

**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 AMGEN INC.'S MOTION TO ENFORCE  
THE COURT'S JANUARY 23, 2007 ORDER COMPELLING ROCHE TO PRODUCE ITS CELL LINE  
AND TO EXTEND THE TIME FOR AMGEN TO SUBMIT ITS INFRINGEMENT EXPERT REPORT  
REGARDING THE TESTING OF ROCHE'S DN2-3(A)3 CELL LINE**

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 a letter dated January 29, 2007 from Patricia Carson to Deborah E. Fishman.
4. Attached hereto as Exhibit 2 is a true and correct copy of a letter dated February 1, 2007 from Deborah E. Fishman to Patricia Carson.
5. Attached hereto as Exhibit 3 is a true and correct copy of a letter dated February 16, 2007 from Patricia Carson to Deborah E. Fishman.
6. Attached hereto as Exhibit 4 is a true and correct copy of a letter dated February 15, 2007 from Krista M. Carter to Patricia Carson.
7. Attached hereto as Exhibit 5 is a true and correct copy of Amgen's Proposed Stipulation in regards to Production of Roche's Cell Line, dated February 22, 2007.
8. Attached hereto as Exhibit 6 is a true and correct copy of Roche's Proposed Stipulation in regards to Production of Roche's Cell Line, dated February 9, 2007.
9. Attached hereto as Exhibit 7 is a true and correct copy of a letter dated January 26, 2007 from Deborah E. Fishman to Patricia Carson.
10. Attached hereto as Exhibit 8 is a true and correct copy of a letter dated February 5, 2007 from Deborah E. Fishman to Patricia Carson.
11. Attached hereto as Exhibit 9 is a true and correct copy of a letter dated February 22, 2007 from Patricia Carson to Krista M. Carter.
12. Attached hereto as Exhibit 10 is a true and correct copy of the Court's January 23, 2007 Electronic Order.

13. Attached hereto as Exhibit 11 is a true and correct copy of a letter dated February 22, 2007 from Krista Carter to Patricia Carson.

14. Attached hereto as Exhibit 12 is a true and correct copy of a letter dated February 23, 2007 from Patricia Carson to Deborah Fishman.

15. Attached hereto as Exhibit 13 is a true and correct copy of an email dated February 23, 2007 from Deborah Fishman to Pat Carson.

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

Dated: February 23, 2007

/s/ Krista M. Carter

Krista M. Carter