

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

DECLARATION OF GEOFFREY M. GODFREY IN SUPPORT OF AMGEN'S
MOTION TO QUASH SUBPOENA AD TESTIFICANDUM SERVED ON
THIRD PARTY DR. FU-KUEN LIN

I, Geoffrey M. Godfrey, declare under penalty of perjury 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 A is a true and correct copy of the September 26, 2007
subpoena served on Dr. Lin.

4. Attached hereto as Exhibit B are true and correct copies of letters from Roche
designating Dr. Lin as a witness to appear in Roche's validity case-in-chief.

5. Attached hereto as Exhibit C is a true and correct copy of an email from Roche's
counsel, dated September 12, 2007, withdrawing Dr. Lin as a witness who will testify before the

jury.

Signed this 28th day of September, 2007.

By: /s/ Geoffrey M. Godfrey
Geoffrey M. Godfrey