

I, Pat Carson, hereby declare under penalty of perjury that:

1. I am an attorney admitted to the Bar of the State of New York and am a partner in the law firm of Kaye Scholer LLP, counsel for Defendants in the above captioned case.
2. I make this declaration in support of Defendants' Memorandum Regarding the Relevance of Baron and Goldwasser's Prior Art and Refuting Amgen's Assertions that the Baron-Goldwasser IND and Goldwasser Grants are Not "Printed Publications," Anticipatory or Enabling Under 35 U.S.C. § 102.
3. Exhibit 1 is a true and correct copy of the Baron-Goldwasser IND (TRX 2004).
4. Exhibit 2 is a true and correct copy of the April 8, 1982 Goldwasser NIH Application (TRX 2043).
5. Exhibit 3 is a true and correct copy of the August 31, 1984 Goldwasser NIH Application (TRX 2045).
6. Exhibit 4 is a true and correct copy of the July 24, 1984 Vapnek letter to Goldwasser (TRX 2044).
7. Exhibit 5 is a true and correct copy of correspondence related to my FOIA request for Goldwasser NIH Applications (AM-ITC 00040201-207).
8. Exhibit 6 is a true and correct copy of the September 17, 1984 Vapnek Memorandum to Fenno and Stebbing (TRX PVF).
9. Exhibit 7 is a true and correct copy of the December 3, 1984 Egrie and Fenno Memorandum (TRX OSR).
10. Exhibit 8 is an excerpt of the Baron Physician Sponsored IND (TRX 2050).

Dated: September 20, 2007

Respectfully submitted,

/s/ Pat Carson
Pat Carson

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
Thomas F. Fleming