

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,)	
)	
)	
Plaintiff,)	
)	Civil Action No.: 05-12237 WGY
v.)	
)	
)	
F. HOFFMANN-LA ROCHE)	<i>Leave to file granted on</i>
LTD., a Swiss Company, ROCHE)	<i>September 26, 2007</i>
DIAGNOSTICS GmbH, a German)	
Company and HOFFMANN-LA ROCHE)	
INC., a New Jersey Corporation,)	
)	
Defendants.)	
_____)	

**DECLARATION OF DEBORAH FISHMAN IN SUPPORT OF AMGEN INC.'S
OPPOSITION TO DEFENDANT ROCHE'S MOTION TO PRECLUDE THE
DEPOSITION TESTIMONY OF DR. EDWARD EVERETT HARLOW**

I, Deborah Fishman, 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 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 Amgen's trial designations from the deposition of Edward Everett Harlow dated June 20, 2007, designated as "Confidential".

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

Signed this 24th day of September, 2007.

By: _____ /s/ *Deborah Fishman*

Deborah Fishman

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 September 26, 2007.

/s/ Michael R. Gottfried

Michael R. Gottfried