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10 Attorneys for Defendants and Counterclaimants Roche
 Molecular Systems, Inc.; Roche Diagnostics
 11 Corporation; and Roche Diagnostics Operations, Inc.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiff,

vs.

17 ROCHE MOLECULAR SYSTEMS, INC.;
 18 ROCHE DIAGNOSTICS CORPORATION;
 19 ROCHE DIAGNOSTICS OPERATIONS, INC.,

Defendants.

20 ROCHE MOLECULAR SYSTEMS, INC.
 21 ROCHE DIAGNOSTICS CORPORATION;
 22 ROCHE DIAGNOSTICS OPERATIONS, INC.,

Counterclaimants,

vs.

24 THE BOARD OF TRUSTEES OF THE
 25 LELAND STANFORD JUNIOR UNIVERSITY;
 26 AND THOMAS MERIGAN.

Counterclaim Defendants.

CASE NO. C-05-04158 MHP

DECLARATION OF BRIAN C.
 CANNON IN SUPPORT OF ROCHE'S:

(1) EMERGENCY MOTION TO
 ENFORCE COURT ORDER
 REGARDING EXPERT WITNESS
 DEPOSITION; AND

(2) MOTION TO SHORTEN TIME

28 Signatures of Plaintiff and Defendants

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Declaration of Brian C. Cannon

1. I am a member of the Bar of the State of California and a partner with Quinn Emanuel Urquhart Oliver & Hedges, LLP, attorneys for Roche Molecular Systems, Inc, Roche Diagnostics Corporation, and Roche Diagnostics Operations, Inc. ("Roche"). I am admitted to practice before this Court on the above-captioned matter. I make this declaration of personal, firsthand knowledge and, if called and sworn as a witness, I could and would testify competently thereto.

2. Attached as Exhibit A is true and correct copy of an email string between me and Ricardo Rodriguez, counsel for Stanford, sent dated July 23, 2007.

3. Attached as Exhibit B is a true and correct copy of an email from Ricardo Rodriguez to me dated August 3, 2007.

4. Attached as Exhibit C is a true and correct copy of a letter from me to Ricardo Rodriguez dated August 6, 2007.

5. Attached as Exhibit D is a true and correct copy of a letter from Ricardo Rodriguez to me dated August 8, 2007.

6. Attached as Exhibit E is a true and correct copy of an email string between Ricardo Rodriguez and me dated August 10, 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 10, 2007, in Redwood Shores, California.

_____/s/_____

Brian C. Cannon