

## AFFIDAVIT OF NATHANIEL E FRANK-WHITE

1. I am a Records Request Processor at the Internet Archive. I make this declaration of my own personal knowledge.
2. The Internet Archive is a website that provides access to a digital library of Internet sites and other cultural artifacts in digital form. Like a paper library, we provide free access to researchers, historians, scholars, and the general public. The Internet Archive has partnered with and receives support from various institutions, including the Library of Congress.
3. The Internet Archive has created a service known as the Wayback Machine. The Wayback Machine makes it possible to browse more than 450 billion pages stored in the Internet Archive's web archive. Visitors to the Wayback Machine can search archives by URL (i.e., a website address). If archived records for a URL are available, the visitor will be presented with a display of available dates. The visitor may select one of those dates, and begin browsing an archived version of the Web. Links on archived files in the Wayback Machine point to other archived files (whether HTML pages or other file types), if any are found for the URL indicated by a given link. For instance, the Wayback Machine is designed such that when a visitor clicks on a hyperlink on an archived page that points to another URL, the visitor will be served the archived file found for the hyperlink's URL with the closest available date to the initial file containing the hyperlink.
4. The archived data made viewable and browsable by the Wayback Machine is obtained by use of web archiving software that automatically stores copies of files available via the Internet, each file preserved as it existed at a particular point in time.
5. The Internet Archive assigns a URL on its site to the archived files in the format `http://web.archive.org/web/[Year in yyyy][Month in mm][Day in dd][Time code in hh:mm:ss]/[Archived URL]` aka an "extended URL". Thus, the extended URL `http://web.archive.org/web/19970126045828/http://www.archive.org/` would be the URL for the record of the Internet Archive home page HTML file (`http://www.archive.org/`) archived on January 26, 1997 at 4:58 a.m. and 28 seconds (1997/01/26 at 04:58:28). The date indicated by an extended URL applies to a preserved instance of a file for a given URL, but not necessarily to any other files linked therein. Thus, in the case of a page constituted by a primary HTML file and other separate files (e.g., files with images, audio, multimedia, design elements, or other embedded content) linked within that primary HTML file, the primary HTML file and the other files will each have their own respective extended URLs and may not have been archived on the same dates.
6. Attached hereto as Exhibit A are true and accurate copies of screenshots of the Internet Archive's records of the archived files for the URLs and the dates specified in the attached coversheet of each printout.

7. Attached hereto as Exhibit B are true and accurate copies of the Internet Archive's records of the archived files for the URLs and the dates specified in the attached coversheet of each file.
8. I declare under penalty of perjury that the foregoing is true and correct.

DATE: 05/27/2022

*Nathaniel E Frank-White*

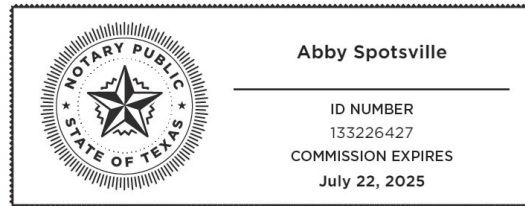
Nathaniel E Frank-White

State of Texas

County of Harris

Sworn to and subscribed before me

on 05/27/2022 by Nathaniel E Frank-White.



*AS*


Notary Public, State of Texas

Notarized online using audio-video communication

# EXHIBIT A

<https://web.archive.org/web/20070429165651/http://www.vidaza.com:80/corporateweb/vidazaus/homeb.nsf/Content/HCPHome>



Home	<b>Information for Healthcare Professionals</b>			
Indications & Usage	 <p>Click on any of the links to your left to learn more about the drug VIDAZA. Information is organized as you would find in the Physician's Desk Reference.</p>			
Efficacy				
Clinical Pharmacology				
Safety				
Dosing and Administration				
About MDS				
Case Studies				
Tools and Downloads				
Patient Management				
Reimbursement Services				
Pharmion Speaker Bureau Slides				
Mechanism of Action Video		Slide Presentations	IPSS Calculator	New J Code

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VIDAZA is FDA-approved for the treatment of all myelodysplastic syndrome (MDS) subtypes\*: Refractory anemia (RA) or refractory anemia with ringed sideroblasts (RARS), if accompanied by neutropenia or thrombocytopenia or requiring transfusions · Refractory anemia with excess blasts (RAEB) · Refractory anemia with excess blasts in transformation (RAEB-T) · Chronic myelomonocytic leukemia (CMML)

IMPORTANT SAFETY INFORMATION

- VIDAZA is contraindicated in patients with a known hypersensitivity to azacitidine or mannitol and in patients with advanced malignant hepatic tumors.
- In clinical studies, the most commonly occurring adverse reactions by SC route were: nausea (70.5%), anemia (69.5%), thrombocytopenia (65.5%), vomiting (54.1%), pyrexia (51.8%), leukopenia (48.2%), diarrhea (36.4%), fatigue (35.9%), injection site erythema (35.0%), constipation (33.6%), neutropenia (32.3%) and ecchymosis (30.5%). Other adverse reactions included: dizziness (18.6%), chest pain (16.4%), febrile neutropenia (16.4%), myalgia (15.9%), injection site reaction (13.6%), aggravated fatigue (12.7%) and malaise (10.9%). The most common adverse reactions by IV route also included petechiae (45.8%), weakness (35.4%), rigors (35.4%), and hypokalemia (31.3%).
- Because treatment with VIDAZA is associated with neutropenia and thrombocytopenia, complete blood counts should be performed as needed to monitor response and toxicity, but at a minimum, prior to each dosing cycle.
- Because azacitidine is potentially hepatotoxic in patients with severe pre-existing hepatic impairment, caution is needed in patients with liver disease. In addition, azacitidine and its metabolites are substantially excreted by the kidneys and the risk of toxic reactions to this drug may be greater in patients with impaired renal function. Because elderly patients are more likely to have decreased renal function, it may be useful to monitor renal function.
- VIDAZA may cause fetal harm. While receiving treatment with VIDAZA, women of childbearing potential should avoid becoming pregnant, and men should avoid fathering a child. In addition, women treated with VIDAZA should not nurse.

\*According to the FAB (French, American, British) Classification System.

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