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

JOHNSON & JOHNSON and JOHNSON &  
JOHNSON CONSUMER COMPANIES, INC.,

Plaintiffs,

v.

THE AMERICAN RED CROSS, LEARNING  
CURVE INTERNATIONAL, INC., MAGLA  
PRODUCTS, LLC, WATER-JEL  
TECHNOLOGIES, INC., and FIRST AID  
ONLY, INC.,

Defendants.

Case No. 07-CV-7061 (JSR/DCF)

**ECF CASE  
ELECTRONICALLY FILED**

**DECLARATION OF JONATHAN L. ABRAM IN  
SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Jonathan L. Abram declares as follows:

1. I am a member of the bar of this Court, admitted pro hac vice, and a partner in the law firm of Hogan & Hartson, LLP. I am counsel for Defendants The American Red Cross, Learning Curve International, Inc., Magla Products, LLC, Water-Jel Technologies, LLC, and First Aid Only, Inc. in the above-captioned action.
2. I submit this declaration in support of Defendants' Motion to Strike.

3. Attached is a true and correct copy of the expert report of Kenneth B. Germain (without the Expert Appendix and Exhibits 1-3).

I declare the foregoing to be true and correct under penalty of perjury. This declaration is executed by me in Washington, D.C. this 3rd day of December, 2007.

s/ Jonathan L. Abram

Jonathan L. Abram

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure, I hereby certify that on the 3rd day of December, 2007, I caused a true and correct copy of the foregoing, and attached exhibit, to be served upon the following via the Court's ECF Notification System:

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s/ Jonathan L. Abram  
Jonathan L. Abram