

1 **DECLARATION OF PHILIP R. KENNEDY, M.D., Phd.**


2 I, Philip R. Kennedy, have personal knowledge of the facts stated in this declaration and,
3 if called as a witness, I could and would testify competently thereto under oath. I declare as
4 follows:

5 1. I am a neuroscientist and neurologist and the leader in the field of recording brain signals
6 from human subjects. I earned my M.D. (MB, BCh, BAO) at the National University of Ireland
7 in 1972, my F.R.C.S.I. (equivalent of General Surgery Boards) at the Royal College of Surgeons
8 in Ireland in 1976, and Ph.D. in Physiology (Neurophysiology and Neuroanatomy) at the
9 Northwestern University in Chicago, Illinois in 1983 as well as a Neurology Residency at Emory
10 University School of Medicine in Atlanta, Georgia in 1997.

11 2. In my thirty-two years of biomedical research and development, I have collaborated with
12 leading neuroscientists and other medical professionals from institutions such as Georgia
13 Institute of Technology, Georgia State University, Emory University, the National Institutes of
14 Health, and the Veterans Administration as well as private companies in my field. My work has
15 included study of neural regeneration, the role of the red nucleus and inferior olivary nucleus in
16 the brain stem, and harvesting neural signals directly from the brain of human patients. I also
17 hold a patent on Implantable Neural Electrodes, as well as three other patents, and have been the
18 recipient of in excess of \$2.5 million in grant funding to support my research.

19 3. I have received multiple honors and awards from many respected organizations,
20 including the Discover award in 1999. I have been published widely and my work is widely
21 disseminated in national media and a number of medical journals. I am frequently invited to
22 speak at meetings and conferences worldwide.

23 4. I am notably active in professional affiliations, as I am a member of The Society for
24 Neuroscience, American Academy of Neurology, American Medical Association, International
25 Brain Research Organization, IEEE Engineering in Biology and Medicine Society, and the

Declarant initials: 

- 1

Batza & Associates Investigations
23929 W. Valencia Blvd., Suite 309
Valencia, California 91355
(661) 799-7777

1 American Association for the Advancement of Science.

2 5. I am the CEO, Founder, and Chief Scientist of Neural Signals Inc., a Brain - Machine
3 research and development company. I am the co-founder with Paul Freet, BSEE, of Emerge
4 Medical LLC. Additionally, I practice neurology in Duluth, Georgia at the Community
5 Neurological Clinic.

6 6. Magnetic Resonance Imaging (MRI) of the brain is well-recognized for its excellent
7 spatial resolution, allowing neuroanatomic structures to be viewed in sharp detail. Recently, it
8 has become possible to modify a conventional MRI scanner to study the brain's function as well.
9 This new technology, called functional Magnetic Resonance Imaging (fMRI), is very useful in
10 determining the level of functioning in brain-damaged patients.

11 7. Based upon what I know about Terri Schiavo's current condition, I strongly recommend
12 that she be allowed the opportunity to be examined through the use of an fMRI. I am willing to
13 assist with this examination at our facility in Atlanta.

14 8. Beyond the fMRI, there are several other recent advances in medical treatment and
15 technology, which may benefit Terri Schiavo. There are newer technologies since what was
16 available in 2002 that will allow us to determine if Terri Schiavo can be assessed for signs of
17 cortical function. There are also technologies that we have developed for providing this
18 communication even in "locked-in" patients.

19 I declare under the penalty of perjury under the laws of the State of Georgia that the
20 foregoing is true and correct.

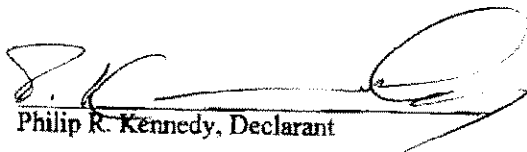
21 Executed this 27th day of February, 2005, in Duluth, Georgia.

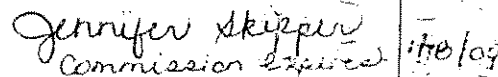
22

23

24

25


Philip R. Kennedy, Declarant


Jennifer Skipper
Commission Expires 1/10/09

Declarant initials: PRK

- 2

Batza & Associates Investigations
23929 W. Valencia Blvd., Suite 309
Valencia, California 91355
(661) 799-7777