

JONES DAY

222 EAST 41ST STREET • NEW YORK, NEW YORK 10017-6702
TELEPHONE: 212-326-3939 • FACSIMILE 212-755-7306

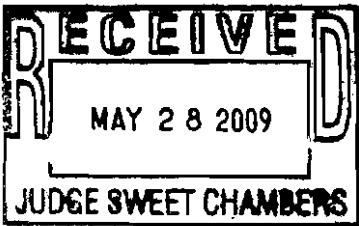
Direct Number: (212) 326-3904
barryrsatine@jonesday.com

JP761862:jev

May 28, 2009

BY FAX (212) 805-7925

Honorable Robert W. Sweet
United States Courthouse
500 Pearl Street
New York, New York 10007-1312



Re: Association for Molecular Pathology, et al. v.
United States Patent and Trademark Office, et al.
Civil Action No. 09-4515 (RWS)

Dear Judge Sweet:

We represent defendant Myriad Genetics, Inc., named in the Complaint as Myriad Genetics ("Myriad") and we also represent defendants Lorris Beth, Roger Boyer, Jack Brittain, Arnold B. Combe, Raymond Gesteland, James U. Jensen, John Kendall Morris, Thomas Parks, David W. Pershing, and Michael K. Young (collectively, the "Foundation Directors").

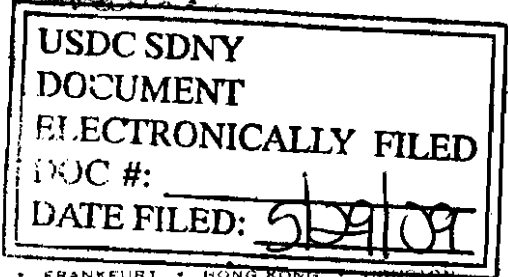
Although we still are in the process of determining the dates when Myriad and the Foundation Directors are to answer, move or otherwise respond to the Complaint, the earliest such date for any of these defendants to so respond appears to be June 1, 2009. We have spoken with counsel for plaintiffs, and in exchange for our agreement to not challenge the sufficiency of process or the sufficiency of service of process, counsel for plaintiffs have agreed to extend the time for Myriad and the Foundation Directors to answer, move or otherwise respond to the Complaint. The agreed upon date is July 13, 2009. This date appears to coincide with the date when the only other named defendant, i.e., the United States Patent and Trademark Office, is to answer, move or otherwise respond to the Complaint.

We respectfully request that the time for Myriad and the Foundation Directors to answer, move or otherwise respond to the Complaint be extended to and including July 13, 2009.

So ordered
Sweet
USDT
5-28-09

Respectfully,

Barry R. Satine
Barry R. Satine



NY1-4187073v1

JONES DAY

Honorable Robert W. Sweet

May 28, 2009

Page 2

cc: Christopher A. Hansen, Esq.
Aden Fine, Esq.
Lenora M. Lapidus, Esq.
Sandra S. Park, Esq.
David B. Rawicher, Esq.
(all via email and U.S. mail)

SO ORDERED:
