

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ASSOCIATION FOR MOLECULAR PATHOLOGY; : Civil Action No. 09 Civ. 4515 (RWS)
AMERICAN COLLEGE OF MEDICAL GENETICS; :
AMERICAN SOCIETY FOR CLINICAL PATHOLOGY; :
COLLEGE OF AMERICAN PATHOLOGISTS; :
HAIG KAZAZIAN, MD; ARUPA GANGULY, PhD; :
WENDY CHUNG, MD, PhD; HARRY OSTRER, MD; :
DAVID LEDBETTER, PhD; STEPHEN WARREN, PhD; :
ELLEN MATLOFF, M.S.; ELSA REICH, M.S.; :
BREAST CANCER ACTION; BOSTON WOMEN'S : **MOTION FOR LEAVE TO FILE**
HEALTH BOOK COLLECTIVE; LISBETH CERIANI; **AMICUS CURIAE BRIEF**
RUNI LIMARY; GENAE GIRARD; :
PATRICE FORTUNE; VICKY THOMASON; :
KATHLEEN PARKER, :
Plaintiffs, :
v. :
UNITED STATES PATENT AND TRADEMARK :
OFFICE; MYRIAD GENETICS; LORRIS BETZ, :
ROGER BOYER, JACK BRITTAIN, ARNOLD B. :
COMBE, RAYMOND GESTELAND, JAMES U. :
JENSEN, JOHN KENDAL MORRIS; THOMAS PARKS, :
DAVID W. PERSHING, and MICHAEL K. YOUNG, :
in their official capacity as Directors of the University :
of Utah Research Foundation, :
Defendants. :
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PLEASE TAKE NOTICE that proposed *Amici Curiae*, National Women's Health

Network, Asian Communities for Reproductive Justice, Center for Genetics and Society, Generations Ahead and Pro-Choice Alliance for Responsible Research shall move this Court, before the Honorable Richard W. Sweet, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for leave to file their proposed *amicus curiae* brief.

Attached hereto are: (1) letter motion in support of this Motion for Leave to File a proposed *amicus curiae* brief, and (2) the proposed *amicus curiae* brief.

Dated: New York, New York
August 28, 2009

/s/Jennifer L. Rubin

Susan Berke Fogel JD (*pro hac application pending*)

Pro-Choice Alliance for Responsible Research

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- and -

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Network, Asian Communities for Reproductive Justice,
Center for Genetics and Society, Generations Ahead and
Pro-Choice Alliance for Responsible Research*