

# **EXHIBIT 2**

REDACTED

>X-Sieve: CMU sieve 2.2  
>Date: Tue, 24 Feb 2004 14:58:33 -0800  
>From: "Jen, George {Dire~Alameda}" <george.jen@ROCHE.COM>  
>Subject: Stanford HIV MTA  
>To: Mejia@stanford.edu  
>Cc: "Griffith, Melinda {RMS--Alameda}" <melinda.griffith@ROCHE.COM>  
>Thread-Topic: Stanford HIV MTA  
>Thread-Index: ACLZ5FWjIPJnlwWTrmsrhLLwpUWokHQj1KQ  
>X-MS-Has-Attach: yes  
>X-MS-TNEF-Correlator:  
>X-OriginalArrivalTime: 24 Feb 2004 22:58:34.0579 (UTC)  
> FILETIME=[BAFBA230:01C3FB29]  
>  
>Dear Luis,  
>  
>It was nice to make your acquaintance. Per our discussion, please find  
>attached the 1988 MTA between Stanford, Drs. Merigan and Schwartz and  
>Cetus relating HIV detection using PCR. We are also under the  
>impression that Dr. Merigan collaborated with Cetus scientists on HIV  
>detection projects in the late 80s.  
>  
>We would appreciate your investigating the circumstances of the  
>invention underlying Stanford's US patent application 07/883,327, and  
>discussing them with us at your earliest convenience.  
>  
>Kind regards,  
>  
>George C. Jen, Ph.D.  
>Roche Molecular Systems, Inc  
>Senior Patent Counsel  
>1145 Atlantic Ave  
>Alameda, CA 94501  
>Tel: 510 814-2966  
>Fax: 510 814-2972  
>  
>THIS E-MAIL IS INTENDED FOR ONLY THE NAMED RECIPIENT(S) AND AUTHORIZED  
>AGENT(S) THEREOF, AND MAY BE A COMMUNICATION PRIVILEGED BY LAW. IF YOU  
>RECEIVED THIS E-MAIL IN ERROR, ANY REVIEW, USE, DISSEMINATION,  
>DISTRIBUTION, OR COPYING OF THIS E-MAIL IS STRICTLY PROHIBITED. PLEASE  
>NOTIFY MY OFFICE IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND PLEASE  
>DELETE THIS MESSAGE AND ANY ATTACHMENT FROM YOUR SYSTEM.  
>  
>  
>

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

All,

Can we reschedule this call to 1 pm on the 17th? I have an offsite meeting at 3 pm.

George

Tel: (510) 814-2966

-----Original Message-----

From: Luis Mejia [mailto:mejia@stanford.edu]  
Sent: Tuesday, August 03, 2004 11:40 AM  
To: Jen, George {Dire~Alameda}  
Cc: patrick.dunkley@stanford.edu  
Subject: JCI Article

Dear George,



s98-058.txt

Thanks for meeting with Patrick and me yesterday - I think we made some progress. Further to our discussion, I attach the JCI article that was submitted in May 91. I also attach an article submitted to JID in July 1990 entitled Detection and Quantitation of HIV RNA in patient serum by use of PCR. Cetus has co-authorship in this article.

Look forward to talking with you and Melinda again on the 17th at 2pm.

Regards,

Luis  
Great.

I'll arrange and send out a call in number for 1:45 - 2:30 pm the 17th.

George

Tel: (510) 814-2966

-----Original Message-----

From: Griffith, Melinda {Admi~Alameda}  
Sent: Thursday, August 05, 2004 9:37 AM  
To: 'Luis Mejia'; Patrick Dunkley; Jen, George {Dire~Alameda};  
patrick.dunkley@stanford.edu  
Subject: RE: Re next call

Fine

-----Original Message-----

From: Luis Mejia [mailto:mejia@stanford.edu]  
Sent: Thursday, August 05, 2004 9:29 AM  
To: Patrick Dunkley; Jen, George {Dire~Alameda};  
patrick.dunkley@stanford.edu; Griffith, Melinda {Admi~Alameda}  
Subject: RE: Re next call

1:45 works for me. I should think that our telecon wouldn't be more than 45min, so we can plan on ending no later than 2:30. would that work for everybody?

Luis

At 06:07 PM 8/4/2004, Patrick Dunkley wrote:

>All,

>

>My meeting is away from the office and ends at 1:30. I could probably  
>be available at 1:45 or, in the alternative, I could start the call on  
>my cell phone closer to 1:30 if necessary. Let me know if either of  
>these are viable options.

>

>Regards,

>

>Patrick

>

>-----Original Message-----

>From: Jen, George {Dire~Alameda} [mailto:george.jen@ROCHE.COM]  
>Sent: Wednesday, August 04, 2004 9:10 AM  
>To: Patrick Dunkley; Luis Mejia; patrick.dunkley@stanford.edu;

Page 14

S98-058.txt

>Griffith, Melinda {Admi~Alameda}  
>Subject: RE: Re next call  
>  
>  
>All,  
>  
>what about 1:30 -2:30 pm or Monday afternoon the 16th on or after 2 pm?  
>  
>George  
>  
>Tel: (510) 814-2966  
>  
>  
>-----Original Message-----  
>From: Patrick Dunkley [mailto:pdunkley@stanford.edu]  
>Sent: Tuesday, August 03, 2004 10:33 PM  
>To: Jen, George {Dire~Alameda}; Luis Mejia;  
>patrick.dunkley@stanford.edu; Griffith, Melinda {Admi~Alameda}  
>Subject: RE: Re next call  
>  
>  
>I have a conflict in that I have a meeting from 11:30 to 1:30.  
>  
>-----Original Message-----  
>From: Jen, George {Dire~Alameda} [mailto:george.jen@ROCHE.COM]  
>Sent: Tuesday, August 03, 2004 5:53 PM  
>To: Luis Mejia; patrick.dunkley@stanford.edu; Griffith, Melinda  
>{Admi~Alameda}  
>Subject: Re next call  
>  
>  
>All,  
>  
>Can we reschedule this call to 1 pm on the 17th? I have an offsite  
>meeting at 3 pm.  
>  
>George  
>  
>Tel: (510) 814-2966  
>  
>  
>-----Original Message-----  
>From: Luis Mejia [mailto:mejia@stanford.edu]  
>Sent: Tuesday, August 03, 2004 11:40 AM  
>To: Jen, George {Dire~Alameda}  
>Cc: patrick.dunkley@stanford.edu  
>Subject: JCI Article  
>  
>  
>Dear George,  
>  
>Thanks for meeting with Patrick and me yesterday - I think we made some  
>progress. Further to our discussion, I attach the JCI article that was  
>submitted in May 91. I also attach an article submitted to JID in July  
>1990 entitled Detection and Quantitation of HIV RNA in patient serum by  
>use of PCR. Cetus has co-authorship in this article.  
>  
>Look forward to talking with you and Melinda again on the 17th at 2pm.  
>  
>Regards,

**REDACTED**

Dear Luis,

Thanks for following up. We were side tracked last week by an urgent matter. I am in the midst of preparing a reply and should have it to Stanford later this week.

Regards,

George

Tel: (510) 814-2966

-----Original Message-----

From: Luis Mejia [mailto:mejia@stanford.edu]  
Sent: Monday, August 30, 2004 5:05 PM  
To: Jen, George {Dire~Alameda}  
Cc: Patrick Dunkley  
Subject: response to Aug. 12 letter

Dear George,

we didn't receive the response as expected last week, so I am following up to see if it is forthcoming. I look forward to hearing from you.

Regards,

REDACTED

>X-Sieve: CMU sieve 2.2  
>Date: Mon, 30 Aug 2004 17:10:20 -0700  
>From: "Jen, George {Dire~Alameda}" <george.jen@ROCHE.COM>  
>Subject: RE: response to Aug. 12 letter  
>To: Luis Mejia <mejia@stanford.edu>  
>Cc: Patrick Dunkley <pdunkley@stanford.edu>  
>Thread-Topic: response to Aug. 12 letter  
>Thread-Index: ACS07kHxGANwWtyLReWnVFEJZHq+cQAACW5w  
>X-MS-Has-Attach:  
>X-MS-TNEF-Correlator:  
>X-OriginalArrivalTime: 31 Aug 2004 00:10:21.0900 (UTC)  
> FILETIME=[E801A8C0:01C48EEE]

>  
>Dear Luis,

>  
>Thanks for following up. We were side tracked last week by an urgent  
>matter. I am in the midst of preparing a reply and should have it to  
>Stanford later this week.

>  
>Regards,

>  
>George

>  
>Tel: (510) 814-2966

>  
>-----Original Message-----

>From: Luis Mejia [mailto:mejia@stanford.edu]  
>Sent: Monday, August 30, 2004 5:05 PM  
>To: Jen, George {Dire~Alameda}  
>Cc: Patrick Dunkley  
>Subject: response to Aug. 12 letter

>  
>  
>Dear George,

>  
>We didn't receive the response as expected last week, so I am following  
>up  
>to see if it is forthcoming. I look forward to hearing from you.

>  
>Regards,

>

S98-058.txt

>Luis

---

---

This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. If you are the intended recipient, please be advised that the content of this message is subject to access, review and disclosure by the sender's Email System Administrator.

**REDACTED**