

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No.: 05 Civ. 12237 WGY
	)	
F. HOFFMANN-LA ROCHE LTD, ROCHE	)	
DIAGNOSTICS GmbH, and HOFFMANN-	)	
LA ROCHE INC.,	)	
Defendants.	)	
	)	
	)	

**DECLARATION OF MANVIN S. MAYELL IN OPPOSITION TO AMGEN’S  
EMERGENCY MOTION TO OVERRULE ROCHE’S OBJECTIONS TO  
AMGEN’S DESIGNATION OF ECONOMICS EXPERTS**

I, Manvin S. Mayell, declare under penalty of perjury that:

1. I am an attorney admitted to the Bar of the State of New York and am counsel to the law firm of Kaye Scholer LLP and am counsel for Defendants in the above-referenced case.

2. I make this declaration in opposition to Amgen’s Emergency Motion To Overrule Roche’s Objections To Amgen’s Designation of Economics Experts, dated January 11, 2007.

3. Attached hereto as Exhibit A is a true and correct copy of a letter from Deborah Fishman to Thomas Fleming, dated December 6, 2006.

4. Attached hereto as Exhibit B is a true and correct copy of a letter from Manvin Mayell to Deborah Fishman, dated December 11, 2006.

5. Attached hereto as Exhibit C is a true and correct copy of a letter from Manvin Mayell to Deborah Fishman, dated December 14, 2006.

6. Attached hereto as Exhibit D is a true and correct copy of a letter from Deborah Fishman to Manvin Mayell, dated December 14, 2006.

7. Attached hereto as Exhibit E is a true and correct copy of a letter from Manvin Mayell to Deborah Fishman, dated December 15, 2006.

8. Attached hereto as Exhibit F is a true and correct copy of a letter from Manvin Mayell to Deborah Fishman, dated December 26, 2006.

9. Attached hereto as Exhibit G is a true and correct copy of a letter from Deborah Fishman to Manvin Mayell, dated January 8, 2007.

10. Attached hereto as Exhibit H is a true and correct copy of a letter from Manvin Mayell to Deborah Fishman, dated January 10, 2007.

Executed this 15<sup>th</sup> day of January 2007 at New York, New York.

/s/ Manvin S. Mayell  
Manvin S. Mayell

**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, due to the federal holiday, paper copies will be sent to those indicated as non-registered participants on January 16, 2007.

/s/ Keith E. Toms  
Keith E. Toms

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