IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

| | |
|---|---|
| NOVARTIS VACCINES AND DIAGNOSTICS, INC.<br>Plaintiff,<br><br>v.<br><br>UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, *et al.*<br>Defendants. | Case No. 1:07-CV-02138-RWR |

**AFFIDAVIT OF SERVICE**

Lara Eidemiller, being duly sworn, deposes and says as follows:

1. I am over 18 years of age and am competent to testify in this matter.

2. All of the statements made in this affidavit are true based on my own personal knowledge.

3. I am currently employed by Morrison & Foerster LLP, and Morrison & Foerster LLP is lead counsel for Plaintiff in this matter. I make this affidavit as proof that the amended complaint was duly served in this action.

4. On December 19, 2007, pursuant to agreement between counsel, I caused a copy of the amended complaint in this case to be sent by electronic mail to Guy Chambers, lead counsel for plaintiffs National Institute of Health and the Department of Health and Human Services, by sending to gwchambers@townsend.com. A true copy of the electronic mail transmittal has been attached as Exhibit A.

I declare under penalty of perjury under the laws of the United States of America the foregoing is true and correct. I executed this affidavit on January 18, 2008, in San Francisco, California.

Lara Eidemiller

Sworn before me
this 18 day of January, 2008.

HEATHER H. ADLER
Commission # 1526648
Notary Public - California
San Francisco County
My Comm. Expires Nov 13, 2008

Notary Public

# CALIFORNIA JURAT WITH AFFIANT STATEMENT

[x] See Attached Document (Notary to cross out lines 1–6 below)
[ ] See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Francisco

Subscribed and sworn to (or affirmed) before me on this

18 (Date) day of January (Month), 2008 (Year), by

(1) Lara Eidemiller (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Heather H Adler
Signature of Notary Public

Place Notary Seal Above

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# EXHIBIT A

## Eidemiller, Lara

**From:** Eidemiller, Lara
**Sent:** Wednesday, December 19, 2007 2:03 PM
**To:** 'Chambers, Guy W. '
**Cc:** Kreeger, Matthew I.
**Subject:** Amended Complaint for 07-cv-02138 (RWR)

**Attachments:** 2007-12-19 Novartis Amended Complaint.pdf



2007-12-19
ɔvartis Amended Co

Dear Guy,

Enclosed please find a copy of Novartis' amended complaint filed today with the D.C. District Court.

Regards,

Lara

Lara Eidemiller
Litigation Paralegal
**Morrison | Foerster**
**425 Market St., San Francisco, CA 94105**
**Dial (415) 268-7084, Facsimile (415) 268-7522**