

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,)
)
 Plaintiff,)
)
 v.)
)
 F. HOFFMANN-LA ROCHE LTD, a)
 Swiss Company, ROCHE DIAGNOSTICS)
 GMBH, a German Company, and)
 HOFFMANN LA ROCHE INC., a New)
 Jersey Corporation,)
)
 Defendants.)

Civil Action No.: 1:05-cv-12237 WGY

**DECLARATION OF JOHN A. LEE IN SUPPORT OF AMGEN INC.’S OPPOSITION
TO DEFENDANTS’ MOTION TO COMPEL THE PRODUCTION OF DOCUMENTS,
AND DEPOSITION TESTIMONY UNDER RULE 30(B)(6), RELATING TO
PEGYLATION AND ARANESP®**

I, John A. Lee, declare as follows:

1. I am an associate with McDermott Will & Emery LLP and counsel for Amgen Inc. in the above-captioned matter.

2. I am submitting this declaration in support of Amgen Inc.’s Opposition to Defendants’ Motion to Compel the Production of Documents, and Deposition Testimony Under Rule 30(b)(6), Relating to Pegylation and Aranesp®. I have knowledge of the following, and if called as a witness, could and would testify competently to the contents herein.

3. I have reviewed the documents contained within the bates range AM44 0220474 – AM44 0220503 and confirm that they are a true and correct copy of excerpts from Amgen’s Aranesp® BLA. I am further informed that Dr. Elliott of Amgen provided deposition testimony on Aranesp’s structure and function.

4. I have reviewed the documents contained within the bates range AM77 002299 – AM77 002311 and confirm that they are a true and correct copy of excerpts from Yoshiko Arakawa Kita’s Laboratory Notebook No. 1041.

5. I have reviewed the documents contained within the bates range AM77 002312 – AM77 002315 and confirm that they are a true and correct copy of excerpts from Yoshiko Arakawa Kita’s Laboratory Notebook No. 2112.

6. I have reviewed the documents contained within the bates range AM87 016762 – AM87 016778 and confirm that they are a true and correct copy of excerpts from Craig Crandall’s Laboratory Notebook No. 2699.

7. I have reviewed the documents contained within the bates range AM87 016779 – AM87 016781 and confirm that they are a true and correct copy of excerpts from Craig Crandall’s Laboratory Notebook No. 3146.

8. I have reviewed the documents contained within the bates range AM87 016782 – AM87 016790 and confirm that they are a true and correct copy of excerpts from Craig Crandall’s Laboratory Notebook No. 3715.

9. Attached as Exhibit 1 is a true and correct copy of selected pages from Defendants’ Second Supplemental Responses and Objections to Plaintiff Amgen Inc.’s First Set of Interrogatories to Defendants (Nos. 1-15), dated February 26, 2007.

10. Attached as Exhibit 2 is a true and correct copy of selected pages from Plaintiff’s Supplemental Response to Defendants’ First Set of Interrogatories (Nos. 1-12), dated February 10, 2007.

I declare, under penalty of perjury, under the laws of the United States, that the foregoing is true and correct and that this Declaration was completed at Palo Alto, California this 6th day of April 2007.

/s/ John A. Lee

John A. Lee

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the Electronic Case Filing (ECF) system will be sent electronically 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 the above date.

/s/ Michael R. Gottfried _____

Michael R. Gottfried