

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)
)
 Plaintiff,)
)
 vs.)
)
 F. HOFFMANN-LA ROCHE LTD;)
 ROCHE DIAGNOSTICS GmbH; and)
 HOFFMANN-LA ROCHE INC.)
)
 Defendants.)

CIVIL ACTION No.: 05-CV-12237WGY

**DECLARATION OF PATRICIA A. CARSON IN SUPPORT OF DEFENDANTS’
MOTION FOR RECONSIDERATION AND OPPOSITION TO AMGEN’S MOTION TO
COMPEL PRODUCTION OF ROCHE’S CELL LINE AND RELATED DOCUMENTS**

I, Patricia A. Carson, declare under penalty of perjury that:

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

2. I make this declaration in support of the Defendants’ Motion for Reconsideration and Opposition to Amgen’s Motion to Compel Production of Roche’s Cell Line and Related Documents, dated January 22, 2007.

3. Attached hereto as Exhibit A is a true and correct copy of an excerpt of the December 15, 1999, hearing transcript from *Amgen Inc. v. Hoechst Marion, et al.*, Civ. Action No. 97-10814-WGY.

4. Attached hereto as Exhibit B is a true and correct copy of a letter from Deborah Fishman to Patricia Carson dated January 5, 2007.

5. Attached hereto as Exhibit C is a true and correct copy of U.S. Patent No. 5,756,349, issued May 26, 1998.

6. Attached hereto as Exhibit D is a true and correct copy of a letter from Patricia Carson to Deborah Fishman dated January 8, 2007.

Executed this 22nd day of January 2007 at New York, New York.

/s/ Patricia A. Carson
Patricia A. Carson

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically on the above-referenced date 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 January 23, 2007.

/s/ Keith E. Toms
Keith E. Toms

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