

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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

**DECLARATION OF JONATHAN D. LOEB IN SUPPORT OF AMGEN INC.’S
EMERGENCY MOTION TO ALLOW AMGEN TO CALL DR. CATLIN ON MONDAY,
SEPTEMBER 24**

I, Jonathan D. Loeb, declare as follows:

1. I am a partner 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 A is a true and correct copy of a 9/12/07 Letter from T. Fleming, counsel for Roche, to R. Dubord Brown, counsel for Amgen.

4. Attached hereto as Exhibit B is a true and correct copy of a 9/13/07 Letter from T. Fleming, counsel for Roche, to R. Dubord Brown, counsel for Amgen.

5. Attached hereto as Exhibit C is a true and correct copy of a 8/10/07 email from D. Fishman, counsel for Amgen, to T. Fleming, counsel for Roche.

Signed this 17th day of September, 2007.

By: /s/ Jonathan D. Loeb
Jonathan D. Loeb

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 on-registered participants.

/s/ Michael R. Gottfried
Michael R. Gottfried