

EXHIBIT C

ORIGINAL

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

C.A. No. C-05-04158 MHP

* * * * *

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

v. *

ROCHE MOLECULAR SYSTEMS, INC.; ROCHE *
DIAGNOSTICS CORPORATION; ROCHE *
DIAGNOSTICS OPERATIONS, INC., *
Defendants *

ROCHE MOLECULAR SYSTEMS, INC.; ROCHE *
DIAGNOSTICS CORPORATION; ROCHE *
DIAGNOSTICS OPERATIONS, INC., *
Counterclaimants *

vs. *

THE BOARD OF TRUSTEES OF THE LELAND *
STANFORD JUNIOR UNIVERSITY and *
THOMAS MERIGAN, *
Counterclaim Defendants *

* * * * *

SCHEDULED VIDEOTAPED DEPOSITION OF
FRED KRAMER

SCHEDULED VIDEOTAPED DEPOSITION OF
FRED KRAMER, a witness called on behalf of
the Defendants, pursuant to the Federal
Rules of Civil Procedure, before Jessica L.
Williamson, Registered Merit Reporter,
Certified Realtime Reporter and Notary
Public in and for the Commonwealth of
Massachusetts, at the Offices of G & M Court
Reporters & Associates, 42 Chauncy Street,
Boston, Massachusetts, on Wednesday, August
15, 2007, commencing at 10:57 a.m.

A P P E A R A N C E S

(No one appeared on behalf of the
Plaintiffs.)

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

(By Brian C. Cannon, Esq.)

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Counsel for the Defendants and

Counterclaimants

ALSO PRESENT:

Marissa Deleary, Videographer

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E X H I B I T S

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1	Notice of Deposition and Amended Subpoena Issued to Fred Kramer	5
2	Proof of Service Amended Subpoena	5
3	Order and Stipulation Re: Deposition of Expert Witnesses	5
4	Letter dated August 13, 2007	5

Note: Original Exhibits 1 - 4 were retained by Attorney Cannon.

1 P R O C E E D I N G S

2 (Exhibit No. 1, Notice of
3 Deposition and Amended Subpoena Issued to
4 Fred Kramer, premarked for identification.)

5 (Exhibit No. 2, Proof of Service
6 Amended Subpoena, premarked for
7 identification.)

8 (Exhibit No. 3, Order and
9 Stipulation Re: Deposition of Expert
10 Witnesses, premarked for identification.)

11 (Exhibit No. 4, Letter dated August
12 13, 2007, premarked for identification.)

13 MR. CANNON: This is Brian Cannon
14 of the Quinn Emanuel law firm representing
15 Roche Molecular Systems. It is August 15,
16 2007, approximately 11:00 a.m. We are here
17 in Boston to take the deposition of
18 Stanford's expert, Fred Kramer. Neither
19 witness nor Stanford's attorneys have shown
20 up to establish the record.

21 I would like to mark the first four
22 exhibits I was planning to mark at this
23 deposition. Exhibit No. 1 is the notice of
24 deposition and amended subpoena issued to
25 Fred Kramer. The subpoena states that the

1 deposition will take place August 15th, 2007
2 at 9:30 a.m. at G & M Court Reporters,
3 Limited, 42 Chauncy Street, Suite 1A,
4 Boston, Massachusetts. And that is where we
5 are right now.

6 Exhibit 2 is the proof of service of
7 the amended subpoena. Exhibit 3 is a court
8 order dated August the 2nd, 2007, Docket No.
9 175, which states in Paragraph 1, quote,
10 "The depositions of Stanford's experts, Paul
11 Volberding and Fred Kramer, will at a
12 mutually convenient time for the parties
13 take place after August the 12th, 2007, but
14 before August 20th, 2007."

15 Finally, Exhibit 4 is a letter dated
16 August 13th, 2007 sent via e-mail and U.S.
17 mail from Brian Cannon, myself, to Ricardo
18 Rodriguez, counsel for Stanford, that
19 states, "With respect the August 15th
20 deposition of Fred Kramer, not having heard
21 anything from the Court today, we intend to
22 proceed with the deposition in Boston as
23 scheduled at the time and location set forth
24 in the amended subpoena."

25 With that, we are going to call the

1 Court to seek relief on a motion to compel
2 to obtain testimony from the witness.
3 That's it. Thank you.

4 (Whereupon the deposition was
5 concluded at 10:59 a.m.)

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C E R T I F I C A T E

I, Jessica L. Williamson, Registered Merit Reporter, Certified Realtime Reporter and Notary Public, do hereby certify that the foregoing transcript, Volume I, is a true and accurate transcription of my stenographic notes taken on Wednesday, August 15, 2007.



Jessica L. Williamson, RMR, RPR, CRR

CSR No. 138795

Notary Public

My commission expires:

December 18, 2009

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