

DECLARATION OF KATHLEEN SWISHER

12/27/06

Kathleen Swisher declares as follows:

1. I am Supervisory Regulatory Counsel, Office of the Director, Regulations and Policy Staff, Center for Biologics Evaluation and Research, United States Food and Drug Administration (FDA).

2. In this capacity, I have custody of official records of FDA relating to citizen petitions concerning biologic products.

3. Attached is a copy of an index to the administrative record in King v. Leavitt, Case No. 06-CV-01357 (D.D.C.).

4. Copies of the documents referred to in the index in paragraph 3, above, are part of the official records of FDA.

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

Executed on December 19, 2006.


Kathleen Swisher

2004P-0349

REF 1