

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DEC 10 9 37 AM '87

THE JOHNS HOPKINS UNIVERSITY,	)	
a Maryland corporation, BAXTER	)	
HEALTHCARE CORPORATION, a	)	
Delaware corporation, and	)	
BECTON DICKINSON AND COMPANY,	)	
a New Jersey corporation,	)	
	)	Civil Action
Plaintiffs,	)	No. 94-105-RRM
	)	
v.	)	
	)	
CELLPRO, a Delaware corporation,	)	
	)	
Defendant.	)	

**DECLARATION OF DR. BO BJORKSTRAND**

Submitted by:

POTTER ANDERSON & CORROON  
William J. Marsden, Jr. (#2247)  
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Attorneys for Plaintiffs

## DECLARATION OF DR. BO BJÖRKSTRAND

I, Bo Björkstrand, M.D., Ph.D., hereby declare:

1. I am the physician in charge of the autologous stem cell transplantation program at the Karolinska Institute & Huddinge Hospital in Stockholm, Sweden. I am a co-author of some 21 full scientific papers and 52 meeting abstracts published in the fields of autologous and allogeneic bone marrow and stem cell transplantation, multiple myeloma and gene therapy. A copy of my Curriculum Vitae is attached hereto as Exhibit A.

2. I am personally familiar with CellPro's CEPRATE® SC stem cell concentrator. My hospital has used the CellPro system since approximately 1993 and was among the first hospitals in Europe in which the CellPro system was installed. We are currently participating in two clinical trials using the CellPro system for autologous transplantation, one for multiple myeloma patients and one involving gene therapy.

3. I am also personally familiar with Baxter's Isolator® 300i Magnetic Cell Separator System. Our hospital acquired a 300i in December 1996. We have been trained in its use, and we are currently using it in autologous bone marrow and stem cell transplantation.

4. In 1997, we commenced a pilot program in autologous transplantation to compare the results achieved by CellPro's CEPRATE® SC System and Baxter's 300i system. Six patients are currently enrolled in the program. One is a child with neuroblastoma, another is an adult with acute lymphoblastic leukemia, two are adults with multiple myeloma, and two are adults with breast cancer. Thus far, four of the six patients have received transplants, in one case of bone marrow and in the others of peripheral blood stem cells. All four transplants have been successful.

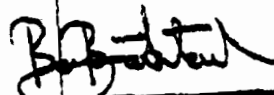
5. In order to compare the cell suspensions obtained using the two different devices, we separate the aspirated blood or bone marrow of each patient into two aliquots. We then perform a CD34+ cell selection by processing one-half the blood or bone marrow through the CellPro system and one-half through the Baxter system. On this basis, I have been able to compare the performance and capabilities of both systems.

6. As far as ease of use, the Baxter system is more fully automated and easier to use than the CellPro system. As far as purity and yield of CD34+ cells, our experience has been that the Baxter system consistently provides higher purity and yield than the CellPro system.

7. We have not experienced problems with either system with respect to toxicities. I understand that CellPro has suggested that the use of magnetic beads bound to antibodies in the Baxter system could present problems for the patient. I have no concerns about the Baxter system in this regard. We have found that the Baxter system very effectively removes the beads from the cells before they are infused in a patient.

8. Based on our experience to date, it is my judgment that use of the Baxter system gives us better results than use of the CellPro system, and we expect to continue using the Baxter system in the future.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 26<sup>th</sup> day of April, 1997.

  
Bo Bjorkstrand, M.D., Ph.D.

# CURRICULUM VITAE

for

BO BJORKSTRAND

BORN IN ÖSTERSUND, SWEDEN, MARCH 8, 1957.

## MARITAL STATUS

Married June 19, 1982 to Eva Bjorkstrand, Ph.D.

Four children born May 31, 1984; May 13, 1985; January 25, 1991 and July 9, 1992.

## DEGREES

M.D., *University of Linköping School of Medicine* 1982  
Ph.D., *Karolinska Institutet, Stockholm* 1996

## POSITIONS

Internship, Departments of Medicine, Surgery,  
Anesthesiology, and Psychiatry, *Motala Hospital*,  
and General Practice, *Njölby and Borensberg* 1982-1984  
Resident, Department of Medicine, *Motala Hospital* 1984-1986  
Resident, Department of Medicine, *Linköping*  
*University Hospital* 1984 and 1986  
Resident, Department of Hematology,  
*Huddinge Hospital & Karolinska Institute* 1986-1988  
Lecturer, Department of Medicine,  
*Karolinska Institute at Huddinge Hospital* 1994-1996  
Assistant Professor, Department of Hematology,  
*Huddinge Hospital & Karolinska Institute* 1989-present

## RESEARCH WORK OVERSEAS

Visiting physician, Research Immunology & Bone Marrow  
Transplantation, *University of Southern California*,  
*Childrens Hospital, Los Angeles, USA*  
(supervisor dr Donald B. Kohn) 1991

## BOARD CERTIFICATION (Sweden)

Specialist in Internal Medicine 1988  
Specialist in Hematology 1992

## SPECIAL POSITIONS

Person in charge of the European Group for Blood and Marrow Transplantation (EBMT) Registry for Autografting in Multiple Myeloma.  
Physician in charge of autologous stem cell transplantation-program at the Karolinska Institute & Huddinge Hospital, Stockholm, Sweden.

## SOCIETY MEMBERSHIPS

European Group for Blood and Marrow Transplantation (EBMT)  
EBMT Myeloma Study Group  
American Society of Hematology (ASH)  
International Society for Experimental Hematology (ISEH)  
International Society for Hematotherapy & Graft Engineering (ISHAGE)  
Swedish Society of Medicine  
Swedish Society of Hematology  
Scandinavian Society of Hematology  
Swedish Society of Oncology

## SCIENTIFIC COURSES

Graduate Course on Cytostatic Drugs in Clinical Trials, Karolinska Institute, Stockholm	1986
Graduate Course on the Molecular Biology of Tumour Cells. Department of Tumour Biology, Karolinska Institute, Stockholm	1988
Bone Marrow Transplantation: Seminars on Recent Advances. Specialist course, British Council. Royal Free Hospital, University College Hospital, Hammersmith Hospital and Royal Postgraduate Medical School, Royal Marsden Hospital and St George's Hospital, London.	1988
Library Instruction and Information Retrieval - Graduate Course. Karolinska Institute Library, Stockholm.	1989
Autologous stem cell transplantation in haematological malignancies. European School of Haematology. Chateau de Mufflers, France.	1991
Gene transfer in animal cells. Graduate course. Karolinska Institute, Stockholm.	1991
Cytostatic drug resistance and interferon. Workshop. Professor Ulrik Ringborg et.al. Wellcome Foundation, London.	1993
University Pedagogics. Karolinska Institute, Stockholm.	1997

## PAPERS

21 full scientific papers and 52 meeting abstracts published in the fields autologous and allogeneic bone marrow and stem cell transplantation, multiple myeloma and gene therapy.

**CERTIFICATE OF SERVICE**

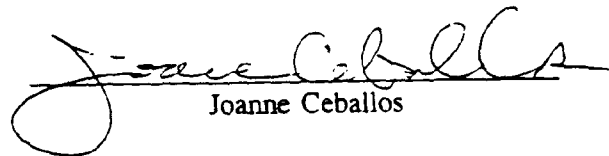
I, Joanne Ceballos, hereby certify that on this 28th day of April, 1997, copies of the within document were caused to be served on the attorneys of record at the following addresses as indicated:

**VIA HAND DELIVERY**

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Joanne Ceballos