

**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 RENEE DUBORD BROWN IN SUPPORT OF AMGEN'S
OPPOSITION TO ROCHE'S MOTION TO PRECLUDE AMGEN FROM ARGUING TO
THE JURY THAT EPOGEN IMPROVES QUALITY OF LIFE**

I, Renee DuBord Brown, 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 BIO, Biotechnology Industry Organization, "BIO White Paper on Retroactive Application of FDA Guidance," September 11, 2007, found at <http://bio.org/reg/20070911.pdf>.

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

Signed this 25th day of September, 2007.

By: /s/ Renee DuBord Brown
Renee DuBord Brown

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/ Patricia R. Rich
Patricia R. Rich