

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ACUITAS THERAPEUTICS INC.,

Plaintiff,

vs.

GENEVANT SCIENCES GMBH, and
ARBUTUS BIOPHARMA CORP.,

Defendants.

Case No. 1:22-cv-02229-MKV

**DECLARATION OF MATTHEW D. ROBSON IN SUPPORT OF DEFENDANTS’
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

I, Matthew D. Robson, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a member of the bar of this Court and a partner at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Genevant Sciences GmbH (“Genevant”) in this action.

2. I respectfully submit this declaration in support of Defendants’ Motion to Dismiss the First Amended Complaint, filed concurrently herewith, and to submit true and correct copies of certain documents.

3. Attached hereto as Exhibit A is a true and correct copy of a document titled “License and Co-Development Agreement,” dated July 4, 2018 between BioNTech RNA Pharmaceuticals GmbH and Genevant, publicly available at <https://www.sec.gov/Archives/edgar/data/1776985/000119312519241112/d635330dex1017.htm>, truncated to remove the exhibits thereto.

4. Attached hereto as Exhibit B is a true and correct copy of a letter dated November 23, 2020, from Genevant and Arbutus Biopharma Corporation to Pfizer Inc., with copy to BioNTech SE and BioNTech US Inc.

5. Attached hereto as Exhibit C is a true and correct copy of a letter dated October 12, 2021, from Genevant and Arbutus Biopharma Corporation to Pfizer Inc., with copy to BioNTech SE and BioNTech US Inc.

6. Attached hereto as Exhibit D is a true and correct copy of a printout of the Acuitas webpage located at <https://acuitastx.com/wp-content/uploads/2022/01/Acuitas-Pfizer-Agreement-Release.pdf> (visited October 2, 2022).

7. Attached hereto as Exhibit E is a true and correct copy of a printout of the PR Newswire webpage located at <https://www.prnewswire.com/news-releases/myeloid-therapeutics-enters-into-agreement-with-acuitas-therapeutics-for-lipid-nanoparticle-lnp-system-enabling-the-first-ever-delivery-of-mrna-encoded-cars-directly-to-humans-301551149.html> (visited October 2, 2022).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 4, 2022, in New York, New York.

/s/ Matthew D. Robson

Matthew D. Robson