

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.: 05-12237 WGY
v.	)	
	)	
F. HOFFMANN-LA ROCHE	)	
LTD., a Swiss Company, ROCHE	)	
DIAGNOSTICS GmbH, a German	)	
Company and HOFFMANN-LA ROCHE	)	
INC., a New Jersey Corporation,	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF AARON R. HAND, ESQ. IN SUPPORT OF AMGEN INC.'S  
MOTION *IN LIMINE* NO. 25: EXCLUDE DEPOSITION TESTIMONY FROM A PRIOR  
LITIGATION OF TAKAJI MIYAKE, A NON-PARTY WITNESS WHOM ROCHE DID  
NOT PREVIOUSLY DISCLOSE**

I, Aaron R. Hand, declare as follows:

1. I am an attorney at the law firm of Day Casebeer Madrid & Batchelder LLP, counsel for plaintiff Amgen Inc. I am admitted to practice law before this Court (*pro hac vice*) and all of the Courts of the State of California.

2. I make this declaration of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

3. Attached hereto as Exhibit 1 is a true and correct copy of an E-mail from Graham Pechenik to Renee DuBord Brown dated August 30, 2007, and accompanying "Trial Deposition Designations" attachment.

4. Attached hereto as Exhibit 2 is a true and correct copy of a letter from Renee DuBord Brown to Thomas Fleming dated August 31, 2007.

5. Attached hereto as Exhibit 3 is a true and correct copy of a letter from Hank Heckel to Renee DuBord Brown dated August 27, 2007.

6. Attached hereto as Exhibit 4 is a true and correct copy of the cover sheet to the deposition of Takaji Miyake dated October 13 – 14, 1988 in Amgen Inc. v. Chugai, No. 87-2617-Y (D. Mass.), bearing production number AM-ITC 00110633.

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

Signed this 6th day of September, 2007.

By:           /s/ Aaron R. Hand            
Aaron R. Hand

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on the above date.

          /s/ Michael R. Gottfried

Michael R. Gottfried