

# EXHIBIT 16

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF THE TRUSTEES OF  
THE LELAND STANFORD JUNIOR  
UNIVERSITY,

Plaintiff,

vs.

No. C-05-04158 MHP

ROCHE MOLECULAR SYSTEMS, INC.;  
ROCHE DIAGNOSTICS CORPORATION;  
ROCHE DIAGNOSTICS OPERATIONS,  
INC.; ROCHE DIAGNOSTIC SYSTEMS,  
INC.,

Defendant.

CERTIFIED  
COPY

AND RELATED COUNTERCLAIM.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
VIDEOTAPED DEPOSITION OF MARK HOLODNIY, M.D.

Palo Alto, California

Wednesday, July 19, 2006

Volume 1

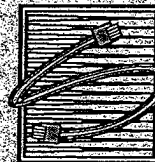
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04:19:03 1 Q. There's a number of elements of the HIV  
04:19:12 2 RNA assay that are described in this abstract,  
04:19:15 3 correct?

04:19:18 4 A. That's correct.

04:19:19 5 Q. In the second paragraph, the one that  
04:19:24 6 begins "The amount of HIV-1," the second sentence  
04:19:28 7 reads, "A method that detects and quantifies HIV-1  
04:19:32 8 viral RNA in serum is presented."

04:19:35 9 Do you see that?

04:19:35 10 A. Yes.

04:19:35 11 Q. And that reflects information that you  
04:19:37 12 learned from Cetus, correct?

04:19:38 13 MS. RHYU: Objection. Calls for a legal  
04:19:44 14 conclusion as to "information" and vague as to  
04:19:51 15 "reflects information."

04:19:56 16 THE WITNESS: That reflects a method from  
04:20:05 17 experiments that I conducted in the latter part of  
04:20:11 18 1989 to quantitate HIV RNA in serum.

04:20:11 19 BY MR. STONE:

04:20:18 20 Q. The method for detecting HIV-1 RNA in  
04:20:22 21 serum, you learned that method at Cetus, correct?

04:20:25 22 MS. RHYU: Objection. Lacks foundation.

04:20:32 23 THE WITNESS: I developed that assay with  
04:20:35 24 assistance from Cetus scientists while I was at Cetus.

04:20:35 25 BY MR. STONE:

**Errata Sheet**

Re: Stanford v. Roche et al.  
 USDC, Northern District of California Case No. C-05-04158 MHP  
 Deposition of Mark Holodniy  
 Taken July 19-20, 2006

Page & Line Number	Correction
Page 46, line 3	Change "I do not" to --Not that I am aware of--.
Page 69, line 9	Change "what every" to --whatever--.
Page 81, line 2	Change "It was in" to --It was not in--.
Page 392, line 23	Change "That's correct" to --That refers to the RNA transcript handed to me by Clayton Casipit--.
Page 393, line 7	Change "reflected" to --referred--.
Page 397, line 22	Change "cites" to --sites--.

Date: 8/15/06

Signature: *Mark Holodniy*