IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ZYMOGENETICS, INC., a Washington Corporation,	)	
Plaintiff,	)	Civil Action No: 06-500-SLR-MPT
v.	)	
BRISTOL-MYERS SQUIBB CO., a Delaware Corporation, and DOES 1 through 100,	)	**REDACTED PUBLIC VERSION**
Defendants.	)	

DECLARATION OF JASON E. JOHNSON IN SUPPORT OF BRISTOL-MYERS SQUIBB COMPANY'S ANSWERING BRIEF OPPOSING ZYMOGENETICS, INC.'S MOTION FOR SUMMARY JUDGMENT OF VALIDITY OF PATENTS-IN-SUIT WITH RESPECT TO THE CAPON PATENTS AND SEED PATENT

I, Jason E. Johnson, hereby declare the following:

1. I am an associate with the law firm of Fitzpatrick, Cella, Harper & Scinto, attorneys for Defendant Bristol-Myers Squibb Company ("Bristol") in this action. I submit this Declaration in support of Bristol's Answering Brief Opposing Plaintiff ZymoGenetics, Inc.'s Motion For Summary Judgment of Validity Of Patents-In-Suit With Respect To The Capon Patents And Seed Patent.

2. Attached hereto as Validity Answering Brief ("V.A.B.") Exhibit 1 is a true and correct copy of excerpts of the Transcript of the August 8, 2007 Andrzej Sledziewski Deposition, at 89-92, 105-112, 181-188 and 193-196.

3. Attached hereto as V.A.B. Exhibit 2 is a true and correct copy of excerpts of the Transcript of the May 5, 2008 Paul Edward Purdue Deposition, at 173-176, 217-224, 229-236 and 245-248

4. Attached hereto as V.A.B. Exhibit 3 is a true and correct copy of excerpts of the Transcript of the November 8, 2007 Steven Levin Deposition, at 25-28 and 57-60.

5. Attached hereto as V.A.B. Exhibit 4 is a true and correct copy of Plaintiff ZymoGenetics' October 15, 2007 Fifth Supplemental Response to Bristol-Myers Squibb Company's First Set of Interrogatories: No. 4.

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

Executed this 18th day of August, 2008, in New York, New York.

Jason E. Johnson

Exhibits 1-4 Redacted In Their Entirety

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing to the following and which has also been served as noted:

BY HAND DELIVERY AND E-MAIL

Philip A. Rovner
Potter, Anderson & Corroon
Hercules Plaza - 6th Floor
Wilmington, DE 19899

I hereby certify that on August 18, 2008, the foregoing document was sent to the following non-registered participants in the manner indicted:

BY E-MAIL

Paul J. Andre
King & Spalding, LLP
1000 Bridge Parkway
Suite 100
Redwood Shores, CA 94065

/s/ Kelly E. Farnan
Kelly E. Farnan (#4395)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing to the following and which has also been served as noted:

BY HAND DELIVERY

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