

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,
Plaintiff,
v.
F. HOFFMANN-LAROCHE
LTD., a Swiss Company, ROCHE
DIAGNOSTICS GmbH, a German
Company and HOFFMANN LAROCHE
INC., a New Jersey Corporation,
Defendants.
Civil Action No.: 05-12237 WGY

DECLARATION OF RENEE DUBORD BROWN IN SUPPORT
OF AMGEN'S MOTION IN LIMINE TO PRECLUDE ROCHE FROM
USING UNRELIABLE COMPUTER-GENERATED MODELS OF PEG-EPO
AT TRIAL DUE TO ROCHE'S SELECTED PRODUCTION ONLY OF
MODELS THAT WERE CREATED FOR THIS LITIGATION

I, Renee DuBord Brown, declare 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 1 is a true and correct copy of a document bearing the production number R001568705, which is a portion of Exhibit ESH dated July 14, 2006.
4. Attached hereto as Exhibit 2 is a true and correct copy of a document bearing the production number R008744860, dated September 1, 2006.

5. Attached hereto as Exhibit 3 are true and correct copies of documents bearing the production numbers R10-002103880-882, dated October 26, 2006.
6. Attached hereto as Exhibit 4 are true and correct copies of selected pages from the March 1, 2007 deposition transcript of A. Haselbeck.
7. Attached hereto as Exhibit 5 are true and correct copies of selected pages from the March 2, 2007 deposition transcript of A. Haselbeck.
8. Attached hereto as Exhibit 6 is a true and correct copy of a letter to T. Fleming from D. Fishman dated March 7, 2007.
9. Attached hereto as Exhibit 7 is a true and correct copy of a letter to T. Fleming from A. Bier Dated March 15, 2007.
10. Attached hereto as Exhibit 8 is a true and correct copy of a letter to A. Bier from H. Heckel dated March 20, 2007.
11. Attached hereto as Exhibit 9 is a true and correct copy of a letter to H. Heckel from A. Bier dated March 21, 2007.
12. Attached hereto as Exhibit 10 is a true and correct copy of selected pages from the March 27, 2007 deposition transcript of M. Jarsch.
13. Attached hereto as Exhibit 11 is a true and correct copy of a letter to H. Heckel from A. Bier dated March 30, 2007.
14. Attached hereto as Exhibit 12 are true and correct copies of selected pages from the May 18, 2007 deposition transcript of W. Jorgensen.
15. Attached hereto as Exhibit 13 are true and correct copies of documents bearing the production numbers R000621825-1828, part of Exhibit EWQ.
16. Attached hereto as Exhibit 14 are true and correct copies of documents bearing the production numbers R10-000634385-4390.
17. Attached hereto as Exhibit 15 are true and correct copies of documents bearing the production numbers R005453588-590.

18. Attached hereto as Exhibit 16 are true and correct copies of selected pages of the May 11, 2007 expert report of Dr. William L. Jorgensen.

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

Signed this 14th day of October, 2007 in Boston, Massachusetts.

By: /s/ Renee DuBord Brown

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.

/s/ Michael R. Gottfried
Michael R. Gottfried