



I, Mario Moore, 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 attorney of 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 page 15 of the deposition transcript of Peter Schuepbach taken in Amgen v. Roche, 05-CV-12237, on March 29, 2007, page 15.

4. Attached hereto as Exhibit 2 is a true and correct copy of pages 21 and 54 of the deposition transcript of Iris Kingma-Johnson taken in the ITC Matter No. 337-TA-568 on June 13, 2006 pages 21 and 54.

5. Attached hereto as Exhibit 3 is a true and correct copy of an e-mail from R. Beswick to I. Kingma-Johnson regarding contract, bearing bates numbers R10-001645630 – R10-001645634.

6. Attached hereto as Exhibit 4 is a true and correct copy of an e-mail from I. Kingma-Johnson to C. Kokino et al. regarding a call with Randall Hein, bearing bates numbers R11-000094863 – R11-000094864.

7. Attached hereto as Exhibit 5 is a true and correct copy of a slide presentation named “DaVita Company Profile,” bearing bates numbers R003868094 – R003868113.

8. Attached hereto as Exhibit 6 is a true and correct copy of a slide presentation named “DaVita Conference,” bearing bates numbers R11-000094925 – R11-000094935.

9. Attached hereto as Exhibit 7 is a true and correct copy of a slide presentation named “DaVita Roche Laboratories Inc.,” dated March 9, 2006, bearing bates numbers

R10-001653176 – R10-001653188.

10. Attached hereto as Exhibit 8 is a true and correct copy of an e-mail from R. Hein to I. Kingma-Johnson regarding the teleconference between DaVita and Roche, dated March 9, 2006, bearing bates numbers R11-000220564 – R11-000220566.

11. Attached hereto as Exhibit 9 is a true and correct copy of an e-mail from I. Kingma-Johnson to R. Hein regarding an update to the teleconference, dated March 27, 2006, bearing bates numbers R10-004848608 – R10-004848609.

12. Attached hereto as Exhibit 10 is a true and correct copy of an e-mail from J. Varkey to A. VanBuskirk regarding cost, dated August 15, 2006, bearing bates numbers R11-000103779 – R11-000103783.

13. Attached hereto as Exhibit 11 is a true and correct copy of a slide presentation named “US IIIb – Anemia Clinical Trial Task Force,” bearing bates numbers R005186997 – R005187000.

14. Attached hereto as Exhibit 12 is a true and correct copy of a spreadsheet titled “ML20337 Mircera Continuum of Care,” bearing bates numbers R005193165 – R005193177.

15. Attached hereto as Exhibit 13 is an e-mail from J. Varkey to I. Kingma-Johnson and R. Beswick regarding the CERA clinical supply update, dated June 6, 2006, bearing bates numbers R11-000218955 – R11-000218956.

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

Signed this 19<sup>th</sup> day of April, 2007.

/s/ Mario Moore

Mario Moore