

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ASSOCIATION FOR MOLECULAR)
PATHOLOGY; AMERICAN COLLEGE OF) Civil Action No. 09-4515 (RWS)
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) ECF Case
ACTION; BOSTON WOMEN'S HEALTH)
BOOK COLLECTIVE; LISBETH CERIANI;)
RUNI LIMARY; GENAE GIRARD; PATRICE)
FORTUNE; VICKY THOMASON; KATHLEEN)
RAKER,)
Plaintiffs,)
v.)
UNITED STATES PATENT AND)
TRADEMARK OFFICE; MYRIAD GENETICS;)
LORRIS BETZ, ROGER BOYER, JACK)
BRITTAINE, ARNOLD B. COMBE, RAYMOND)
GESTELAND, JAMES U. JENSEN, JOHN)
KENDALL MORRIS, THOMAS PARKS,)
DAVID W. PERSHING, and MICHAEL K.)
YOUNG, in their official capacity as Directors of)
the University of Utah Research Foundation,)
Defendants.)

1. I am a member of the bar of this Court and a member of the law firm of Jones Day. Jones Day is counsel in this action to defendants Myriad Genetics, Lorris Betz, Roger Boyer, Jack Brittain, Arnold B. Combe, Raymond Gesteland, James U. Jensen, John Kendall Morris, Thomas Parks, David W. Pershing and Michael K. Young.

2. I offer this declaration in support of the foregoing defendants' motion to dismiss.

3. Attached hereto as Exhibit 1 is a true and correct copy of a letter I sent to Daniel B. Ravicher on August 18, 2009.

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

/s/ Barry R. Satine
Barry R. Satine

Executed on September 22, 2009

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served electronically by the Court's ECF system and by first class mail on those parties not registered for ECF pursuant to the rules of this court.

Dated: September 23, 2009

s/ Barry R. Satine
Barry R. Satine