IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PAPST LICENSING GMBH & CO. KG,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 07-415-***
	)	
OLYMPUS CORPORATION; OLYMPUS IMAGING AMERICA, INC.,	)	
	)	
	)	
Defendants.	)	

DECLARATION OF DAVID H. BEN-MEIR
IN OPPOSITION TO PLAINTIFF'S MOTION TO STAY

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Dated: September 7, 2007

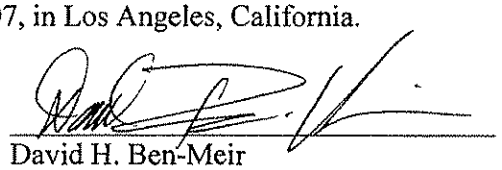
I, David H. Ben-Meir, declare and state as follows:

1. I am an attorney at law duly licensed to practice in the State of California. I am a partner at Hogan & Hartson, LLP, attorneys of record for defendants Olympus Corporation and Olympus Imaging America, Inc. (collectively, "Olympus") in this action. I submit this Declaration in opposition to plaintiff Papst Licensing GmbH & Co. KG's ("Papst") Motion to Stay the Proceedings Pending the MDL Panel's Ruling on Consolidation. The following is of my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. On August 15, 2007 during a meet and confer teleconference with John Ambrogi, counsel for Papst, I stated that Olympus did not oppose a stay of this matter pending MDL proceedings so long as such a stay is entered after this Court rules on Olympus's motion to transfer this action to the District of Columbia.

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

Executed this 7th day of September, 2007, in Los Angeles, California.



David H. Ben-Meir

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, Kenneth L. Dorsney, hereby certify that on September 7, 2007, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on September 7, 2007, I have Electronically Mailed the document to the following person(s):

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