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6 Attorneys for Plaintiff and Counterclaim Defendant,
THE BOARD OF TRUSTEES OF THE LELAND STANFORD
7 JUNIOR UNIVERSITY and Counterclaim Defendants THOMAS
MERIGAN and MARK HOLODNIY
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12
13 THE BOARD OF TRUSTEES OF THE
14 LELAND STANFORD JUNIOR
UNIVERSITY,
15
Plaintiff,
16
v.
17
18 ROCHE MOLECULAR SYSTEMS, ET AL.,
19
Defendants.

Case No. C 05 04158 MHP
**SUPPLEMENTAL DECLARATION OF
MICHELLE S. RHYU IN SUPPORT OF
STANFORD'S REPLY TO ROCHE'S
RESPONSIVE CLAIM CONSTRUCTION
BRIEF**

20
21 ROCHE MOLECULAR SYSTEMS, ET AL.,
22
Counterclaimants,
23
v.
24
25 THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
UNIVERSITY; THOMAS MERIGAN; AND
MARK HOLODNIY,
26
Counterclaim Defendants.
27

1 I, Michelle S. Rhyu, declare as follows:

2 1. I am an attorney with the law firm of Cooley Godward Kronish LLP, counsel of
3 record for The Board of Trustees of the Leland Stanford Junior University, Thomas Merigan and
4 Mark Holodniy in the above-captioned matter. I have knowledge of the following, and if called
5 as a witness, I could and would testify competently to this declaration's contents.

6 2. Attached hereto as Revised Exhibit 17 are true and correct copies of excerpts
7 from Webster's Medical Desk Dictionary (1986), bearing Bates numbers STAN 031809, STAN
8 031810, STAN 031811, STAN 031814, STAN 031815 and STAN 031816. Revised Exhibit 17
9 adds STAN 031816, which was inadvertently omitted from the original Exhibit 17 filed with the
10 Declaration of Michelle S. Rhyu Supporting Stanford's Opening Claim Construction Brief.

11 3. Attached hereto as Exhibit 26 are true and correct copies of excerpts from the
12 Deposition of Paul Volberding, M.D., conducted on August 19, 2007.

13 4. Attached hereto as Exhibit 27 are true and correct copies of excerpts from the
14 Deposition of John G. Bartlett, M.D., conducted on September 5, 2007. Due to the late timing of
15 the deposition, the copies are from the electronic version of the deposition.

16 5. Attached hereto as Exhibit 28 are true and correct copies of excerpts from the
17 Deposition of Jeffrey David Lifson, M.D., conducted on September 5, 2007. Due to the late
18 timing of the deposition, the copies are from the electronic version of the deposition.

19 6. Attached hereto as Exhibit 29 are true and correct copies of excerpts from the
20 Deposition of Alice Wang, Ph.D., conducted on August 8, 2007.

21 7. Attached hereto as Exhibit 30 is a true and correct copy of Stanford University's
22 Disclosure of Asserted Claims and Preliminary Infringement Contentions and Document
23 Production Accompanying Disclosure, dated February 28, 2006.

24 8. Attached hereto as Exhibit 31 is a true and correct copy of Stanford's Second
25 Amended Disclosure of Asserted Claims and Preliminary Infringement Contentions and
26 Supplemental Document Production, dated July 10, 2007.

27 9. Attached hereto as Exhibit 32 is a true and correct copy of an email from Ricardo
28 Rodriguez to Brian Cannon dated August 13, 2007.

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10. Attached hereto as Exhibit 33 is a true and correct copy of Stanford's Disclosure of Asserted Claims and Preliminary Infringement Contentions and Supplemental Document Production, dated April 13, 2007.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed at Palo Alto, California on September 12, 2007.

/s/
Michelle S. Rhyu