

# **EXHIBIT D**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AMGEN, INC.,

Plaintiff,

v.

Civil Action No.  
05-CV-12237-WGY

F. HOFFMANN-LA ROCHE, LTD.,  
a Swiss Company, ROCHE  
DIAGNOSTICS GmbH, a German  
Company, and HOFFMANN-LA  
ROCHE, INC., a New Jersey  
Corporation,

Defendants.

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VIDEOTAPED DEPOSITION OF FU-KUEN LIN, PH.D.

VOLUME I

WESTLAKE VILLAGE, CALIFORNIA

MARCH 28, 2007

(This transcript contains  
testimony designated confidential  
as per Section 5(c) of the  
Amended Protective Order. Please  
treat the entire transcript in  
accordance with the protective  
order.)

Reported by: Harry Alan Palter, C.S.R. NO. 7708

1 THE WITNESS: Yes. That's correct.

2 BY MS. BEN-AMI:

3 Q Radioimmunoassays were Dr. Egrie's  
4 group?

5 MR. MADRID: Same objection.

6 BY MS. BEN-AMI:

7 Q Right?

8 A Hmm-hmm -- yes.

9 Q Okay.

10 So I don't know that we need to go  
11 through this word by word, and go through  
12 paragraph by paragraph.

13 So who did the purification work?

14 MR. MADRID: Objection.

15 Vague.

16 THE WITNESS: In terms of  
17 purification of erythropoietin?

18 BY MS. BEN-AMI:

19 Q Yes.

20 A Okay.

21 Was done by Tom Strickland's group.

22 Q Who did the purification work to  
23 enable the human EPO to be pure enough to be  
24 used as a therapeutic drug?

25 MR. MADRID: Objection.

30(b)(6) Deposition of Fu-Kuen Lin, Ph.D. -Volume I  
CONFIDENTIAL

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DECLARATION UNDER PENALTY OF PERJURY

I, Fu-Kuen Lin, Ph.D., do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken March 28, 2007; that I have made such corrections as appear noted herein, in ink, initialed by me; that my testimony as contained herein, as corrected, is true and correct.

DATED this 4<sup>th</sup> day of May, 2007, at Semis, California.

*Fu-Kuen Lin* May 4, 2007  
Fu-Kuen Lin, Ph.D.