

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENENTECH, INC. and CITY OF HOPE,)

Plaintiffs and Counterclaim Defendants,)

v.)

AMGEN INC.,)

Defendant and Counterclaim Plaintiff.)

C.A. No. 18-924-CFC

GENENTECH, INC. and CITY OF HOPE,)

Plaintiffs and Counterclaim Defendants,)

v.)

SAMSUNG BIOEPIS CO., LTD,)

Defendant and Counterclaim Plaintiff.)

C.A. No. 18-1363-CFC

**DECLARATION OF EAMONN GARDNER
IN SUPPORT OF DEFENDANTS'
CLAIM CONSTRUCTION SUR-REPLY BRIEF**

I, Eamonn Gardner, declare as follows:

1. I am a partner at the law firm of Cooley LLP, counsel for Amgen, Inc. (“Amgen”) in Case No. 18-cv-00924-CFC (D. Del.). I am familiar with the facts set forth herein, and if called as a witness, I could and would testify competently to those facts under oath.

2. I submit this declaration in support of Defendant’s Claim Construction Sur-Reply Brief.

3. Attached hereto as **Exhibit 16** is a true and correct copy of United States Patent No. 9,441,035 B2, *Cell Culture Media and Methods of Antibody Production*, Inventor Veronica Carvalhal et al., issued on September 13, 2016.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 20th day of March, 2019.

By: /s/ Eamonn Gardner
Eamonn Gardner