IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTRAZENECA AB, AKTIEBOLAGET HÄSSLE, KBI-E, INC., KBI INC., and ASTRAZENECA LP, *Plaintiffs*, v. DEXCEL, LTD., DEXXON, LTD., DEXCEL PHARMA TECHNOLOGIES, LTD., and DEXCEL PHARMA TECHNOLOGIES *Defendants.*	**C.A. No. 06-358 (SLR)**

DECLARATION OF WAYNE R KENNEDY

I, Wayne R. Kennedy, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a private investigator licensed in the Commonwealth of Virginia, license No. DCJS #11-3036.

2. My office is located at 132 Olney Road, Norfolk, Virginia 23510.

3. On June 5, 2006, I was retained by the law firm Milbank Tweed Hadley and McCloy, LLP, to investigate an office building located at 229 West Bute Street in Norfolk, Virginia, and in particular, to determine whether a business was operating there under the name "Dexcel Pharma Technologies."

4. On June 6, 2006 I visited 229 West Bute Street (the Wainwright Building) in Norfolk, Virginia (the "Premises"). I observed the Premises and took photographs to document my observations. These photographs are attached as Exhibits 1-10.

5. The Premises appeared to be a office building in which a number of businesses were located. I observed the exterior of the Premises, finding no signage or other indication that Dexcel Pharma Technologies was located in the building. Exhibits 1-2 are photographs I took of the exterior of the Premises showing the building number and entrance, but no indication that Dexcel Pharma Technologies is located in the building.

6. Upon entered the lobby of the Premises, I observed a directory of businesses located in the building. A closer inspection of the directory revealed two separate listings, one listing businesses by office suite, the other listing businesses alphabetically. A thorough review of the directory showed no listing for Dexcel Pharma Technologies. There was also no listing for any occupant of Suite 407. Exhibits 3-6 are photographs I took of the building lobby and directory that show no listing for Dexcel Pharma Technologies.

7. I then took an elevator up to the building's fourth floor in order to observe Suite 407. As I stepped off the elevator I observed a mirrored wall with what appeared to be several temporary paper signs posted (taped) to it. One of the paper signs taped to the wall included the text "Dexcel Pharma Technologies" with an arrow pointing to the left. Exhibits 7 and 8 are photographs I took of the elevator area of the Wainwright Building fourth floor showing the signage for Dexcel Pharma Technologies.

8. I proceeded down a hallway in the direction indicated by the "Dexcel Pharma Technologies" sign to a closed door. I opened the door and proceeded through it. This in turn led to another hallway in which several separate suites appeared to be

located. As I proceeded down the second hallway, the first place of business I observed was Suite 407, which was to my left.

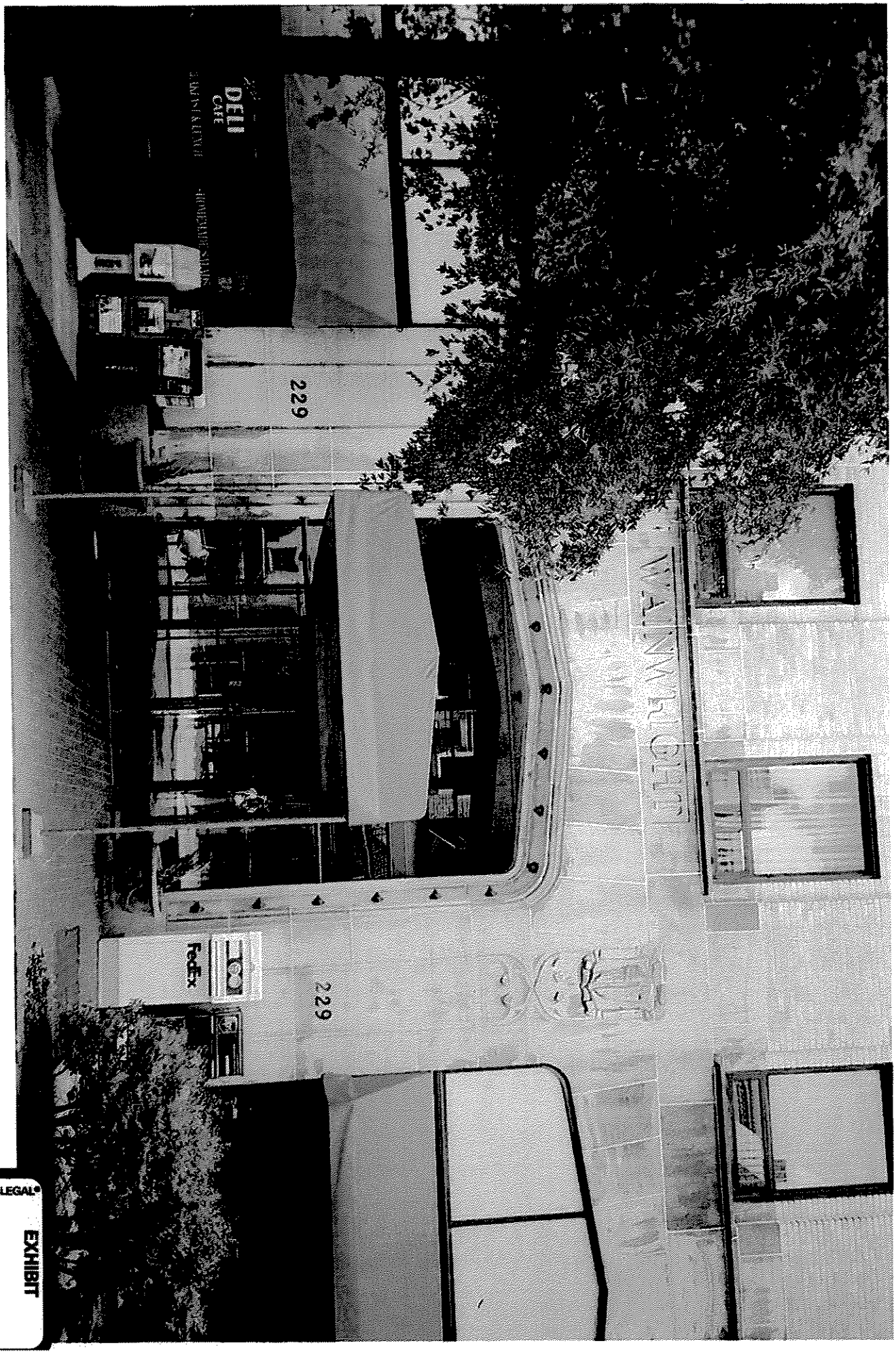
9. Suite 407 had a plastic sign posted next to the door for the office which indicated the suite number and the name of the business located in the suite. This sign was similar to other plastic signs identifying other suites on this hallway. The sign included the text "Dexcel Pharma," and a temporary paper insert with the number "407" written on it. See Exhibits 9 and 10 are photographs I took of the entrance to Suite 407 showing the signage for "Dexcel Pharma."

10. I then proceeded down the hallway past Suite 407. As I walked past the suite, I observed the interior of the suite through an office window. The window was located next to the door of the suite and the sign previously described. See Exhibit 10. I observed through Venetian blinds in the office window what appeared to be a one room office and a Caucasian female with dark brown hair seated at a desk in the office. No additional furniture or personnel were observed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 17th, 2006 at Norfolk, Virginia.

Wayne R. Kennedy



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EXHIBIT
1


OPEN
2226
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EXHIBIT
2



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EXHIBIT
3



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EXHIBIT
4


INTERNAL MEDICINE-SMG
GREGG R., M.D.
CLINIC
700
700
640
ATTORNEYS AND COUNSELORS AT LAW
HOWLETT, BOBBY L., JR.
CALLAHAN, JOHN T. III
CALLAHAN, F. SULLIVAN
630
630
630
D
DAN NETZAR
DIRK S. PROFFER, M.D.
DOBIAS, MARY T., PT. CHT
4TH FLOOR
5TH FLOOR
810
E
EXECUTIVE EVALUATION CENTER
910
ENSPIRE ENERGY
320
KING LEE INVESTMENTS
LAB: WAINWRIGHT LABORAT
LEFFKE, GARY S., M.S. CCC-
LISNER, CHARLES A., M.D.
LILLY, EDWARD L., M.D.

EXHIBIT
5

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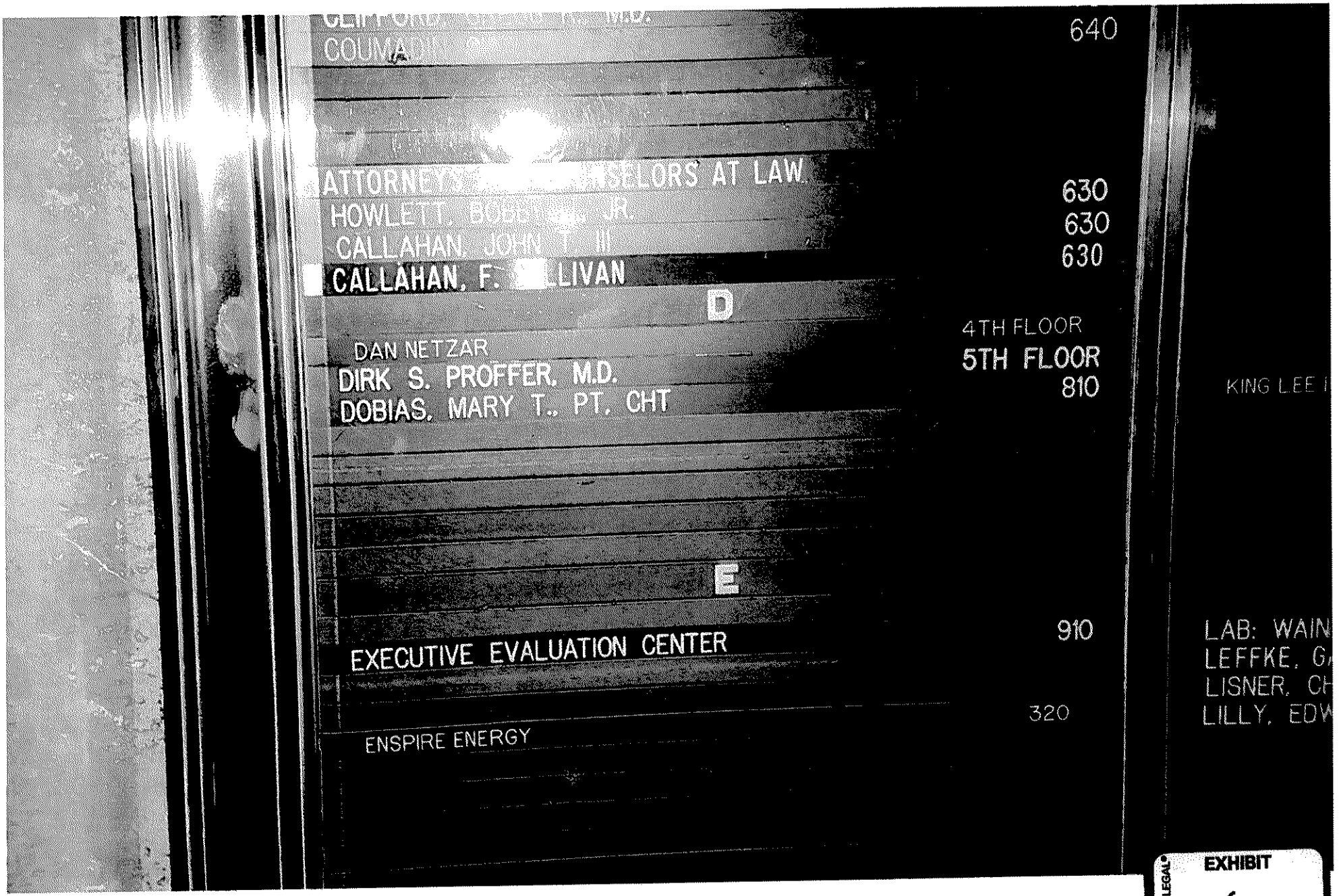
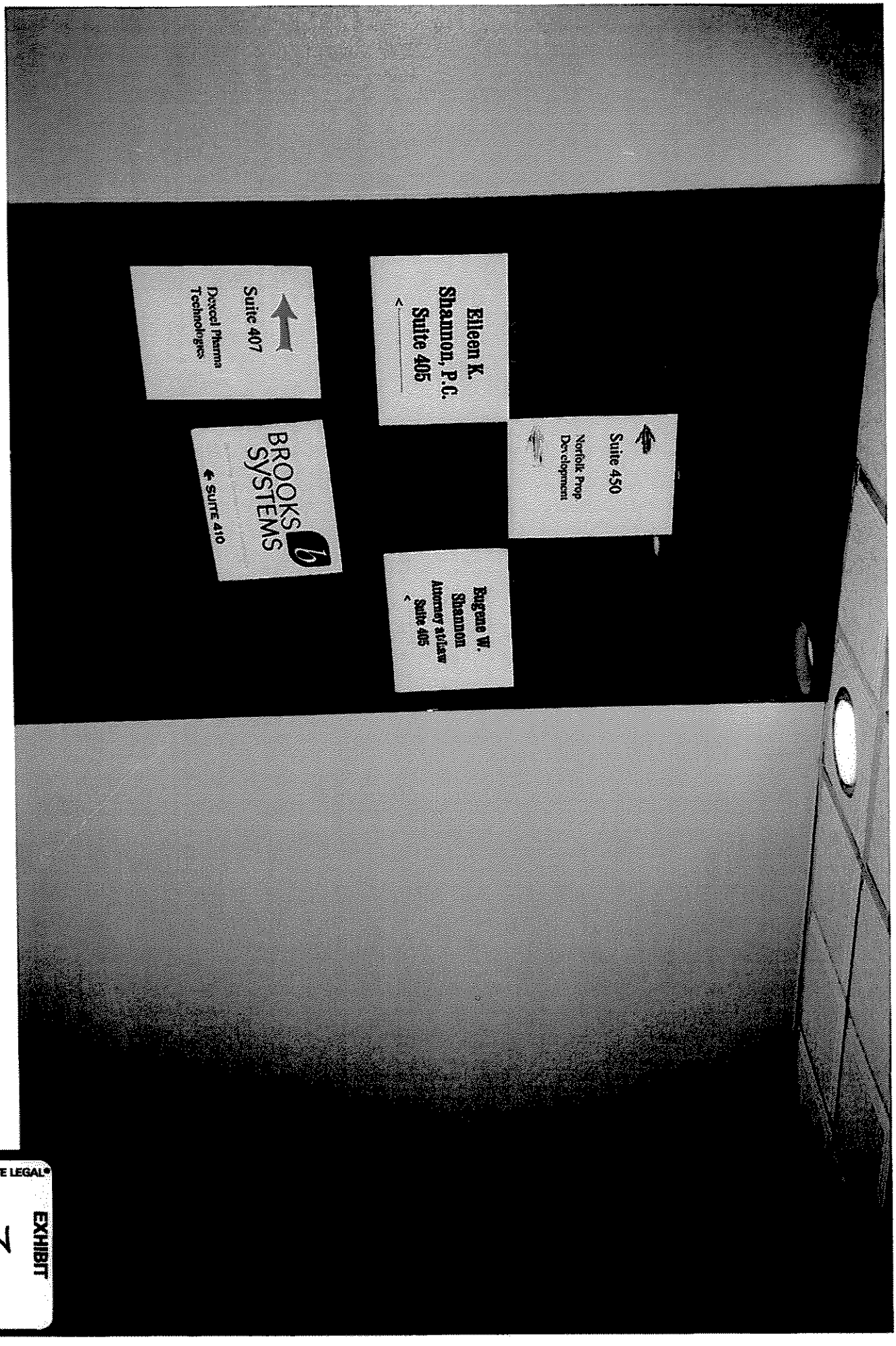


EXHIBIT
6



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EXHIBIT
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