

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

Illumina, Inc.,
a corporation, and

and

GRAIL, Inc.,
a corporation,

Respondents.

Docket No. 9401

JOINT STIPULATION TO CORRECT OFFICIAL TRANSCRIPT

Pursuant to 16 C.F.R. § 3.44(b), Respondents Illumina, Inc., GRAIL, LLC and
Complaint Counsel hereby stipulate and agree to correct the official transcript according to the
attached Exhibit A.

Dated: March 7, 2022

Respectfully submitted,

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EXHIBIT A

WITNESS: Christopher Della Porta

DATE: August 25, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 458 | 22 | “Comarketing” should be “Co-marketing” | To correct stenographic error. |
| 535 | 18 | [REDACTED] | To correct stenographic error. |
| 545 | 17 | [REDACTED] | To correct stenographic error. |
| 545 | 20 | [REDACTED] | To correct stenographic error. |

WITNESS: William Cance

DATE: August 26, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------------------|--------------------------------|
| 626 | 14 | “from” should be “relative to” | To correct stenographic error. |

WITNESS: Nicole Berry

DATE: August 27, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---|--------------------------------|
| 715 | 9 | “45 percent” should be “43 percent” | To correct stenographic error. |
| 716 | 1 | “\$100 per genome” should be “\$600 per genome” | To correct stenographic error. |

WITNESS: Ken Chahine

DATE: August 30, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------|--------------------------------|
| 1069 | 17 | [REDACTED] | To correct stenographic error. |
| 1119 | 2 | [REDACTED] | To correct stenographic error. |

WITNESS: Dr. Darya Chudova

DATE: August 30-31, 2021

CASE: In the Matter of Illumina, Inc. and Grail, Inc., Docket No. 9401

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|------------------------|--------------------------------|
| 1188 | 12 | "2005" should be "205" | To correct stenographic error. |

WITNESS: Hans Bishop

DATE: August 31, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---|--------------------------------|
| 1317 | 5 | change “responsible to proposing” to “responsible for proposing” | To correct stenographic error. |
| 1328 | 5-6 | change “ensuring the overall process content was all of” to “ensuring the overall process and content was all of” | To correct stenographic error. |
| 1361 | 17 | change “Bayer that most significant part” to “Bayer, the most significant part” | To correct stenographic error. |
| 1373 | 14 | change “regions in DNA that comes from a tumor” to “regions in DNA that come from a tumor” | Clarity |
| 1375 | 4-5 | change “cancers that we yet have sufficient data on” to “cancers that we don’t yet have sufficient data on” | Clarity |
| 1378 | 23 | change “Well, finish comes in various phases” to “Well, finishing comes in various phases” | To correct stenographic error. |
| 1381 | 14 | change “generated on an Illumina sequence” to “generated on an Illumina sequencer” | To correct stenographic error. |
| 1385 | 13-14 | change “We’ve got a positive finding on your mammogram,” to “ ‘We’ve got a positive finding on your mammogram,’ “ | To correct stenographic error. |
| 1388 | 19 | change “become familiar of them through colleague” to “become familiar with them through colleague” | To correct stenographic error. |
| 1406 | 5-6 | change “outside the United States will have a series of” to “outside the United States will require a series of” | Clarity |

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|---------------------------|
| 1406 | 7-8 | change "any experience of that" to "any experience in that" | Clarity |
| 1416 | 17 | Change "abilities that Illumina have will" to "abilities that Illumina has will" | Clarity |

WITNESS: Kevin Conroy

DATE: September 2, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------|--------------------------------|
| 1756 | 9 | | To correct stenographic error. |

WITNESS: Alexander Aravanis

DATE: September 3, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------------------------|--------------------------------|
| 1972 | 21 | "Guardant's" should be "Natera's" | To correct stenographic error. |

WITNESS: Andrew Felton

DATE: September 3, 9, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------|--------------------------------|
| 2022 | 7-8 | | To correct stenographic error. |
| 2039 | 6 | | To correct stenographic error. |


WITNESS: John Leite

DATE: September 9, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 2123 | 1 | | Clarity |
| 2127 | 11 | | To correct stenographic error. |
| 2153 | 10 | Change "call" to "called" | To correct stenographic error. |
| 2169-70 | 25-1 | Change "not likelihood" to "unlikelihood" | Clarity |
| 2183 | 5 | Add "knowledge" after "sophisticated" | Clarity |
| 2185 | 11 | Change "were really experienced and knew" to "were really experienced, knew" | Clarity |
| 2185 | 14 | Change "Illumina, as evidence" to "Illumina. As evidence," | Clarity |

WITNESS: Francis deSouza**DATE: September 9-10, 2021****CASE: Illumina/Grail**

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---|--------------------------------|
| 2201 | 16 | Change "SO" to "so" | Clarity |
| 2201 | 16 | Change "US" to "us" | Clarity |
| 2209 | 7 | Change "plat will I" to "Flatley" | To correct stenographic error. |
| 2209 | 7 | Change "May marks," to "My marks," | To correct stenographic error. |
| 2225 | 19 | Change "obviously" to "obvious" | To correct stenographic error. |
| 2303 | 14 |  | Clarity |
| 2330 | 13 | Change "on" to "in" | Clarity |
| 2335 | 20 | Remove "including" | Clarity |
| 2335 | 20 | Change "the call" to "a call" | Clarity |
| 2337 | 9 | Change "allow" to "loud" | To correct stenographic error. |
| 2344 | 21 | Add "on" after "working" | Clarity |
| 2344 | 22 | Add "on" after "working" | Clarity |
| 2355 | 1 | Add "to" after "consumables" | Clarity |
| 2371 | 23 | Change "in to you position" to "into your possession" | Clarity |
| 2380 | 2 | Add "elsewhere" after "genomes" | Clarity |
| 2382 | 15 | Change "are" to "is" | Clarity |
| 2446 | 13 | Add "rare" after "very" | Clarity |

WITNESS: Gary Gao**DATE: September 13, 2021****CASE: Illumina/Grail**

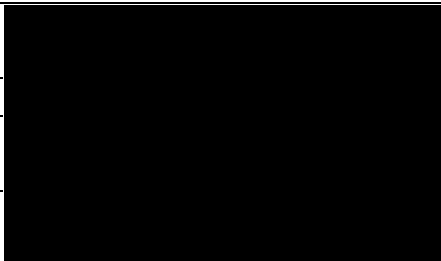
| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|---------------|--------------|--|--------------------------------|
| 2861 | 24 | "Pollinator" should be "Polonator" | To correct stenographic error. |
| 2866 | 5 | "funding" should be "finding" | To correct stenographic error. |
| 2866 | 12 | "Sequenom." to "Sequenom?" | To correct stenographic error. |
| 2874 | 1 | "colonoscope" should be "colonoscopy" | To correct stenographic error. |
| 2875 | 7 | "10,000 CpG DNA methylation status" should be "10,000 CpG DNA methylation sites" | To correct stenographic error. |
| 2876 | 17-18 | "didn't approve" should be "didn't prove" | To correct stenographic error. |
| 2877 | 24 | "10,000 CBG sites" should be "10,000 CpG sites" | To correct stenographic error. |
| 2888 | 6-7 | "about 20 to 50 million dollars" should be "about 250 million dollars" | To correct stenographic error. |
| 2890 | 1-2 | "early cancel detection" should be "early cancer detection" | To correct stenographic error. |
| 2893 | 7-8 | "use of ingesting algae" should be "use of NGS technology" | To correct stenographic error. |
| 2901 | 24-25 | "the essential equipment reagents" should be "essential equipment and reagents" | To correct stenographic error. |
| 2908 | 21 | "no other funder" should be "no other founder" | To correct stenographic error. |
| 2925 | 2 | "with few Don university" should be "with Fudan University" | To correct stenographic error. |
| 2925, 2926 | 25, 1 | "few Don University" should be "Fudan University" | To correct stenographic error. |
| 2933 | 15-16 | "market a MDT test" should be "market a LDT test" | To correct stenographic error. |

WITNESS: Aaron Freidin

DATE: September 14, 2021

CASE: Illumina/Grail

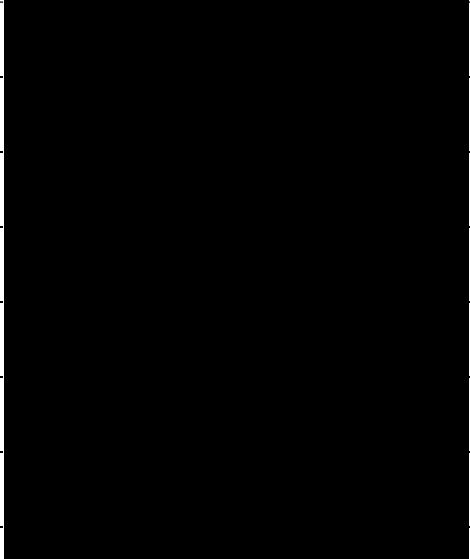
| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--|
| 2964 | 16 | “Senior vice president of finance” to “Senior Vice President of Finance” | To correct stenographic error. |
| 2964 | 17-18 | “senior vice president of finance” to “Senior Vice President of Finance” | To correct stenographic error. |
| 2964 | 19-21+ | “senior vice president of finance” to “Senior Vice President of Finance” | To correct stenographic error. |
| 2964 | 23 | “vice president of finance” to “Vice President of Finance” | To correct stenographic error. |
| 2964 | 24 | “senior director and director of finance” to “Senior Director and Director of Finance” | To correct stenographic error. |
| 2965 | 13 | “(indiscernible)” to “a genetic screening” | To correct stenographic error. & Clarity |
| 2965 | 16 | “(indiscernible)” to “Sunnyvale” | To correct stenographic error. & Clarity |
| 2968 | 14 | “an” to “a” | To correct stenographic error. |
| 2972 | 22 | “regular” to “regularly” | Clarity |
| 2977 | 9 | “price [sic] at a lower test [sic]” to “test at a lower price “ | Clarity |
| 2977 | 24 | “royalty perpetuity” to “perpetual royalty” | Clarity |
| 2981 | 23 | “made” to “makes” | Clarity |
| 2983 | 19 | “to diligence” to “diligence into” | Clarity |
| 2993 | 23 | “guided” to “in the guidelines” | Clarity |
| 2998 | 20 | “State” to “state” | To correct stenographic error. |
| 3005 | 20 | “and until” to “Until” | To correct stenographic error. |
| 3009 | 6 | “in the” to “in the UK” | Clarity |
| 3016 | 19 | “closes” to “close” | To correct stenographic error. |
| 3048 | 17 | [REDACTED] | Clarity |
| 3048 | 23 | | To correct stenographic error. |
| 3087 | 7 | | To correct stenographic error. |
| 3108-3109 | 25-1 | | To correct stenographic error. |

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 3109 | 22 |  | To correct stenographic error. |
| 3111 | 8 | | To correct stenographic error. |
| 3132 | 19 | | To correct stenographic error. |
| 3133 | 5 | | Clarity |
| 3139 | 3 | “CDR” should be changed to “CVR” | To correct stenographic error. |
| 3145 | 2 | “verse” to “versus” | To correct stenographic error. |
| 3151 | 24-25 | “the synergies” to “dissynergies” | To correct stenographic error. |
| 3152 | 3-4 | “the synergies” to “dissynergies” | To correct stenographic error. |
| 3153 | 16 | “it all eliminates” to “it’s all eliminated” | To correct stenographic error. |
| 3165 | 13 | “chief commercial officer” to “Chief Commercial Officer” | To correct stenographic error. |
| 3165 | 18 | “Linda Montileo (phonetic)” to “Linda Mansolillo” | To correct stenographic error. |
| 3165 | 18-19 | “associate director of strategic accounts” to “Associate Director of Strategic Accounts” | To correct stenographic error. |
| 3165 | 20 | “senior director of national accounts” to “Senior Director of National Accounts” | To correct stenographic error. |
| 3165 | 24-25 | “senior VP of software engineering and chief security officer” to “Senior VP of Software Engineering and Chief Security Officer” | To correct stenographic error. |
| 3166 | 6 | “director of software development” to “Director of Software Development” | To correct stenographic error. |

WITNESS: Joshua Ofman

DATE: September 15, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---|--------------------------------|
| 3279 | 9 | “deCODE Genomics [sic]” should be “deCODE Genetics” | To correct stenographic error. |
| 3280 | 9 | “do and that what” should be “do and what” | To correct stenographic error. |
| 3287 | 22 | “weights” should be “weighs” | To correct stenographic error. |
| 3288 | 25 | “test, needs” should be “test, it needs” | To correct stenographic error. |
| 3290 | 16 | “at elevated” should be “at an elevated” | To correct stenographic error. |
| 3295 | 16 | “CT, are we finding the same cancers, are” should be “CT. Are we finding the same cancers? Are” | To correct stenographic error. |
| 3295 | 17 | “finding different cancers, so good” should be “finding different cancers? So there are good” | To correct stenographic error. |
| 3296 | 6-7 | “to submit” should be “to be submitted” | To correct stenographic error. |
| 3301 | 4 | “data are out” should be “data is out” | To correct stenographic error. |
| 3313 | 25 | “Thrive Early [sic] Detection” should be “Thrive Earlier Detection” | To correct stenographic error. |
| 3355 | 9 |  | To correct stenographic error. |
| 3359 | 21 | | To correct stenographic error. |
| 3393 | 4 | | To correct stenographic error. |
| 3393 | 14 | | To correct stenographic error. |
| 3394 | 3 | | To correct stenographic error. |
| 3398 | 1 | | To correct stenographic error. |
| 3416 | 16 | | To correct stenographic error. |
| 3426 | 3 | | To correct stenographic error. |

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 3447 | 12 | "Beacon Dickinson" should be "Becton Dickinson" | To correct stenographic error. |

WITNESS: Fiona Scott Morton

DATE: September 16, 2021 (Trial Deposition)

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------|--------------------------------|
| 155 | 5 | | To correct stenographic error. |

WITNESS: Richard Abrams

DATE: September 17, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 3604 | 14-15 | “surgery, obstetrics, and” should be “surgery. And” | To correct stenographic error. |
| 3604 | 17 | “women that” should be “women who” | To correct stenographic error. |
| 3605 | 13 | “late, involved with annual examinations, in our” should be “late, I am involved with annual examinations, which in our” | Clarity |
| 3605 | 14 | “clinic very” should be “clinic are very” | To correct stenographic error. |
| 3605 | 15 | “day dealing” should be “day, I am dealing” | Clarity |
| 3607 | 7 | “Alpha, would” should be “Alpha, which would” | To correct stenographic error. |
| 3607 | 16 | “University” should be “the University” | To correct stenographic error. |
| 3613 | 10 | “anything you learned” should be “anything you learn” | To correct stenographic error. |
| 3617 | 19 | “asking their” should be “asking about their” | To correct stenographic error. |
| 3618 | 7 | “search” should be “a search” | To correct stenographic error. |
| 3618 | 9-10 | “best is true what” should be “best is what” | To correct stenographic error. |
| 3619 | 16 | “you mean” should be “you mind” | To correct stenographic error. |
| 3621 | 10 | “primary physician’s physician” should be “primary care physician’s decision” | To correct stenographic error. |
| 3624 | 17 | “primary in” should be “primarily in” | To correct stenographic error. |
| 3624 | 18 | “colon, in lung” should be “the colon, in the lung” | To correct stenographic error. |
| 3626 | 9-10 | “I would sooner have the most - - screening for the most cancers that can be detected.” Should be “I would rather have the most - - screening for the most cancers that can be detected sooner.” | Clarity |

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---|--------------------------------|
| 3626 | 18 | “early treatable” should be “early, treatable” | To correct stenographic error. |
| 3635 | 25 | “contribute informed” should be “be informed” | To correct stenographic error. |
| 3637 | 11 | “Hopkins call CancerSEEK” should be “Hopkins called CancerSEEK” | To correct stenographic error. |
| 3638 | 23 | “cancer, is there” should be “cancer, whether there is” | Clarity |
| 3648 | 16-17 | “Hans Sosa (phonetic) from Illumina” should be “Hans Bishop from GRAIL” | Clarity |
| 3651 | 24 | “reports” should be “report” | To correct stenographic error. |

WITNESS: Richard Cote

DATE: September 20-21, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---|--------------------------------|
| 3769 | 11 | “Singular’s first platform” should be “Singlera’s first platform” | To correct stenographic error. |
| 3840 | 12 | [REDACTED] | To correct stenographic error. |

WITNESS: Jay Flatley

DATE: September 21, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|---------------------------|---------------------------|
| 4078 | 12 | Change "seven" to "eight" | Clarity |
| 4084 | 2 | Change "and" to "with" | Clarity |

WITNESS: Arash Jamshidi

DATE: September 21, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 4013 | 10 | “Senior vice president of data sciences” to “Senior Vice President of Data Sciences” | To correct stenographic error. |
| 4014 | 2 | “SVP of data sciences” to “SVP of Data Sciences” | To correct stenographic error. |
| 4014 | 13-14 | “senior vice president of data sciences” to “Senior Vice President of Data Sciences” | To correct stenographic error. |
| 4014 | 17-18 | “SVP of data sciences” to “SVP of Data Sciences” | To correct stenographic error. |
| 4014 | 25 | “senior vice president of data sciences” to “Senior Vice President of Data Sciences” | To correct stenographic error. |
| 4015 | 1-2 | “vice president of bioinformatics and data sciences” to “Vice President of Bioinformatics and Data Sciences” | To correct stenographic error. |
| 4015 | 13 | “associate director of research” to “Associate Director of Research” | To correct stenographic error. |
| 4015 | 16-17 | “senior staff scientist, staff scientist” to “Senior Staff Scientist, Staff Scientist” | To correct stenographic error. |
| 4017 | 5 | “SVP of data sciences” to “SVP of Data Sciences” | To correct stenographic error. |
| 4027 | 8-9 | [REDACTED] | To correct stenographic error. |
| 4053 | 6 | | To correct stenographic error. |
| 4060 | 7-8 | | To correct stenographic error. |

WITNESS: Dr. Phil Febbo

DATE: September 23, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--|--------------------------------|
| 4331 | 14 | Change "our sequencing and screening" to "our sequencing in screening" | To correct stenographic error. |

WITNESS: Ammar Qadan

DATE: September 23, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------|--------------------------------|
| 4229 | 22 | [REDACTED] | To correct stenographic error. |
| 4230 | 1 | | To correct stenographic error. |
| 4230 | 5 | | To correct stenographic error. |
| 4230 | 13 | | To correct stenographic error. |
| 4243 | 23 | | To correct stenographic error. |
| 4243 | 1 | | To correct stenographic error. |
| 4243 | 13 | | To correct stenographic error. |
| 4244 | 4 | | To correct stenographic error. |
| 4244 | 7 | | To correct stenographic error. |
| 4244 | 13 | | To correct stenographic error. |
| 4244 | 23 | | To correct stenographic error. |
| 4246 | 13 | | To correct stenographic error. |
| 4246 | 18-19 | | To correct stenographic error. |
| 4246 | 22 | | To correct stenographic error. |
| 4247 | 25 | | To correct stenographic error. |

WITNESS: Jorge Velarde

DATE: September 24, 2021

CASE: Illumina/Grail

| PAGE: | LINE: | CORRECTION: | REASON FOR CHANGE: |
|--------------|--------------|--------------------------|--------------------------------|
| 4523 | 5 | "MySeq D3" to "MiSeq v3" | To correct stenographic error. |
| 4523 | 9 | "MySeq D3" to "MiSeq v3" | To correct stenographic error. |
| 4524 | 17 | "MySeq" to "MiSeq" | To correct stenographic error. |
| 4525 | 1 | "HD Seq" to "HD-Seq" | To correct stenographic error. |
| 4567 | 1 | | To correct stenographic error. |
| 4567 | 2 | | To correct stenographic error. |

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2022, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Acting Secretary Federal Trade Commission 600
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ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I also certify that I caused the foregoing document to be served via email to:

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March 7, 2022

Respectfully submitted,

/s/ Sharonmoyee Goswami

Sharonmoyee Goswami

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

March 7, 2022

/s/ Sharonmoyee Goswami
Sharonmoyee Goswami