.europa.eu>;
[REDACTED] <[REDACTED]@modernatx.com>; [REDACTED] <[REDACTED]@modernatx.com>
Cc: GALLINA Sandra (SANTE) <[REDACTED]@ec.europa.eu>; [REDACTED]
(SANTE) <[REDACTED]@ec.europa.eu>; [REDACTED] (SG-RECOVER)
[REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] (SANTE)
[REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] (SJ)
[REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] (SJ)

[redacted] <[redacted]@ec.europa.eu>; [redacted]

Subject: RE: Our comments

[redacted]

Thank you very much for your email. Please find attached a revised draft with light edits to the agreement and the inclusion of the various annexes. We are available to discuss at your request in order to finalize the agreement.

Thank you very much for your time and continued consideration on behalf of Moderna.

Kind regards,
[redacted]

From: [redacted] <[redacted]@ec.europa.eu> [redacted] <[redacted]@ec.europa.eu>

Sent: Monday, November 23, 2020 2:29 PM

To: [redacted] <[redacted]@modernatx.com>; [redacted] <[redacted]@modernatx.com>; [redacted]

Cc: [redacted] <[redacted]@ec.europa.eu>; [redacted] <[redacted]@ec.europa.eu>;
[redacted] <[redacted]@ec.europa.eu>; [redacted] <[redacted]@ec.europa.eu>;
[redacted] <[redacted]@ec.europa.eu>; [redacted] <[redacted]@ec.europa.eu>

Subject: Our comments

Dear colleagues,

Please find enclosed our edits. I would note in particular

- the proposed language for the [redacted]
- [redacted]
- [redacted]
- the [redacted] annex has not been reviewed as I sent you comments separately
- Annexes [redacted] are still missing.

The [redacted] is still pending as we will have to present the contract to a meeting of all Member States most likely in the afternoon CET tomorrow and we will have to explain it. [redacted]. It would be very important if you could confirm by around 11am CET tomorrow that on your side there are no outstanding issues and that you are able to provide us with a complete clean text including all annexes. I will wake up early tomorrow morning to check my mails should there be any open issues. Just in case: my cell phone is [redacted]. With a bit of luck and endorsement by all Member States, we might be able to proceed with adoption by the Commission either on Wednesday or Thursday but for that we obviously need an agreed text. Should a minor typo like issue emerge later, we can still fix it prior to signature.

For the avoidance of doubt, unless we have commented on your edits, we agree with them.

Let's now give it the last push!

From: [REDACTED] <[REDACTED]@modernatx.com>

Sent: Monday, November 23, 2020 7:29 PM

To: [REDACTED] (SJ) <[REDACTED]@ec.europa.eu>; [REDACTED]
[REDACTED]@modernatx.com>

Subject: RE: quick question on logistics

[REDACTED] thank you very much for the follow-up. [REDACTED] document from this weekend is endorsed by Moderna – please consider that our draft. We are waiting for your comments as the next step, and look forward to reviewing those and finalizing the document as soon as you are able to send.

Best,

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] | modernatx.com

From: [REDACTED] <[REDACTED]@ec.europa.eu> <[REDACTED]@ec.europa.eu>

Sent: Monday, November 23, 2020 1:06 PM

To: [REDACTED] <[REDACTED]@modernatx.com>; [REDACTED]
[REDACTED] <[REDACTED]@modernatx.com>

Subject: quick question on logistics

EXTERNAL

We have been reviewing [REDACTED] draft and have spotted a few cross reference etc. issues. I also note a few questions addressed to us. I just wanted to check whether you are waiting for our comments first because we are waiting for your confirmation on whether [REDACTED] draft is endorsed by Moderna.

Best, [REDACTED]

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