

From: [REDACTED]
To: [REDACTED] (S); [REDACTED] @modernatx.com
Cc: [REDACTED] @modernatx.com; [REDACTED] @modernatx.com; [REDACTED] @modernatx.com;
[REDACTED] @modernatx.com; [REDACTED] @modernatx.com; [REDACTED] SANTE);
[REDACTED] @aemps.es;
[REDACTED] @igf.finances.gouv.fr; [REDACTED] (SANTE); [REDACTED] (SG-RECOVER);
[REDACTED] (S); [REDACTED] (S)
Subject: RE: Moderna - APA Draft Contract
Date: mercredi 18 novembre 2020 13:52:38
Attachments: [image001.png](#)
[Moderna_EC - High Level Issues List.DOCX](#)

Hi all:

Please find attached high-level issues list for our discussion today. Please note that this list is focused on the most substantive business issues, and we will propose additional revisions in writing in our next draft.

We look forward to speaking with you.

Kind regards,
[REDACTED]

From: [REDACTED] @ec.europa.eu>
Sent: Monday, November 16, 2020 12:41 PM
To: [REDACTED] @modernatx.com
Cc: [REDACTED] @modernatx.com; [REDACTED] @modernatx.com;
[REDACTED] @modernatx.com; [REDACTED] @modernatx.com;
[REDACTED] @modernatx.com; [REDACTED] @ec.europa.eu;
[REDACTED] @modernatx.com; [REDACTED]
[REDACTED] @aemps.es; [REDACTED] @igf.finances.gouv.fr; [REDACTED] @ec.europa.eu;
[REDACTED] @ec.europa.eu; [REDACTED] @ec.europa.eu;
[REDACTED] @ec.europa.eu
Subject: RE: Moderna - APA Draft Contract

EXTERNAL

Dear all,

Please find enclosed our TCs and comments on your latest draft. Because of structural changes and the number of comments, we have not had the time to adjust any cross references, which would need to be done only once the draft is more stable. However, from now on it would be fundamental for the process if we can work on a joint word document where agreement on a given text is clearly indicated in the comments or comments are provided on comments. We could then clean the draft during or on the basis of a call. Any structural changes should be as limited as possible simply to keep track on each other's positions. Once the draft is more stable, we can consider whether further structural changes are necessary. In the current home office conditions it is very challenging if there is a need to go back and forth between a TC pdf and a clean word document.

Please note that this is work in progress on our side too so I cannot exclude that we need to still

Looking forward to discussing over a call.

Best,

From: [REDACTED]
Sent: Thursday, November 12, 2020 7:08 PM
To: [REDACTED] (SJ) [REDACTED] <[\[REDACTED\]@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>; [REDACTED] (SJ)
 [REDACTED] <[\[REDACTED\]@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>; [REDACTED] (COMP)
 [REDACTED] <[\[REDACTED\]@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>; [REDACTED] SANTE)
 [REDACTED] <[\[REDACTED\]@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>; [REDACTED] <[\[REDACTED\]@igf.finances.gouv.fr](mailto:[REDACTED]@igf.finances.gouv.fr)>;
 [REDACTED] <[\[REDACTED\]@aemps.es](mailto:[REDACTED]@aemps.es)>; [REDACTED] (SANTE) [REDACTED] <[\[REDACTED\]@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>
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 [REDACTED]
Subject: Moderna - APA Draft Contract

All:

On behalf of Moderna, please find attached a revised draft of the Advance Purchase Agreement in clean and redline comparison formats. The redline comparison is marked to reflect changes from the draft that [REDACTED] circulated on 9 November. As you will note, we have included annotated footnotes in the revised draft, which include areas where we would appreciate the opportunity to discuss with your team prior to providing draft language for your review. Also, please note that, in the interest of time, I am circulating the revised draft to all parties simultaneously, and thus the draft remains subject to Moderna's further review and comments.

We would appreciate the opportunity to schedule a time to discuss the revised draft with your team. We are available tomorrow during your afternoon and over the weekend.

We look forward to speaking with you.

Kind regards,



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