

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,
Plaintiff,
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.
Civil Action No.: 05-12237 WGY
Leave to file granted 9/24/07

DECLARATION OF AARON R. HAND IN SUPPORT OF AMGEN'S REPLY IN
SUPPORT OF ITS MOTION IN LIMINE NO. 13: TO EXCLUDE EVIDENCE AND
ARGUMENT REGARDING ROCHE'S FDA FILINGS AND COMMUNICATIONS
WITHHELD THROUGHOUT FACT DISCOVERY

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 excerpts from the
May 22, 2007 Deposition of Dr. Jeffrey Borer.

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

Signed this 20th 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