

EXHIBIT 10

Lisa N. Himes

From: taylorf@sec.gov
Sent: Friday, August 23, 2019 8:08 AM
To: Lisa N. Himes
Subject: Complex Track Response - 19-02629-FOIA
Attachments: Complex Track Response.pdf

Please see attached response.



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

August 23, 2019

Ms. Lisa N. Himes
Rogers Joseph O'Donnell
875 15th Street NW, Suite 725
Washington, DC 20005

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **19-02629-FOIA**

Dear Ms. Himes:

This letter responds to your request, dated July 18, 2019, and received in this office on July 19, 2019, for certain communications concerning five companies/individuals. In your communications with Mr. Jeffrey Ovall of this office, you clarified your request on July 17, 2019, and requested the following e-mail communications from January 1, 2013 through the present:

1. Between Genentech-Roche and the SEC referencing the below companies.
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

2. Between Regenron Pharmaceuticals, Inc. and the SEC referencing the below companies.
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

3. Between Novartis US and the SEC referencing the below companies.
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

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4. Between Alcon and the SEC referencing the below companies.
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

5. Between Bausch & Lomb and the SEC referencing the below companies.
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

6. All emails from January 1, 2013 through the present, referencing the below companies.
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

We will be unable to respond to your request within the Freedom of Information Act's twenty day statutory time period, as there are unusual circumstances which impact on our ability to quickly process your request. Therefore, we are invoking the 10 day extension. These unusual circumstances are: (a) the need to search for and collect records from an organization geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other offices having a substantial interest in either the determination or the subject matter of the records. For these reasons, we will process your case consistent with the order in which we received your request.

We have identified approximately 91 gigabytes¹ of e-mail communications that may be responsive to your request. Under the FOIA, you are considered a "Commercial Use" requester. As such, you are required to pay for search and review costs in accordance with our fee schedule.

¹ The search results may have yielded several false hits, which we cannot determine until we begin our review of the records.

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The staff can generally review 50 pages of records in one hour. Therefore, we estimate that the time necessary to review the records for responsiveness and releasability could take an excessive number of hours and result in significant processing fees.

Since the records are voluminous, if requested, we would process them in our Complex track. Under 5 U.S.C. § 552(b)(6)(D)(i) agencies may provide for multi-track processing of requests for records based on the amount of work or time (or both) involved in processing requests. The SEC's regulation Implementing multi-track processing is located at 17 CFR § 200.80(d)(4).

At present we anticipate that it may take thirty-six months or more before we can begin to process a request placed in our Complex track.

If you are interested in having us place your request in our Complex Track and/or you would like to narrow the scope of your request, please write or call me by September 9, 2019 and identify the records of interest to you and your commitment to pay the search and review fees. Note, you will be charged fees even if the data located is subsequently determined to be exempt under the FOIA.

If you have any questions, please contact me at taylorf@sec.gov or (202) 551-8349. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,



Felecia Taylor
FOIA Lead Research Specialist

Enclosure

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at Archives.gov. Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.