

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ASSOCIATION FOR MOLECULAR)	
PATHOLOGY; AMERICAN COLLEGE OF)	
MEDICAL GENETICS; AMERICAN SOCIETY)	Civil Action No. 09-4515 (RWS)
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;)	DECLARATION OF
RUNI LIMARY; GENAE GIRARD; PATRICE)	BARRY R. SATINE
FORTUNE; VICKY THOMASON; KATHLEEN)	
RAKER,)	
)	
Plaintiffs,)	
v.)	
)	
UNITED STATES PATENT AND)	
TRADEMARK OFFICE; MYRIAD GENETICS;)	
LORRIS BETZ, ROGER BOYER, JACK)	
BRITTAİN, 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. Annexed hereto as Exhibit A is a copy of a letter from George A. Riley of O'Melveny & Myers LLP, to Haig H. Kazazian, Jr., M.D., dated August 26, 1998. Upon information and belief, this letter was sent to Dr. Kazazian on or about August 26, 1998.
4. Annexed hereto as Exhibit B is a copy of the Order of Dismissal in *Myriad Genetics v. University of Pennsylvania*, No. 2:98-cv-0829-S (D. Utah Apr. 20, 1999).
5. Annexed hereto as Exhibit C is the Declaration of Defendant Betz.
6. Annexed hereto as Exhibit D is the Declaration of Defendant Boyer.
7. Annexed hereto as Exhibit E is the Declaration of Defendant Brittain.
8. Annexed hereto as Exhibit F is the Declaration of Defendant Combe.
9. Annexed hereto as Exhibit G is the Declaration of Defendant Gesteland.
10. Annexed hereto as Exhibit H is the Declaration of Defendant Jensen.
11. Annexed hereto as Exhibit I is the Declaration of Defendant Morris.
12. Annexed hereto as Exhibit J is the Declaration of Defendant Parks.
13. Annexed hereto as Exhibit K is the Declaration of Defendant Pershing.
14. Annexed hereto as Exhibit L is the Declaration of Defendant Young.

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

/s/ Barry R. Satine
Barry R. Satine

Executed on July 13, 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: July 13, 2009

/s/ Barry R. Satine
Barry R. Satine