

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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

**DECLARATION OF KRISTA M. CARTER IN SUPPORT OF PLAINTIFF AMGEN INC.’S MOTION TO
DETERMINE THE SUFFICIENCY OF ROCHE’S RESPONSES TO
AMGEN’S REQUESTS FOR ADMISSION**

I, Krista M. Carter, declare as follows:

1. I am an attorney admitted to practice law before all of the Courts of the State of California and before this Court (*pro hac vice*). I am an associate with the law firm of Day Casebeer Madrid & Batchelder LLP, counsel for plaintiff Amgen Inc. in this matter.

2. I make this declaration of my own personal knowledge. If called to testify with respect to the truth of the matters stated herein, I could and would do so competently.

3. Attached hereto as Exhibit 1 is a true and correct copy of Amgen Inc.'s First Set of Request for Admission (Nos. 1-22) served on November 17, 2006.

4. Attached hereto as Exhibit 2 is a true and correct copy of Defendants' Supplemental Responses to Amgen Inc.'s First Set of Request for Admission (Nos. 1-22), served on January 8, 2007.

5. Attached hereto as Exhibit 3 is a true and correct copy of a letter dated December 20, 2006 from K. Carter to T. Fleming.

6. Attached hereto as Exhibit 4 is a true and correct copy of a letter dated January 11, 2007 from K. Carter to P. Carson.

7. Attached hereto as Exhibit 5 is a true and correct copy of a letter dated January 18, 2007 from K. Carter to P. Carson.

8. Attached hereto as Exhibit 6 is a true and correct copy of a letter dated January 22, 2007 from K. Carter to P. Carson.

9. Attached hereto as Exhibit 7 is a true and correct copy of an e-mail dated December 26, 2006 from K. Carter to P. Carson.

10. Attached hereto as Exhibit 8 is a true and correct copy of an e-mail dated December 28, 2006 from P. Carson to D. Fishman.

11. Attached hereto as Exhibit 9 is a true and correct copy of Defendants' Responses and Objections to Plaintiff Amgen Inc.'s First Set of Interrogatories to Defendants (Nos. 1-15), served on January 11, 2007.

12. Attached hereto as Exhibit 10 is a true and correct copy of a document titled “Manufacture of the Starting Material of EPO,” bearing bates no. ITC-R-IND-00071125-126.

13. Attached hereto as Exhibit 11 is a true and correct copy of a document titled “Structure of Epotein Beta,” bearing bates no. ITC-R-BLA-00004659-660.

14. Attached hereto as Exhibit 12 is a true and correct copy of a letter from P. Carson to K. Carter, dated February 12, 2007.

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

Dated: February 13, 2007

 /s/ Krista M. Carter

Krista M. Carter