

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ASSOCIATION FOR MOLECULAR PATHOLOGY;
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
HEALTH BOOK COLLECTIVE; LISBETH CERIANI;
RUNI LIMARY; GENAE GIRARD; PATRICE FORTUNE;
VICKY THOMASON; KATHLEEN RAKER,

09 Civ. 4515 (RWS)

Plaintiffs,

ECF Case

v.

UNITED STATES PATENT AND TRADEMARK
OFFICE; 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,
in their official capacity as Directors of the University
of Utah Research Foundation,

**NOTICE OF
PLAINTIFFS'
MOTION FOR
JURISDICTIONAL
DISCOVERY**

Defendants.
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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Jurisdictional Discovery; Plaintiffs' Memorandum of Law In Opposition to Defendants Myriad and UURF Directors' Motion to Dismiss; the Declaration of Daniel B. Ravicher, and exhibits annexed thereto; the Declaration of Mark Sobel; the Declaration of Madhuri Hegde, PhD, and exhibit annexed thereto; the Declaration of Michael S. Watson, PhD; the Declaration of Wendy Chung, MD, PhD, and exhibit annexed thereto; the Declaration of John R. Ball; the Declaration of Roger Hubbard, PhD, and exhibit annexed

thereto; the Declaration of John Scott; the Declaration of Jeffrey Kant, MD, PhD, and exhibit annexed thereto; the Declaration of Haig H. Kazazian, Jr., MD, and exhibit annexed thereto; the Declaration of Arupa Ganguly, PhD, and exhibits annexed thereto; the Declaration of Harry Ostrer, MD, and exhibits annexed thereto; the Declaration of David Ledbetter, PhD, and exhibit annexed thereto; the Declaration of Ellen T. Matloff, MS, and exhibit annexed thereto; the Declaration of Elsa W. Reich, MS, and exhibit annexed thereto; the Declaration of Barbara A. Brenner; the Declaration of Judy Norsigian; the Declaration of Lisbeth Ceriani; the Declaration of Runi Limary; the Declaration of Genae Girard; the Declaration of Patrice Fortune; the Declaration of Vicky Thomason; the Declaration of Kathleen Raker; and on all the prior proceedings and matters of record in this case, plaintiffs Association for Molecular Pathology, American College of Medical Genetics, American Society for Clinical Pathology, College of American Pathologists, Haig Kazazian, MD, Arupa Ganguly, PhD, Wendy Chung, MD, Harry Ostrer, MD, David Ledbetter, PhD, Stephen Warren, PhD, Ellen Matloff, M.S., Elsa Reich, M.S., Breast Cancer Action, Boston Women's Health Book Collective, Lisbeth Ceriani, Runi Limary, Genae Girard, Patrice Fortune, Vicky Thomason, and Kathleen Raker will move the Court before the Honorable Robert W. Sweet, United States District Court Judge, in Courtroom 18C, at the United States Courthouse, 500 Pearl Street, New York, New York, at noon on Wednesday, September 30, 2009, or as soon thereafter as counsel can be heard, for an Order granting Plaintiffs leave to conduct jurisdictional discovery in response to the Motion to Dismiss filed by Defendants Myriad Genetics and the Directors of the University of Utah Research Foundation pursuant to Federal Rule of Civil Procedure 12(b)(1) and Federal Rule of Civil Procedure 12(b)(2).

PLEASE TAKE NOTICE that pursuant to Local Civil Rule 6.1(b) any opposing papers or answering memoranda are to be served within ten business days after service of this motion.

Dated: August 26, 2009

Respectfully submitted,

/s/ Christopher A. Hansen

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