

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

GENENTECH, INC., )

Plaintiff and Counterclaim Defendant, )

V.

AMGEN INC., )

Defendant and Counterclaim Plaintiff. )

C.A. No. 18-924-CFC

**Original Version Filed: March 13, 2020**  
**Public Version Filed; March 20, 2020**

DECLARATION OF [REDACTED]

I, [REDACTED], declare as follows:

1. I am employed by Epiq Systems, Inc. (“Epiq”) as a Project Director. 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. Early on February 29, 2020, Epiq experienced a cyber incident. As part of Epiq’s comprehensive response plan, it immediately took its systems offline globally. [REDACTED]  
[REDACTED]  
[REDACTED]

3. No documents, metadata, or Amgen work-product (including back-up copies) can be accessed or exported by Epiq, Amgen, or outside counsel until the discovery database is back online and it has been certified by Epiq and Amgen’s in-house IT security department. Which documents, metadata or work product will be then available (and over what time frame) depends on the nature of the damage caused by the attack, the condition of backups available, and the time needed to reconstitute what can be reconstituted.

4. Epiq is working to resolve this issue as quickly as possible. [REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

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

Dated: March 12, 2020

/s/ [REDACTED] \_\_\_\_\_

[REDACTED]  
Epiq Systems, Inc.