

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMGEN INC.,
Plaintiff,
v.
F. HOFFMANN-LA ROCHE LTD.,
ROCHE DIAGNOSTICS GMBH, and
HOFFMAN-LA ROCHE INC.,
Defendants,
Civil Action No. 05-CV-12237WGY

DECLARATION OF THOMAS F. FLEMMING IN SUPPORT OF
PRO HAC VICE ADMISSION FOR DEFENDANT

I, Thomas F. Flemming, declare that the following is true and correct, under penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am a partner at the firm of Kaye Scholer LLP and a member in good standing of the Bar of the State of New York. I have been admitted pro hac vice to this court before, most recently in the case of Ariad Pharmaceuticals Inc. v. Eli Lilly & Co. I am in good standing in every jurisdiction in which I have been admitted to practice.

2. There are no disciplinary proceedings pending against me in any court or jurisdiction.

3. I am familiar with the Local Rules for the United States District Court for the District of Massachusetts.

Dated: February 16, 2006

/s/ Thomas F. Fleming
Thomas F. Flemming

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) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Lee Carl Bromberg
Lee Carl Bromberg

00002/KET 467829.1