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**EXHIBIT 15**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PLANNED PARENTHOOD )  
FEDERATION OF AMERICA, )  
INC., et al., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
THE CENTER FOR MEDICAL )  
PROGRESS, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No.:  
3:16-cv-00236 (WHO)

CONFIDENTIAL PURSUANT TO A PROTECTIVE ORDER  
VIDEO DEPOSITION OF  
MELISSA FARRELL  
BURLINGAME, CALIFORNIA  
MARCH 20, 2019

Reported by:  
TAMMY MOON  
CSR 13184  
No. 19-76472

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1 never done IVD device studies on placental material or  
2 fetal material?

3 A. I can't answer for whether or not that's been  
4 done in the whole history of Planned Parenthood Gulf  
10:14 5 Coast.

6 Q. From 2006 to present?

7 A. No.

8 Q. Going back to -- just looping back to -- and  
9 let me just make sure. I wanted to clarify our timeline  
10:14 10 too. I think you had said when you first started in  
11 2006 you had two research coordinators and a research  
12 assistant. How -- how did that staff progress from 2006  
13 to present?

14 A. There have been multiple changes, so to -- I'd  
10:14 15 -- I'd need a timeline.

16 Q. Sure. Well, from 2006 to -- did you -- how has  
17 that team changed in its composition since 2006? Just  
18 walk me through.

19 MS. MAYO: Objection. Vague. Calls for  
10:15 20 narrative. Overbroad.

21 THE WITNESS: I would have to specify each  
22 individual staff and what has happened back and forth in  
23 terms of changing staff and promoting staff. It would  
24 be --

10:15 25 MR. BREEN:

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1 Q. I mean more in terms of the roles that they're  
2 playing. So about -- about how many people on the team?  
3 You had three people on the team in 2006. How many  
4 people on the team -- or when -- when did you expand  
10:15 5 that team next?

6 MS. MAYO: Objection. Vague.

7 THE WITNESS: There was one more person added,  
8 and I cannot remember the year, specifically.

9 MR. BREEN:

10:15 10 Q. And then how large is the team today?

11 A. Four.

12 Q. About four. Okay. Now going back to the --  
13 the -- if we go to the fetal tissue studies. The  
14 Amphioxus, is that how it's pronounced? The Amphioxus  
10:16 15 study, you said that was proceeding when you were at --  
16 when you joined Planned Parenthood Gulf Coast?

17 A. Correct.

18 Q. When did that study begin?

19 MS. MAYO: Objection. Vague. Calls for  
10:16 20 speculation.

21 THE WITNESS: My recollection of the start-up  
22 documents -- the earliest date that I have a  
23 recollection of seeing anything was 2004.

24 MR. BREEN:

10:16 25 Q. And -- and then what personnel were involved

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1 from Amphioxus in the study that you recall?

2 MS. MAYO: Objection. Lacks foundation. Calls  
3 for speculation. Vague.

4 MR. BREEN:

10:16 5 Q. I'm sorry. Well, here. I'll -- I'll reask  
6 just to make sure that we get all our lawyer stuff  
7 right. So did you work with staff from Amphioxus?

8 A. Correct.

9 Q. And -- and who did you work with?

10:16 10 A. There was an individual. I don't have any  
11 recollection of her name or title that we coordinated  
12 day-to-day activities with, because the specimens were  
13 time and temperature sensitive. So she would pick those  
14 up daily based on, you know, the lab.

10:17 15 Q. And -- and --

16 A. Based on their lab.

17 Q. Do you know -- do you know a -- an individual  
18 named Dr. James Kelly?

19 A. I think that -- that name was associated with  
10:17 20 the Amphioxus. I don't know his specific role. I don't  
21 recall his specific role.

22 Q. Okay. Okay. And then -- let me just moving  
23 you back from 2006 backwards. When you were at Baylor  
24 College of Medicine, what types of research were you  
10:17 25 involved with there?

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1 MS. MAYO: Objection. Overbroad. Vague.

2 THE WITNESS: Primarily in investigational drug  
3 studies. More NIH grants.

4 MR. BREEN:

10:18 5 Q. Were you involved in any fetal tissue-related  
6 studies?

7 A. No.

8 Q. Did you know of anybody involved in fetal  
9 tissue-related studies?

10:18 10 A. I didn't.

11 MS. MAYO: Objection. Vague. Relevance.

12 THE WITNESS: I don't have any recollection of  
13 anyone conducting any fetal tissue studies at Baylor.

14 MR. BREEN:

10:18 15 Q. Now with the Amphioxus study, what -- what  
16 materials -- or let's -- let's -- let's walk through  
17 this a little bit. What was -- what products or  
18 specimens was Planned Parenthood Gulf Coast providing  
19 Amphioxus as part of that study?

10:18 20 A. Fetal tissue.

21 Q. Okay. And -- and -- and when you say "fetal  
22 tissue," what do you mean?

23 A. Can you be more specific?

24 Q. Sure. So -- so -- for instance, were Amphioxus  
10:19 25 staff on site at Planned Parenthood Gulf Coast when



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1 fetal tissue was being collected?

2 A. Do you --

3 MS. MAYO: Objection. Vague.

4 THE WITNESS: No. People would pick up the  
10:19 5 samples at the end of the day after clinic, after they  
6 had been collected. But there were no Amphioxus people  
7 on site while I was there.

8 MR. BREEN:

9 Q. Okay. And -- and then what would they collect  
10:19 10 at the end of the day, those Amphioxus staff?

11 MS. MAYO: Objection. Asked and answered.

12 MR. BREEN:

13 Q. And -- and -- let me -- just -- so -- so you  
14 had said fetal tissue. I guess I'm -- I'm asking what  
10:19 15 particular parts of the fetus or of the fetal tissue  
16 would they collect?

17 A. They collected the products of conception in  
18 its entirety in a specimen container.

19 Q. Okay. And -- and you had said there was a  
10:20 20 temperature control with the issue. So were -- what --  
21 what was done to -- from the time that the products of  
22 conception were collected until they were picked up,  
23 what was the environment for those products of  
24 conception?

10:20 25 A. They were picked up in a cooler. Igloo cooler

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1 with a biohazard container -- biohazard sticker on the  
2 front of it.

3 Q. And then what did -- what did -- how did  
4 Planned Parenthood Gulf Coast treat those specimens from  
10:20 5 the time they were collected until the time they were  
6 retrieved by the Amphioxus staff?

7 MS. MAYO: Objection. Vague. Relevance.

8 THE WITNESS: I don't have a recollection of  
9 all of the specifics involved in the -- what the  
10:21 10 abortion facility did with the sample on -- on their  
11 end. I don't -- I don't recall.

12 MS. MAYO: Lacks foundation.

13 MR. BREEN:

14 Q. Sure. I didn't know if they had kept it to  
10:21 15 temperature control in between the time of the  
16 collection and the time of the treatment?

17 MS. MAYO: Objection. Lacks foundation.

18 THE WITNESS: I would have to speculate.

19 MS. MAYO: Don't speculate.

10:21 20 THE WITNESS: And I'm not going to.

21 MR. BREEN:

22 Q. Sure. Fair enough. Okay. So -- and -- and  
23 I -- again, in -- in trying to understand how this  
24 works, we're just -- we're just -- I'm -- I'm trying to  
10:21 25 get more of the mechanics of things, and so you had



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1 said, well, hey, they take the entirety of the products  
2 of conception, specimen cup -- that -- that's, in terms  
3 of understanding how that works, that helps me to piece  
4 together what's occurring.

10:21 5 Now from -- from that part of the process, how  
6 old were the fetuses for that particular study? The  
7 Amphioxus study.

8 MS. MAYO: Objection. Vague. Overbroad.  
9 Calls for an expert opinion. Lacks foundation.

10:22 10 THE WITNESS: There was a -- a gestational age  
11 range. I -- I can't recall what it was.

12 MR. BREEN:

13 Q. What was it -- was it -- do you recall whether  
14 it was first trimester or second trimester?

10:22 15 A. It would have to be first trimester, because at  
16 the time, the facility was not performing second  
17 trimester abortions.

18 Q. Okay. And then the -- the method of abortion,  
19 what sort of method of abortion would have been used for  
10:22 20 those -- for that study?

21 MS. MAYO: Objection. Vague. Calls for  
22 medical opinion. Lacks foundation. Now you can answer.

23 THE WITNESS: I don't know.

24 MR. BREEN:

10:22 25 Q. Okay. Then had -- did you review the contract

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1 with Amphioxus?

2 A. During my first two weeks at the organization,  
3 my predecessor and I sat and reviewed some documents  
4 specific to the Amphioxus study. And she provided  
10:23 5 training specific to fetal tissue collection.

6 Q. Okay. And -- and -- and what sorts of training  
7 in terms of fetal tissue collection did she provide  
8 during those first two weeks?

9 A. There was a website that was bookmarked that  
10:23 10 listed state by state the regulations around fetal  
11 tissue. She explained that it's not permissible to  
12 charge for fetal tissue or pay the patient a stipend in  
13 order to donate the fetal tissue. She, again,  
14 reiterated the variations on that, on a state-by-state  
10:24 15 basis.

16 She explained, you know, in general, you know,  
17 what the fetal tissue was for. She explained the  
18 process that we were following, you know, in terms of  
19 notifying Amphioxus, if there are samples, scheduling  
10:24 20 when they're going to pick up, you know, coordinating  
21 that with the front desk, that they knew to expect them.  
22 And the ongoing daily communications that we had with  
23 Amphioxus about whether or not we were going to be  
24 enrolling that day.

10:25 25 Q. And then to the -- to the contract terms, there

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1 was some level of payment made to Gulf Coast, Planned  
2 Parenthood Gulf Coast. What was the payment made to  
3 Planned Parenthood Gulf Coast?

10:25 4 MS. MAYO: Objection. Overbroad. Calls for  
5 legal conclusion. Vague.

6 THE WITNESS: I don't remember all of the terms  
7 of the -- the contract, the initial contract and any  
8 fees that may have been in place prior to when I started  
9 there. There were fees for the informed consent process  
10:25 10 itself, and I can't -- I can't recall if there was other  
11 fees.

12 MR. BREEN:

13 Q. Okay. Would -- normally there -- it's my  
14 understanding there might be a fee for supplies of some  
10:26 15 sort. Would -- would that have been part of your  
16 negotiation or -- would that have been part of the  
17 contract as well?

18 MS. MAYO: Objection. Vague. Misstates the  
19 testimony.

10:26 20 THE WITNESS: I would not use the word  
21 "normally."

22 MR. BREEN:

23 Q. Ah. Oh, okay. What -- why not?

24 A. It -- it varies. It's -- it's specific to --  
10:26 25 and I'm speaking broadly about all research, not fetal

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1 When -- when the UTMB study began, and we went through  
2 some of this with the Amphioxus study. When the UTMB  
3 study began, what -- what specimens were provided to  
4 UTMB?

12:11 5 MS. MAYO: Objection. Vague.

6 THE WITNESS: You started that off with when --  
7 the -- a reference to Amphioxus --

8 MR. BREEN:

9 Q. Sure.

12:11 10 A. -- so let's --

11 Q. Right.

12 A. -- let's keep Amphioxus separate --

13 Q. Okay. So pulling out Amphioxus. Sure.

14 A. -- because that blurs the lines.

12:11 15 Q. Okay. So help me. So we -- we went through  
16 some of the -- the process of how we got specimens to  
17 Amphioxus, so I want to do the same thing with UTMB but  
18 under the first contract, because it appears that there  
19 was a renegotiated contract, where there was maternal  
12:12 20 blood and what have you, additional.

21 I don't want to go into that yet. Let's --  
22 let's just go to the beginning, under the original  
23 contract, what -- what specimens were conveyed to UTMB  
24 from Planned Parenthood Gulf Coast, Planned Parenthood  
12:12 25 Center for Choice?



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1 MS. MAYO: Objection. Calls for speculation.  
2 Vague. Assumes facts not in evidence and lacks  
3 foundation.

12:12 4 THE WITNESS: I'll help you. I think I  
5 understand what you're asking. The products of  
6 conception were what was needed in order to isolate, to  
7 be able to focus on the placenta for the analysis.

8 MR. BREEN:

9 Q. Okay. And then I also want to make sure I  
12:13 10 honor your attorney's objections too, so we'll just kind  
11 of walk back through. So we had a first contract with  
12 UTMB. We talked about that. There were specimens that  
13 were provided to UTMB under that contract. Is that  
14 correct?

12:13 15 A. Yes, I believe that was correct. That --  
16 that -- you're -- you're initializing that -- your  
17 prestatement is putting things out of order. But I -- I  
18 think you're --

19 Q. What's out of order? I want to make sure we're  
12:13 20 all --

21 A. Yeah.

22 Q. -- on the same page.

23 A. Contracts are coordinated, negotiated before  
24 sample collection commences.

12:13 25 Q. Okay. So contract's signed. It's -- it's all



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1 signed and sealed. The collection commences. What is  
2 collected by -- and -- and I want to make sure I'm  
3 getting the difference between -- can I say Planned  
4 Parenthood Gulf Coast to be the collector, or should I  
12:14 5 say Planned Parenthood Center for Choice as the  
6 collector?

7 MS. MAYO: Objection. Vague.

8 MR. BREEN:

9 Q. Is it -- should it -- should I say Planned  
12:14 10 Parenthood Gulf Coast since the research department  
11 really is doing the conveying of the -- of the  
12 specimens, or should I talk about a separate -- a  
13 separate --

14 A. If you're talking about how the -- who was the  
12:14 15 provider, for example, that was the abortion-providing  
16 entity. And if you're talking about my role and where I  
17 fit into this, I am in Planned Parenthood Gulf Coast.

18 Q. All right. So -- so we've got our -- signed  
19 and sealed the contract. We begin the -- the  
12:14 20 abortion-providing entity begins to collect specimens,  
21 pursuant to the contract. What specimens are then  
22 conveyed to UTMB under the contract?

23 MS. MAYO: Objection. Vague.

24 THE WITNESS: Products of conception.

12:15 25 MR. BREEN:

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1 Q. Okay. And -- and in what -- which products of  
2 conception?

3 MS. MAYO: Objection. Vague.

4 MR. BREEN:

12:15 5 Q. And if I may, what was it -- was it -- well --  
6 well, the idea is -- because -- so, for instance, was --  
7 was it the entire products of conception from the  
8 abortion procedure?

9 A. That is my understanding, yes.

12:15 10 Q. Okay. So there was no -- there was not a  
11 partial -- if you'll help me, the -- the  
12 abortion-providing staff did not extract certain  
13 products of conception to then convey to UTMB?

14 A. That's my understanding.

12:15 15 Q. Okay. And then how were those products of  
16 conception conveyed to UTMB? I'm sorry. What -- what  
17 packaging was used to convey those products of  
18 conception to UTMB?

19 A. I -- I don't recollect. I do recollect a --  
12:16 20 that it had to be a sterile container of some sort.

21 Q. All right. And -- and then -- and then I think  
22 we can go back to some of these. I think the -- well,  
23 actually, I guess I should ask that. Was -- so for the  
24 UTMB study, was it -- was it sterile collection used  
12:16 25 from the beginning and through any amendments to the

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1 study, to the end?

2 A. That's a good question. I don't remember if it  
3 started off with sterile collection. I do remember at  
4 some point that discussion coming up. But I don't  
12:16 5 recall if it started off that way. So --

6 Q. And then just so I'm clear, in terms of the  
7 placental tissue, you don't recall what part of the --  
8 it's -- just laying some foundation. You've got more  
9 scientific knowledge than I do. Within the placenta,  
12:17 10 there are -- within the placenta, I understand there are  
11 certain tissues that are the fetal tissues and certain  
12 tissues that are the maternal tissues. Is that  
13 accurate?

14 MS. MAYO: Objection. Calls for an expert  
12:17 15 opinion. Lacks foundation. Vague.

16 THE WITNESS: I -- I -- I think that's probably  
17 an accurate general nonmedical description.

18 MR. BREEN:

19 Q. Okay. Do you have a -- a better description  
12:17 20 that you would use? Do you have a better description of  
21 the -- of the tissues within the placenta tissue?

22 A. I like yours.

23 Q. Okay. Can we go off the record for a second?  
24 And I'm realizing we have lunch here. So I don't  
12:18 25 know -- I know we just took a break. It was a short



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1 And -- and how I was trained on what the  
2 federal and state regulations are, it was my  
3 understanding that specifically paying for fetal tissue  
4 was not permitted, and to the extent I had control over  
07:06 5 that and budgets and contracts, that's what I meant by  
6 "you can't."

7 Because it's not -- this is not going to be  
8 happening at PPGC.

9 MS. KONCZAL:

07:07 10 Q. And when you say that paying per specimen is  
11 not permitted, you mean both by federal law and by  
12 PPFA's policies, both of those things prohibited that?

13 MS. MAYO: Objection to the extent it calls for  
14 a legal conclusion. You can testify to your  
07:07 15 understanding.

16 THE WITNESS: My understanding is that it was  
17 not permitted.

18 MS. KONCZAL:

19 Q. Okay. Do you recall discussing this issue  
07:07 20 about the \$750 per specimen with anyone who worked for  
21 PPFA?

22 A. I don't have a recollection of that  
23 conversation at all.

24 Q. Were you aware -- you -- you were aware,  
07:07 25 correct, that BioMax had approached other clinics within

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DECLARATION UNDER PENALTY OF PERJURY

I, MELISSA FARRELL, do hereby certify under  
penalty of perjury that I have read the foregoing  
transcript of my deposition taken on March 20, 2019;  
that I have made such corrections as appear noted on the  
Deposition Errata Page, attached hereto, signed by me;  
that my testimony as contained herein, as corrected, is  
true and accurate.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019  
at \_\_\_\_\_, California.

\_\_\_\_\_  
MELISSA FARRELL



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1 UNITED STATES DISTRICT COURT )  
2 FOR THE CENTRAL DISTRICT OF NORTHERN CALIFORNIA )

3 I, TAMMY MOON, CSR No. 13184, Certified  
4 Shorthand Reporter, do hereby certify:

5 That prior to being examined, the witness in  
6 the foregoing proceedings was by me duly sworn to  
7 testify to the truth, the whole truth, and nothing but  
8 the truth;

9 That said proceedings were taken before me at  
10 the time and place therein set forth and were taken down  
11 by me in shorthand and thereafter transcribed into  
12 typewriting under my direction and supervision;

13 That a review of the transcript by the deponent  
14 was ( ) was not (X) requested;

15 That the foregoing is a true and correct  
16 transcript of my shorthand notes so taken.

17 I further certify that I am neither counsel  
18 for, nor related to, any party to said proceedings, nor  
19 in any way interested in the outcome thereof.

20 In witness whereof, I have hereunto subscribed  
21 my name.

22 Dated: March 30, 2019

23

24

25

*Tammy Moon*

Tammy Moon, CSR No. 13184