

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : CASE NO. 03-4837 (DMC)
EX REL. DR. HELENE Z. HILL, :
 :
 Plaintiff, :
 :
 v. :
 :
 UNIVERSITY OF MEDICINE & :
 DENTISTRY OF NEW JERSEY, :
 DR. ROGER W. HOWELL and :
 DR. ANUPAM BISHAYEE, :
 :
 Defendants. : **CERTIFICATION OF**
 : **SHELDON H. PINCUS**

Sheldon H. Pincus, being of full age and realizing the consequences of the certification appearing below, says:

1. I am an Attorney at Law of the State of New Jersey and a senior partner in the firm of Bucceri & Pincus, Esqs. I have the primary responsibility of representing the Plaintiff/Relator, Dr. Helene Z. Hill (hereinafter "Hill") in the above captioned matter. As such I have personal knowledge of the facts set forth in this certification.

2. I make this certification in support of a Motion for Summary Judgment in this matter.

3. Because of the number of Exhibits which Hill's Motion for Summary Judgment and Statement of Undisputed Material

Facts makes reference to, as well as the voluminous number of pages that those Exhibits consist of, I was concerned about my ability to file all of those exhibits through the Electronic Court Filing (ECF) system. Consequently, I undertook to telephone the Help Desk for ECF and explained my concerns. The Help Desk confirmed that attempting to upload thousands of pages might well cause a system disruption. I thereafter requested to know whether I might file the Motion for Summary Judgment, Certification(s), Brief, and the Statement of Undisputed Material Facts electronically, but without any of the Exhibits attached. As to those Exhibits, I proposed to place them in .pdf form onto a CD and provide copies thereof to my adversary, the Court and the Clerk.

The Help Desk clerk advised that it appeared to be a reasonable and prudent manner of proceeding, but that I should request permission to do so from Judge Cavanaugh's chambers.

4. I thereafter spoke with Judge Cavanaugh's Law Clerk, Robert A. Galuntucci, Esq., and his Courtroom Deputy, Scott Cregan. Upon explaining the logistical concerns and recommendations that the ECF Help Desk had express to me, Mr. Cregan advised that it would be an acceptable for me to electronically file the Motion for Summary Judgment, Certification(s), Brief, and the Statement of Undisputed

Material Facts (without the Exhibits annexed) and to provide hard copies of these documents to the Court, the Clerk, and my adversary along with the CD containing the exhibits in .pdf form.

5. Hill S.J. Exhibit 1 is a true copy of Hill's Certified Written Disclosure, dated October 10, 2003, that was filed with the Court to initiate this case.

6. Hill S.J. Exhibit 2 is a true copy of Exhibit 1 that was annexed to Hill's Certified Written Disclosure and is Hill's Curriculum Vitae.

7. Hill S.J. Exhibit 3 is a true copy of Exhibit 4 that was annexed to Hill's Certified Written Disclosure and is the October 29, 1999 Grant Application that defendant Howell submitted to NIH. The Exhibit was further provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901. See generally, Estes Exp. Lines, Inc. v Macy's Corporate Services, 2010 WL 398749 (D.N.J. 2010); Shell Trademark Mgmt. B.V. v Ray Thomas Petroleum Company, Inc., 642 F.Supp.493, 511 (W.D. N.C. 2009).

8. Hill S.J. Exhibit 4 is a true copy of Exhibit 5 that was annexed to Hill's Certified Written Disclosure and is the September 20, 1999 experiment that was performed by Defendant Bishayee. The Exhibit was further provided by

defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

9. Hill S.J. Exhibit 5 is a true copy of Exhibit 6 that was annexed to Hill's Certified Written Disclosure and are the documented personal observations of Dr. Hill for the period October 11-23, 1999.

10. Hill S.J. Exhibit 6 is a true copy of Exhibit 7 that was annexed to Hill's Certified Written Disclosure and is the September 6, 1999 experiment that was performed by Defendant Bishayee. The Exhibit was further provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

11. Hill S.J. Exhibit 7 is a true copy of Exhibit 8 that was annexed to Hill's Certified Written Disclosure and is a true copy of a Memo to Dr. Elizabeth Raveché, Chairman, Committee on Scientific Integrity from Dr. Hill, dated May 22, 2001.

12. Hill S.J. Exhibit 8 is a true copy of Exhibit 9 that was annexed to Hill's Certified Written Disclosure and is a Graph Entitled "Cell Count as a Function of Dose on Day 3".

13. Hill S.J. Exhibit 9 is a true copy of Exhibit 10 that was annexed to Hill's Certified Written Disclosure and is a paper published by James E. Mosimann, John E. Dahlberg, Nancy

M. Davidian and John W. Kreuger entitled "Terminal Digits and the Examination of Questioned Data", *Accountability in Research*, 9: 75-92, 2002.

14. Hill S.J. Exhibit 10 is a true copy of Exhibit 11 that was annexed to Hill's Certified Written Disclosure and is a paper published by James E. Mosimann, Claire V. Wiseman and Ruth E. Edelman entitled, "Data Fabrication: Can People Generate Random Digits?", *Accountability in Research*, Vol. 4, pp. 31-35.

15. Hill S.J. Exhibit 11 is a true copy of Exhibit 12 that was annexed to Hill's Certified Written Disclosure and is Dr. Hill's Analysis of Coulter Counter Counts by Dr. Bishayee, Dr. Hill and Dr. Lenarczyk.

16. Hill S.J. Exhibit 12 is a true copy of Exhibit 13 that was annexed to Hill's Certified Written Disclosure and is Dr. Hill's Analysis of Scintillation Counts.

17. Hill S.J. Exhibit 13 is a true copy of Exhibit 14 that was annexed to Hill's Certified Written Disclosure and is Dr. Hill's Comparison of Means and Standard Deviations conducted from Drs. Bishayee and Lenarczyk data.

18. Hill S.J. Exhibit 14 is a true copy of Exhibit 16 that was annexed to Hill's Certified Written Disclosure and is a journal paper entitled "Evidence for Pronounced Bystander Effects Caused by Nonuniform Distributions of Radioactivity

using a Novel Three-Dimensional Tissue Culture Model" by **Bishayee, et al. Radiation Research 152: 88 (1999).**

19. Hill S.J. Exhibit 15 is a true copy of Exhibit 17 that was annexed to Hill's Certified Written Disclosure and is a journal paper entitled "Free Radical-Initiated and Gap Junction-Mediated Bystander Effect due to Nonuniform Distribution of Incorporated Radioactivity in a Three-Dimensional Tissue Culture Model" by **Bishayee, et al. Radiation Research 155: 335 (2001).**

20. Hill S.J. Exhibit 16 is a true copy of Exhibit 29 that was annexed to Hill's Certified Written Disclosure and is UMDNJ's Policy on Misconduct in Science adopted on July 15, 1989 and amended on February 1, 2001. The Exhibit was further provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

21. Hill S.J. Exhibit 17 is a true copy of Exhibit 19 that was annexed to Hill's Certified Written Disclosure and is a log of Hill's Observations for Period March 23, 2001 - April 7, 2001.

22. Hill S.J. Exhibit 18 is a true copy of Exhibit 20 that was annexed to Hill's Certified Written Disclosure and is a List of Photographs taken by Drs. Hill and Lenarczyk.

23. Hill S.J. Exhibit 19 is a true copy of Exhibit 21 that was annexed to Hill's Certified Written Disclosure and

consists of the Seventeen (17) photographs identified in Hill S.J. Exhibit 18.

24. Hill S.J. Exhibit 20 is a true copy of Exhibit 22 that was annexed to Hill's Certified Written Disclosure and is a Radioactive Materials Inventory and Disposition Record.

25. Hill S.J. Exhibit 21 is a true copy of Exhibit 23 that was annexed to Hill's Certified Written Disclosure and is pages from Dr. Howell's Lab Notebook. The Exhibit was further provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

26. Hill S.J. Exhibit 22 is a true copy of Exhibit 24 that was annexed to Hill's Certified Written Disclosure and is a List of Radioactivity Counts of the Aliquots taken from the Helena Tubes in the 10.5° incubator on Saturday, March 31, 2001.

27. Hill S.J. Exhibit 23 is a true copy of Exhibit 25 that was annexed to Hill's Certified Written Disclosure and is a Schema for Dr. Howell's Protocol prepared by Hill.

28. Hill S.J. Exhibit 24 is a true copy of Exhibit 26 that was annexed to Hill's Certified Written Disclosure and is a map of the suite of labs drawn by Hill.

29. Hill S.J. Exhibit 25 is a true copy of Exhibit 27 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Raveche to Dr. Hill dated April 12, 2001.

30. Hill S.J. Exhibit 26 is a true copy of Exhibit 28 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Raveche to Dr. Hill dated April 16, 2001.

31. Hill S.J. Exhibit 27 is a true copy of Exhibit 30 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Raveche to Dr. Hill dated June 22, 2001.

32. Hill S.J. Exhibit 28 is a true copy of Exhibit 31 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Saporito, Senior Vice-President for Academic Affairs to Dr. Hill dated July 2, 2001.

33. Hill S.J. Exhibit 29 is a true copy of the Report of Initial Inquiry into Allegations of Potential Misconduct in Science Against Anupam Bishayee, Ph.D. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

34. Hill S.J. Exhibit 30 is a true copy of the Minutes of Initial Inquiry Meetings and Attachments 1-20 Referred to therein. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

35. Hill S.J. Exhibit 31 is a true copy of Attachments 21-22 to the Minutes of the Initial Inquiry. The Exhibit was

provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

36. Hill S.J. Exhibit 32 is a true copy of a Letter from Scott Flynn, Esq. to Sheldon H. Pincus, Esq. dated November 19, 2007.

37. Hill S.J. Exhibit 33 is a true copy of Exhibit 36 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Hill to Dr. Kay Fields dated August 23, 2001.

38. Hill S.J. Exhibit 34 is a true copy of Exhibit 37 that was annexed to Hill's Certified Written Disclosure and is a Letter from Chris B. Pascal, JD to Dr. Hill dated September 5, 2002.

39. Hill S.J. Exhibit 35 is a true copy of a Letter from Dr. Kay Fields to Dr. Karen Putterman, dated September 4, 2001. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

40. Hill S.J. Exhibit 36 is a true copy of a Letter from Dr. Karen Putterman to Dr. Kay Fields, dated September 7, 2001. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

41. Hill S.J. Exhibit 37 is a true copy of a Letter from Director Chris Pascal to Dr. Karen Putterman, dated September 5, 2001. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

42. Hill S.J. Exhibit 38 is a true copy of the ORI Oversight Report, dated September 5, 2002. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

43. Hill S.J. Exhibit 39 is a true copy of the Attachments to the ORI Oversight Report, dated September 5, 2002. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

44. Hill S.J. Exhibit 40 is a true copy of Exhibit 38 that was annexed to Hill's Certified Written Disclosure and is a Letter from Chris B. Pascal, JD to Dr. Hill dated September 5, 2002.

45. Hill S.J. Exhibit 41 is a true copy of Hill's Certified Supplement to Written Disclosure, dated April 6, 2004.

46. Hill S.J. Exhibit 42 is a true copy of Exhibit 15 that was annexed to Hill's Certified Written Disclosure and is a

Graph Entitled "Is There a Bystander Effect for ³H?" prepared by Hill.

47. Hill S.J. Exhibit 43 is a true copy of Exhibit 32 that was annexed to Hill's Certified Written Disclosure and is Dr. Baker's Email sent to Radiology Department and the Attachment to Email dated July 11, 2001 and July 2, 2001, respectively.

48. Hill S.J. Exhibit 44 is a true copy of Exhibit 33 that was annexed to Hill's Certified Written Disclosure and is a Memorandum from Dr. Howell to Dr. Hill dated July 30, 2001, "Assignment of Laboratory Space".

49. Hill S.J. Exhibit 45 is a true copy of Exhibit 34 that was annexed to Hill's Certified Written Disclosure and is a Memorandum from Dr. Howell to Dr. Hill dated July 31, 2001, "Access to Laboratory Space".

50. Hill S.J. Exhibit 46 is a true copy of the Amended Complaint.

51. Hill S.J. Exhibit 47 is a true copy of the Amended Answer to the Complaint.

52. Hill S.J. Exhibit 48 is a true copy of a UMDNJ Staff Transaction Form dated 10/1/97. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

53. Hill S.J. Exhibit 49 is a true copy of a UMDNJ Staff Information Adjustment Form dated 8/17/01. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

54. Hill S.J. Exhibit 50 is a true copy of the National Institutes of Health Grants Policy Statement (10/98). It is available on the internet at the website address identified in the Statement of Undisputed Material Facts.

55. Hill S.J. Exhibit 51 is a true copy of pages cited from the deposition of Dr. Stephen Baker, dated December 29, 2008.

56. Hill S.J. Exhibit 52 is a true copy of the Notice of Grant Award to Howell dated May 31, 2000. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

57. Hill S.J. Exhibit 53 is a true copy of Hill's Certified Amended Answers to Defendants' Interrogatories.

58. Hill S.J. Exhibit 54 is a true copy of Howell's October 2005 Renewal Grant Application. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

59. Hill S.J. Exhibit 55 is a true copy of pages cited from the deposition of Dr. Lenarczyk, October 28, 2008.

60. Hill S.J. Exhibit 56 is a true copy of Lenarczyk Deposition Exhibit 25 and are his authenticated records of an experiment that he conducted on December 26, 2000. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

61. Hill S.J. Exhibit 57 is a true copy of Lenarczyk Deposition Exhibit 26 and are his authenticated records of an experiment that he conducted on January 15, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

62. Hill S.J. Exhibit 58 is a true copy of Lenarczyk Deposition Exhibit 27 and are his authenticated records of an experiment that he conducted on February 5, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

63. Hill S.J. Exhibit 59 is a true copy of Lenarczyk Deposition Exhibit 28 and are his authenticated records of an experiment that he conducted on June 15, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

64. Hill S.J. Exhibit 60 is a true copy of Lenarczyk Deposition Exhibit 29 and are his authenticated records of an experiment that he conducted on July 5, 2001. The Exhibit was

also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

65. Hill S.J. Exhibit 61 is a true copy of Lenarczyk Deposition Exhibit 30 and are his authenticated records of an experiment that he conducted on November 20, 2000. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

66. Hill S.J. Exhibit 62 is a true copy of Lenarczyk Deposition Exhibit 31 and are his authenticated records of an experiment that he conducted on November 28, 2000. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

67. Hill S.J. Exhibit 63 is a true copy of Lenarczyk Deposition Exhibit 32 and are his authenticated records of an experiment that he conducted on February 15, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

68. Hill S.J. Exhibit 64 is a true copy of Lenarczyk Deposition Exhibit 14 and are his authenticated records of an experiment that he conducted on October 2, 2000. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

69. Hill S.J. Exhibit 65 is a true copy of Lenarczyk Deposition Exhibit 15 and are his authenticated records of an experiment that he conducted on December 14, 2000. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

70. Hill S.J. Exhibit 66 is a true copy of Lenarczyk Deposition Exhibit 16 and are his authenticated records of an experiment that he conducted on May 3, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

71. Hill S.J. Exhibit 67 is a true copy of Lenarczyk Deposition Exhibit 17 and are his authenticated records of an experiment that he conducted on May 21, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

72. Hill S.J. Exhibit 68 is a true copy of Lenarczyk Deposition Exhibit 18 and are his authenticated records of an experiment that he conducted on June 21, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

73. Hill S.J. Exhibit 69 is a true copy of Lenarczyk Deposition Exhibit 19 and are his authenticated records of an experiment that he conducted on November 10, 2000. The Exhibit

was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

74. Hill S.J. Exhibit 70 is a true copy of Lenarczyk Deposition Exhibit 20 and are his authenticated records of an experiment that he conducted on November 28, 2000. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

75. Hill S.J. Exhibit 71 is a true copy of Lenarczyk Deposition Exhibit 21 and are his authenticated records of an experiment that he conducted on February 19, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

76. Hill S.J. Exhibit 72 is a true copy of Baker Deposition Exhibit 2 and which he authenticated as the UMDNJ Policy on Funding: Grants and Contracts Proposals.

77. Hill S.J. Exhibit 73 is a true copy of Baker Deposition Exhibit 3 and which he authenticated as the UMDNJ Policy on Funding: Grants and Contracts Administration.

78. Hill S.J. Exhibit 74 is a true copy of Baker Deposition Exhibit 4 and which he authenticated as the UMDNJ Guidelines for Conduct of Research.

79. Hill S.J. Exhibit 75 is a true copy of Baker Deposition Exhibit 8 which Baker authenticated as being a

Memorandum from Howell to Baker dated April 6, 2001, entitled "Integrity of Data". The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

80. Hill S.J. Exhibit 76 is a true copy of pages cited from the deposition of Dr. Howell, December 18, 2008, Vol. I.

81. Hill S.J. Exhibit 77 is a true copy of pages cited from the deposition of Dr. Howell, December 18, 2008, Vol. II.

82. Hill S.J. Exhibit 78 is a true copy of Howell Deposition Exhibit 25 and are his authenticated records of an experiment that he conducted on April 12, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

83. Hill S.J. Exhibit 79 is a true copy of Howell Deposition Exhibit 26 and are his authenticated records of an experiment that he conducted on April 19, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

84. Hill S.J. Exhibit 80 is a true copy of Howell Deposition Exhibit 27 and are his authenticated records of an experiment that he conducted on May 3, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

85. Hill S.J. Exhibit 81 is a true copy of Howell Deposition Exhibit 28 and are his authenticated records of an experiment that he conducted on June 28, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

86. Hill S.J. Exhibit 82 is a true copy of Howell Deposition Exhibit 15 and are his authenticated records of an experiment that he conducted on July 16, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

87. Hill S.J. Exhibit 83 is a true copy of Howell Deposition Exhibit 16 and are his authenticated records of an experiment that he conducted on September 27, 2001. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

88. Hill S.J. Exhibit 84 is a true copy of pages cited from the deposition of Dr. Bishayee, December 22, 2008.

89. Hill S.J. Exhibit 85 is a true copy of a UMDNJ Staff Position/Transaction Form. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

90. Hill S.J. Exhibit 86 is a true copy of pages cited from the deposition of Dr. Hill, January 23, 2009.

91. Hill S.J. Exhibit 87 is a true copy of Exhibit 35 that was annexed to Hill's Certified Written Disclosure and is an August 13, 2001 Memo to Dr. Putterman from Dr. Hill.

92. Hill S.J. Exhibit 88 is a true copy of Exhibit 39 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Hill to Dr. Fields dated November 3, 2001.

93. Hill S.J. Exhibit 89 is a true copy of Exhibit 40 that was annexed to Hill's Certified Written Disclosure and is an Email from Dr. Hill to Dr. Field dated December 12, 2001.

94. Hill S.J. Exhibit 90 is a true copy of Exhibit 41 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Hill to Dr. Price dated August 22, 2002.

95. Hill S.J. Exhibit 91 is a true copy of Exhibit 42 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Price to Hill dated September 5, 2002.

96. Hill S.J. Exhibit 92 is a true copy of Exhibit 43 that was annexed to Hill's Certified Written Disclosure and is a Letter to Dr. Hill from Dr. Forrester dated November 25, 2002.

97. Hill S.J. Exhibit 93 is a true copy of Exhibit 44 that was annexed to Hill's Certified Written Disclosure and is the UMDNJ Policy on Misconduct in Science adopted on July 15, 1989 and amended on October 18, 2002. The Exhibit was provided

by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

98. Hill S.J. Exhibit 94 is a true copy of Exhibit 45 that was annexed to Hill's Certified Written Disclosure and is a Letter from Dr. Saporito to Dr. Hill dated March 21, 2003.

99. Hill S.J. Exhibit 95 is a true copy of Second Campus Committed on Research Integrity dated March 3, 2003. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

100. Hill S.J. Exhibit 96 is a true copy of the U.S. Department of Health and Human Services Form PHS 2590.

101. Hill S.J. Exhibit 97 is a true copy of Howell's Progress Report for the period 7/1/00-6/30/01. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

102. Hill S.J. Exhibit 98 is a true copy of Howell's Progress Report for the period 7/1/01-6/30/02. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

103. Hill S.J. Exhibit 99 is a true copy of Howell's Progress Report for the period 7/1/02-6/30/03. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

104. Hill S.J. Exhibit 100 is a true copy of Howell's Progress Report for the period 7/1/03-6/30/04. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

105. Hill S.J. Exhibit 101 is a true copy of a Notice of Grant dated July 12, 2006. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

106. Hill S.J. Exhibit 102 is a true copy of Howell Deposition Exhibit 29 and is his authenticated report entitled "Summary of Experiments". The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

107. Hill S.J. Exhibit 103 is a true copy of a Subpoena Duces Tecum issued to UMDNJ/Howell by the U.S. Dept. of Health and Human Services, Offices of the Inspector General, dated November 2004. The Exhibit was also provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

108. Hill S.J. Exhibit 104 is a true copy of the Expert Report/C.V. of Dr. Joel Pitt.

109. Hill S.J. Exhibit 105 is a true copy of the Certification of Dr. Nicholas Ziats.

110. Hill S.J. Exhibit 106 is a true copy of the Certification of Dr. Woodring Wright.

111. Hill S.J. Exhibit 107 is a true copy of pages cited from the deposition of Dr. Pitt, September 2, 2009.

112. Hill S.J. Exhibit 108 is a true copy of the Expert Report of Dr. Michael E. Robbins.

113. Hill S.J. Exhibit 109 is a true copy of the C.V. of Dr. Michael E. Robbins.

114. Hill S.J. Exhibit 110 is a true copy of a document prepared by Dr. Hill and entitled: "The Effect of Tritiated Thymidine and Hypoxia on the Cell Cycle as it Pertains to Experiments Performed in the Howell Laboratory Between 1999 and 2001". It was supplied to defendants in amended responses to document production requests and further certified to by Plaintiff in her Amended Answers to Interrogatories (Hill S.J. Exhibit 46)

115. Hill S.J. Exhibit 111 is a true copy of a document prepared by Dr. Hill and entitled: A Power Point Presentation entitled "Evidence Supporting Allegations of Fraud at the N.J. Medical School". It was supplied to defendants in responses to document production requests and further certified to by Plaintiff in her Amended Answers to Interrogatories (Hill S.J. Exhibit 46)

116. Hill S.J. Exhibit 112 (a) and (b) are true copies of the data/experiments files that are identified in the report of Dr. Joel Pitt. The folder references (e.g. B013507) can be found by opening the applicable file contained within this file folder. The Exhibit was provided by defendants in discovery. As such it has been self-authenticated in accordance with Fed. R. Evid. R. 901.

CERTIFICATION

The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/Sheldon H. Pincus/
Sheldon H. Pincus
Bucceri and Pincus, Esqs.
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Dated: