

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

INVITAE CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11362 (MBK)

(Jointly Administered)

**DECLARATION OF ROSS ALLEN IN SUPPORT OF THE
OBJECTION OF INTEGRATED DNA TECHNOLOGIES, INC. TO
DEBTORS' NOTICE TO CONTRACT PARTIES TO POTENTIALLY
ASSUMED EXECUTORY CONTRACTS AND UNEXPIRED
LEASES IN CONNECTION WITH MOTION FOR ENTRY OF AN
ORDER AUTHORIZING ASSUMPTION AND ASSIGNMENT OF
ASSUMED CONTRACTS AND AUTHORIZING THE SALE OF ASSETS**

I, Ross Allen, state and declare as follows:

1. I am the General Counsel for Integrated DNA Technologies, Inc. ("IDT"). I make this declaration in support of the *Objection of Integrated DNA Technologies, Inc. to Debtors' Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases in Connection With Motion for Entry of an Order Authorizing Assumption and Assignment of Assumed Contracts and Authorizing the Sale of Assets* (the "Objection") filed contemporaneously herewith.²

2. Attached hereto as Exhibit A is a true and correct copy of that certain *Asset Purchase Agreement* entered between Invitae Corporation ("Invitae") and IDT on December 19,

¹ The last four digits of Debtor Invitae Corporation's ("Invitae," and with its subsidiary debtors, the "Debtors") tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at www.kccllc.net/invitae. The Debtors' service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.

² Capitalized but undefined terms used herein shall have the meaning ascribed to them in the Objection.



2022 (the “Asset Purchase Agreement”), which includes the following Ancillary Agreements (as defined in the Asset Purchase Agreement) as Exhibits:

- A. ArcherDX Software Source Code License
- B. Assignment and Assumption Agreement and Bill of Sale
- C. Intellectual Property License Agreement
- D. Registered IP Assignment Agreement
- E. Sublease Agreement
- F. Supply Agreement
- G. Transition Services Agreement
- H. Closing Press Release

3. The Asset Purchase Agreement is marked “Confidential – Company Proprietary” and, along with the Ancillary Agreements, contains commercial information.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

May 1, 2024
Menlo Park, CA

/s/ Ross Allen
Ross Allen

Exhibit A

**Asset Purchase Agreement
FILED UNDER SEAL**