

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
AMGEN INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	CIVIL ACTION No.: 05-CV-12237WGY
F. HOFFMANN-LA ROCHE, LTD;	)	
ROCHE DIAGNOSTICS GmbH; and	)	
HOFFMANN-LA ROCHE INC.	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF ALFRED H. HECKEL IN SUPPORT OF  
ROCHE’S OPPOSITION TO AMGEN’S EMERGENCY MOTION TO ALLOW  
AMGEN TO EXAMINE DR. DON CATLIN ON MONDAY, SEPTEMBER 24, OR IN  
THE ALTERNATIVE TO TAKE DEPOSITION *DE BENE ESSE***

I, Alfred H. Heckel, declare under penalty of perjury that:

1. I am an attorney in good standing admitted to the Bar of the State of New York and am admitted to this Court *pro hac vice*. I am an associate at the law firm of Kaye Scholer LLP, counsel for Defendants in the above-referenced case.

2. I make this declaration in support of the Roche’s Opposition to Amgen’s Emergency Motion to Allow Amgen to Examine Dr. Catlin on Monday, September 24, or in the Alternative to Take Deposition *de bene esse*.

3. Exhibit A is a true and correct copy of an e-mailed letter dated September 12, 2007 sent from Renee DuBord Brown of Amgen’s counsel Day Casebeer to Thomas F. Fleming of Roche’s counsel Kaye Scholer.

4. Exhibit B is a true and correct copy of an e-mail correspondence dated September 14, 2007 sent from Renee DuBord Brown of Amgen's counsel Day Casebeer to Thomas F. Fleming of Roche's counsel Kaye Scholer.

Dated: September 19, 2007  
Boston, Massachusetts

/s/ Alfred H. Heckel  
Alfred H. Heckel

**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 (NEF) on the above date.

*/s/ Thomas F. Fleming*

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Thomas F. Fleming