

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

AMGEN, INC.,

Plaintiff,

v.

F. HOFFMANN-LA ROCHE, LTD, ROCHE  
DIAGNOSTICS GmbH, HOFFMANN-LA  
ROCHE INC.,

Defendants.

Civil Action No. 05-12237 WGY

U.S. District Judge Young

**DECLARATION OF PATRICIA A. CARSON IN SUPPORT OF ROCHE'S MOTION *IN LIMINE* TO PRECLUDE INFRINGEMENT TESTIMONY BY  
DR. LODISH WHICH IS IRRELEVANT AND BEYOND HIS EXPERTISE**

I, PATRICIA A. CARSON, hereby declare under penalty of perjury that:

1. I am an attorney admitted to the Bar of the State of New York and am an associate in the law firm of Kaye Scholer LLP, counsel for Defendants in the above captioned case.
2. I make this declaration in support of Roche's Motion *in Limine* to Preclude Infringement Testimony By Dr. Lodish Which Is Irrelevant And Beyond His Expertise.
3. Attached hereto as Exhibit 1 is a true and correct copy of portions of the April 6, 2007 Rebuttal Expert Report of Dr. Lodish.
4. Attached hereto as Exhibit 2 is a true and correct copy of portions of the June 4, 2007 Expert Report of Dr. Lodish.

DATED: October 4, 2007  
Boston, Massachusetts

/s/ Patricia A. Carson

Patricia A. Carson

Dated: October 4, 2007  
Boston, Massachusetts

Respectfully submitted,

F. HOFFMANN-LA ROCHE LTD,  
ROCHE DIAGNOSTICS GMBH, and  
HOFFMANN-LA ROCHE INC.

*By their Attorneys,*

/s/ Nicole A. Rizzo

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**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). Pursuant to agreement of counsel dated September 9, 2007, paper copies will not be sent to those indicated as non registered participants.

/s/ Nicole A. Rizzo  
Nicole A. Rizzo

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